

No.  
vol I

57899

NAME

Soldier Settlement & Veterans Land Act.

57899 vol I



*Soldier Settlement and Veterans Land Act.*

Legal Section  
GGB/EMM

Victoria Building,  
7 O'Connor Street,  
Ottawa 4, Ontario.

August 26, 1953.

Dear Sir,

I have your letter of the 24th instant, your  
File V-26-8.

This will confirm the advice given you on the  
telephone by Mr. Wright last week that we shall be glad to  
reimburse you for travelling expenses incurred in connection  
with appraisal and other field work done for this office.

I suggest, accordingly, that when forwarding  
such reports you attach a memorandum of such expenses.

Yours very truly,

G. G. Beckett,  
Vice Chairman, Administration Board  
and Associate Counsel.

Director,  
Soldier Settlement and Veterans' Land Act,  
Department of Veterans Affairs,  
O T T A W A.

57899





SOLDIER SETTLEMENT AND VETERANS' LAND ACT

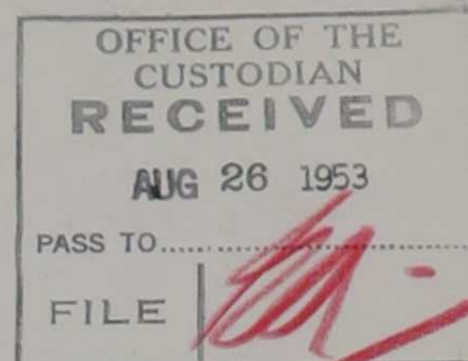
OFFICE OF THE DIRECTOR

File V-26-8.

OTTAWA

August 24, 1953.

Mr. K.W. Wright, Q.C.,  
Chairman, Administration Board,  
Office of the Custodian,  
Dept. of the Secretary of State,  
Victoria Building,  
7 O'Connor Street,  
Ottawa, Ontario.



Dear Mr. Wright:

As you are aware the Veterans' Land Act Administration has on occasion done certain appraisal and other field work for your Department and we have been pleased to have been of assistance in this respect. At the same time, although it is appreciated that the work for the most part may be carried out at the convenience of my field staff, it has nevertheless represented somewhat of a drain on our travelling expense allotment which has been reduced considerably during the past few years.

Arrangements have been made with a number of other departments of Government to have such travelling and other out-of-pocket expenses paid for by the Department concerned to recoup our travelling expense allotment. I trust your Board will agree that payment of such travelling expenses for work done is not unfair and that you will be in a position to recoup us for such expenditures in the future.

Yours very truly,

T.J. Rutherford,  
for Director.

*Soldier Settlement and Veterans Land Act*



ATM

MEMORANDUM FOR MR. DEZIEL :

You may tell Mr. Adams that all appraisals of rural lands have been made for us by the Soldier Settlement Board. In September last we asked the Board for a valuation of this particular quarter-section. Not having a reply, we recently reminded the Board of our request and asked for an early answer.

There have been numerous inquiries as to the possibility of purchasing this property. Very recently the Department of Transport intimated that it might desire to acquire some 45 or 46 acres of the land for a wireless transmitter station. Of course if we do not sell this parcel, steps might be taken to expropriate the necessary amount of land.

In view of the numerous inquiries, if it is decided to sell either the whole or any part of the property, the usual practice of the Custodian would have to be followed, that is, advertising for tenders.

I should think, however, if part of the land is taken over by the Department of Transport the moneys realized from it might be sufficient to pay the taxes on the remainder until such time as France may be liberated and the owner, a resident of France, given an opportunity of deciding whether he wishes to sell his property or not. It should be kept in mind that this property is not owned by a German, an Italian or a Japanese, but by a resident of France.

E. H. Coleman  
Under Secretary of State.

Ottawa, April 19, 1944.

No. 57899

NAME

*Soldier Settlement of Veterans Land Act.*

THE RECORD



No. 57899

NAME

*Soldier Settlement and Veterans' Land Act.*

OFFICE OF THE

Secretary of State

Ottawa, July 5, 1943.

Dear Sir,-

I have received your letter of July 2nd which sets out the terms of the revised understanding reached by Mr. McPherson, of the Custodian's Office, with you relating to the purchase of 769 parcels of Japanese evacuee lands for \$850,000.

The terms of your letter of July 2nd correctly set out the understanding now reached.

Yours truly,

Secretary of State  
and Custodian.

G. Marchison, Esq.,  
Director,  
Soldier Settlement and Veterans' Land Act,  
O t t a w a .



No. 57899

NAME

Soldier Settlement and Veterans' Land Act.



CANADA

SOLDIER SETTLEMENT AND VETERANS' LAND ACT  
OFFICE OF THE DIRECTOR  
GM/K

OFFICE OF THE

JUL 5 1943

Secretary of State

OTTAWA.

July 2, 1943.

The Honourable N.A. McLarty, K.C., M.P.,  
Secretary of State,  
OTTAWA.

Dear Sir,-

I wish to thank you for your letter of June 23rd accepting the offer of the Director, the Veterans' Land Act, to purchase 769 parcels of Japanese evacuee lands for \$850,000, in accordance with the terms of Mr. Barnet's letter of May 17th as amended by my letter of May 29th, but subject to three conditions which you set out.

Following discussion with our legal representative, I am of the opinion that the reference in your letter to the 1943 crop year may result in some administrative confusion, and in order to clarify the situation I should like your confirmation on the following points:

- (1) All taxes, charges, and fire insurance premiums will be assumed by the Director from January 1st, 1943. Any such items prior to that date will be paid by the vendor. ✓
- (2) All rents paid or payable on and after January 1st, 1943, will be paid or assigned to the Director, less such adjustments as may be necessary to cover disbursements made by the Custodian for taxes, charges, or fire insurance premiums on and after January 1st, 1943. ✓
- (3) All existing leases covering the lands included in the Director's offer will be assigned by an assignment appropriate to cover the above terms. ✓

Yours faithfully,

Director.

This is in accordance with my discussion with Mr. Murchison 5/7/43.



*unclassified*

*Press release*

BUREAU FOR  
TRANSLATIONS  
300259  
JUN 18 1943  
OFFICE OF THE  
SUPERINTENDENT

No. 57899

NAME

*Soldier Settlement of Veterans' Land Act.*

As announced by the Secretary of State, the sale of 769 parcels of land formerly occupied by persons of the Japanese race, has been negotiated with the Director of the Veterans' Land Act. These lands are located in the Fraser Valley of British Columbia, including the municipalities of Delta and Richmond. They were acquired by the Director pursuant to the authority vested in him by the Veterans' Land Act 1942, to assist in the rehabilitation of Canadian veterans.

Not all the parcels thus far acquired are of themselves suitable for veteran settlement. In some cases subdivision may be undertaken. In others, it may be advisable to consolidate two or more parcels into one unit. In many cases it will be necessary to undertake extensive alterations to existing buildings or the erection of new homes of modest size but of enduring construction. The scarcity of building materials and expert labour at the present time are factors which make it necessary to postpone such a building programme until conditions are more favourable.

In the meantime, the local administration of these lands will come under Mr. I.T. Barnet, Provincial Superintendent, Veterans' Land Act and Soldier Settlement, at Vancouver. Annual taxed levied by the local authorities will be paid in accordance with the provisions of the Veterans' Land Act.

I should like to emphasize that it is the intention to hold these lands for veteran rehabilitation purposes, and for this reason it is useless for any one to seek to establish a preferred position in this regard. Disposition of these lands is a matter upon which the men from British Columbia who are at present scattered around the world on the fighting fronts will be given an opportunity to compete on equitable terms so far as it may be within the authority of the Director and his representatives. I am confident that this policy will commend itself to and receive full support from the public at large.



Press Release

re Agricultural Lands in British Columbia previously occupied by persons of the Japanese race evacuated from the protected areas.

The Secretary of State announces that, as Custodian, he has negotiated, on the recommendation of his Advisory Committee on Rural Property, under the Chairmanship of His Honour Judge Whiteside, New Westminster, B.C., the sale of 769 parcels of land.

These lands, formerly occupied by persons of the Japanese race who have now been evacuated from the protected areas of British Columbia, consist of farm lands situated in the Fraser Valley area and the sale has been made to the Director, Veterans' Land Act.

The administration of the lands included in the sale is now being transferred from the Custodian's Vancouver office to the Provincial Supervisor under the Veterans' Land Act, Office of the Soldier Settlement of Canada at Vancouver.

The proceeds received from the sale will, in accordance with the Custodian's general policy, be credited to the accounts of the former Japanese owners of the individual parcels of land sold.

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*Soldier Settlement of Veterans Land Act.*



No. 1  
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Press Release

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The administration of the lands included in the sale is now being transferred from the Custodian's Vancouver office to the Provincial Supervisor under the Veterans' Land Act, Office of the Soldier Settlement of Canada at Vancouver.

The proceeds received from the sale will, in accordance with the Custodian's general policy, be credited to the accounts of the former Japanese owners of the individual parcels of land sold.



No. 57899

NAME

Solomon Settlement of Japanese War Veterans

DECLARATION  
DE M. S. HENDERSON, MINISTRE DE LA LOI SUR LES TERRES  
DESTINÉES AUX ANCIENS COMBATTANTS

Comme il a été annoncé par le secrétaire d'Etat, la vente  
de 769 pièces de terrain précédemment occupées par des personnes de la ra-  
ce japonaise, a été négociée.

## COMMUNIQUE DE PRESSE

Le sujet de terrains agricoles précédemment occupés par des  
personnes de la race japonaise évacuées des zones  
protégées.

Le secrétaire d'Etat annonce qu'en sa qualité de séques-  
tre il a négocié, sur la recommandation de son comité consul-  
tatif de la propriété rurale, présidé par Son Honneur le juge  
Whiteside, New Westminster, C.-B., la vente de 769 pièces de  
terrain.

Ces terrains, précédemment occupés par des personnes  
de la race japonaise qui ont été évacuées des zones protégées  
de la Colombie-Britannique sont des terrains agricoles situés  
dans la région de la vallée Fraser et ils ont été vendus au  
directeur, Loi sur les terres destinées aux anciens combattants.

L'administration des terrains compris dans la vente est  
en train d'être transférée du bureau du séquestre, Vancouver,  
au surintendant provincial sous le régime de la Loi sur les  
terres destinées aux anciens combattants, bureau de l'établis-  
sement des soldats du Canada, à Vancouver.

Les produits de la vente seront, conformément à la pra-  
tique ordinaire du séquestre, crédités au compte de chaque  
propriétaire japonais dont le terrain a été vendu.

Je tiens à souligner que le gouvernement a l'intention de  
conserver ces terres pour le rétablissement des anciens combattants et  
que pour cette raison il est inutile que le public cherche à établir des  
droits de priorité à leur égard. Les hommes de la Colombie-Britannique  
qui sont en ce moment éparpillés autour du monde sur les champs de ba-  
taille, auront à leur retour l'opportunité de concourir pour la posses-  
sion de ces terrains aussi équitablement que le directeur et ses repré-  
sentants seront en mesure de le garantir. Je suis sûr que le public  
approuvera cette ligne de conduite et qu'il l'appuiera de tout son pou-  
voir.



DECLARATION  
DE M. G. MURCHISON, DIRECTEUR DE LA LOI SUR LES TERRES  
DESTINEES AUX ANCIENS COMBATTANTS

Comme il a été annoncé par le secrétaire d'Etat, la vente de 769 pièces de terrain précédemment occupées par des personnes de la race japonaise, a été négociée avec le directeur, Loi sur les terres destinées aux anciens combattants. Ces terres sont situées dans la vallée Fraser de la Colombie-Britannique et comprennent les municipalités de Delta et Richmond. Elles ont été acquises par le directeur conformément aux pouvoirs qui lui sont conférés par la Loi de 1942 ayant pour objet d'aider les anciens combattants à s'établir sur la terre.

Les pièces de terrain acquises jusqu'ici ne conviennent pas toutes à l'établissement des anciens combattants. Il sera nécessaire d'en subdiviser quelques-unes. En revanche, il faudra probablement en réunir quelques autres pour n'en former qu'une seule. Dans la plupart des cas il sera nécessaire de faire de grosses réparations aux bâtiments actuels ou construire de nouvelles habitations de grandeur moyenne mais solides. Par suite de la rareté des matériaux de construction et de la main-d'oeuvre expérimentée en ce moment, il sera nécessaire de remettre ce programme de construction à une époque plus favorable.

Dans l'intervalle, l'administration locale de ces terres sera confiée à M. I.T. Barnet, surintendant provincial, Loi sur les terres destinées aux anciens combattants et établissement des soldats, Vancouver. Les impôts perçus par les autorités locales seront payés conformément aux dispositions de la Loi sur les terres destinées aux anciens combattants.

Je tiens à souligner que le gouvernement a l'intention de conserver ces terres pour le rétablissement des anciens combattants et que pour cette raison il est inutile que le public cherche à établir des droits de priorité à leur égard. Les hommes de la Colombie-Britannique qui sont en ce moment éparpillés autour du monde sur les champs de bataille, auront à leur retour l'opportunité de concourir pour la possession de ces terrains aussi équitablement que le directeur et ses représentants seront en mesure de le garantir. Je suis sûr que le public approuvera cette ligne de conduite et qu'il l'appuiera de tout son pouvoir.

No. 1  
57899

NAME

*Soldier Settlement of Veterans Fund Act.*



No. 57899

NAME

*Soldier Settlement of Veterans Land Act.*

Ottawa, April 6, 1943.

Dear Mr. Cruickshank,-

I have received your letter of the 5th concerning Japanese farm properties in British Columbia.

The Advisory Committee headed by Judge Whiteside agreed, as a matter of policy, that Mr. MacKay of the Custodian's Office, formerly of the Soldier Settlement staff, should review all the tenancies and should be authorized to renew the leases, until the end of the crop year 1944, in cases where it appeared the tenant gave evidence of making satisfactory use of the land. It was provided that if Mr. MacKay did not see his way clear to recommend a renewal the tenant could be heard, if he so desired, by the Advisory Committee and that Mr. MacKay, of course, would also have the opportunity of presenting his views and the result of his investigations.

I may state that there now appears a possibility that the Soldier Settlement Board, under the Veterans Land Act, will make an offer for all the farm properties. Of course, I assume that such a sale would be subject to existing leases.

Yours sincerely,

N. A. McLARTY

Secretary of State.

George A. Cruickshank, Esq., M.P.,  
House of Commons,  
O t t a w a .



*Soldier Settlement of Veterans Land Act.*

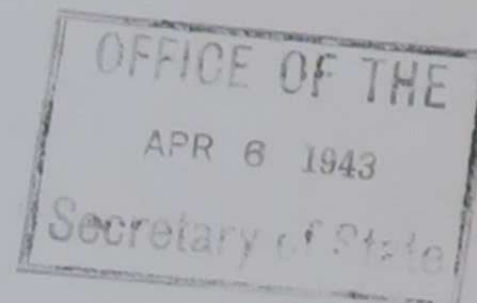
OFFICE OF  
THE SECRETARY OF STATE

## MEMORANDUM

Memo. to Dr. Coleman:

Would you kindly draft a reply for me to this letter from Mr. Cruickshank.

N.A. McL.

ommons  
la

Ottawa, Ontario,  
April 5, 1943.

*to the end of the crop year  
of 1944.  
to J. H. Cruickshank  
- business & family  
- on app.*

JAPANESE BERRY FARMS

Ottawa,

193

what progress has been  
making of the above farms  
Committee appointed for this

The farmers complain that no answer has as yet  
been given as to the extension of the leases to a two or  
three year period to enable them to plant new berries.

Yours very truly,

George A. Cruickshank, M.P.  
Fraser Valley, B. C.

GC/ls



No. 57899

NAME

*Soldier Settlement of Veterans Fund Act.*



House of Commons  
Canada

OFFICE OF THE  
APR 6 1943  
Secretary of State

Ottawa, Ontario,  
April 5, 1943.

Hon. Mr. Norman McLarty,  
Secretary of State,  
Ottawa, Ontario.

Dear Mr. McLarty:-

RE: JAPANESE BERRY FARMS

Might I be advised what progress has been made in connection with the leasing of the above farms by the Enemy Custodian or the Committee appointed for this purpose.

The farmers complain that no answer has as yet been given as to the extension of the leases to a two or three year period to enable them to plant new berries.

Yours very truly,

George A. Cruickshank, M.P.  
Fraser Valley, B. C.

GC/ls



No. 57899

NAME

*Soldier Settlement of Veterans Fund Act.*

ATM

Ottawa, March 31, 1943.

Sir,-

I have the honour, by direction, to thank you for your letter of the 19th enclosing copy of a resolution passed at the General Meeting of the British Columbia Coast Growers Association held in Mission City on the 13th March. Your representations are having consideration.

I have the honour to be,  
Sir,  
Your obedient servant,

E. H. Coleman  
Under Secretary of State.

J. W. Little, Esq.,  
Secretary,  
British Columbia Coast Growers Association,  
R. R. 1, Matsqui, B.C.



No. 57899

NAME

*Soldier Settlement of Japanese Land Act.*

Resolution No. 2—~~P. 2~~—Farm Leases.

Whereas the present method of leasing the Farms evacuated by Japanese Farmers, which provides for a lease of one season only, terminating at the end of September, in most cases and which further does not provide for compensation, in the event that the Tennant plants out crops, such as berries, Asparagus, Rhubarb, etc., which do not produce a harvest the same season as planted.

And whereas this method of lease practically kills any attempt by the Tennant to have the desire to plant out new acreage to assure continuity, since under the present form of lease his expenses and labor entailed in planting such crops would be a total loss, if he cannot release the land at the end of this season.

And whereas the food supply situation in Canada is already at an extremely critical stage and nothing should be permitted to be done that would waste any available acreage and prevent same from producing food.

Be it hereby resolved: That we urge the Department of Agriculture in Ottawa and the Food Supply Administration to correct this deplorable condition at once, by granting the tenants of Japanese evacuated Farms in the Fraser Valley and Lower Mainland a Lease of not less than three years and that any such lease should contain a proper compensation clause, and in the event that Authorities in charge of leasing of these farms cannot grant a three year lease, a proper compensation clause should be inserted into the one season Leases and a definite stipulation that each Tennant plant out a certain acreage on his farm, taking into consideration the land available for such a purpose, and that the Tennant be duly compensated if he has to evacuate the farm before he can obtain any harvest of such acreage planted out.

And be it further resolved:

That the tennants now occupying and leasing Japanese evacuated farms and who keep these farms in good shape, should be given first chance to purchase these farms, providing they still are the occupants of such farms at the time when the Federal Government offers these farms for sale.

*Coast Farmers Association held in Mission City, Saturday, March 13<sup>th</sup>, 1943.*

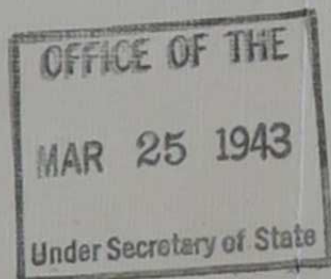
*Please give this your best attention.*

*Yours very truly,*

*J. W. Little*

*Sec. British Columbia*

*Coast Farmers Association*





No. 57899

NAME

*Soldier Settlement of Veterans Fund Act.*

R. R. 1  
Montague, B. C.  
March 19<sup>th</sup> 43.

Secretary of State,  
Ottawa.

Dear Sir,

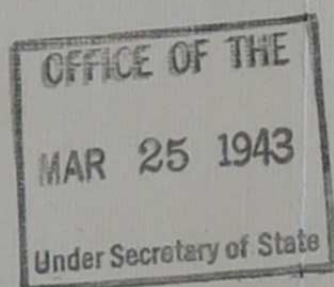
I am enclosing herewith copy of resolution which was passed at the general meeting of the British Columbia Coast Farmers Association held in Mission City, Saturday, March 13<sup>th</sup>, 1943.

Please give this your best attention.

Yours very truly,

J. W. Little

Sec. British Columbia  
Coast Farmers Association





No. 57899

NAME

*Letter to Mr. Robertson*

ATM

Ottawa, January 19, 1943.

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

Confirming our telephone conversation, I am enclosing for your information a copy of the recommendation to Council which was prepared in accordance with the instructions of a Sub-Committee of Cabinet considering matters affecting Japanese property in the protected areas.

E. H. Coleman  
Under Secretary of State.



ATM

Ottawa, January 19, 1943.

A. D. P. Heeney, Esq., K.C.,  
Clerk of the Privy Council,  
O t t a w a .

I am enclosing a recommendation to Council  
with respect to Japanese property.

E. H. Coleman  
Under Secretary of State.

No. 1  
57899

NAME

*Soldier Settlement of Ottawa and York Co.*



TO HIS EXCELLENCY  
THE GOVERNOR GENERAL IN COUNCIL :

The undersigned, the Secretary of State of Canada, has  
the honour to report:

(1) That by Order of Your Excellency in Council approved on the 29th June, 1942, (P.C. 5523) amended by Order of Your Excellency in Council approved on the 4th August, 1942, (P.C. 5685) Regulations were made imposing certain duties and responsibilities on the Director of Soldier Settlement of Canada in relation to agricultural lands owned by persons of the Japanese race ordinarily resident in the protected areas of British Columbia;

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

(3) That by Order of Your Excellency in Council, approved on the 20th July, 1942, (P.C. 5247) it was provided that on and after the 1st August, 1942, all unfinished business of the Committee under the Chairmanship of the Honourable Mr. Justice Sidney A. Smith of Vancouver, appointed by Order in Council of the 13th January, 1942, (P.C. 238) in respect of vessels or equipment vested in the Custodian under the said Order should be transferred to the Custodian, and the Custodian was vested with all vessels and equipment which had not been disposed of under the supervision of the said Committee;

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

(5) That by Orders made by Your Excellency in Council relating to the property of persons of the Japanese race evacuated from the protected areas of British Columbia, the Custodian has been vested with the responsibility of controlling and managing property belonging to persons of the Japanese race who have been evacuated from the protected areas, except deposits of money, shares of stock, debentures, bonds or other securities or other property which the owner on being evacuated from the protected areas was able to take with him;

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

The undersigned, therefore, with the concurrence of the Minister of Mines and Resources, the Minister of Pensions and National Health, the Minister of Labour and the Minister of Fisheries, has the honour to recommend that an Order, under the War Measures Act, Chapter 206 of the Revised Statutes of Canada 1927, be made by Your Excellency in Council, as follows:

No. 57899

NAME

*Soldier Settlement of Veterans Fund Act.*



1. That Order in Council approved on the 29th June, 1942, (P.C. 5523) and amending Order in Council approved on the 4th August, 1942, (P.C. 6685) be revoked.

2. That paragraphs numbered 3 and 4 in Order in Council of the 20th July, 1942, (P.C. 6247) be rescinded and the following substituted therefor:

3. All right, title and interest to or in any vessels or equipment purported to have been disposed of by the said Committee are hereby vested in the Custodian as on and from the 1st August, 1942, and the Custodian is vested as on and from the 1st August, 1942, with power to complete any such purported sales and to execute any conveyances or grants requisite to convey title to the purchasers.

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

3. That wherever, under Orders made by Your Excellency 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 that 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.

All of which is respectfully submitted.

Secretary of State.

Ottawa, January , 1943.

No. 57899

NAME

*Order in Council of the 1st August 1942.*



TO HIS EXCELLENCY  
THE GOVERNOR GENERAL IN COUNCIL :

The undersigned, the Secretary of State of Canada, has the honour to report:

(1) That by Orders made by Your Excellency in Council relating to the property of persons of the Japanese race evacuated from the protected areas of British Columbia, the Custodian has been vested with the responsibility of controlling and managing property belonging to persons of the Japanese race who have been evacuated from the protected areas, except deposits of money, shares of stock, debentures, bonds or other securities or other property which the owner on being evacuated from the protected areas was able to take with him;

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

The undersigned, therefore, has the honour to recommend, under the War Measures Act, Chapter 206, R.S.C. 1927, that an Order be made by Your Excellency in Council, as follows :

That wherever, under Orders made by Your Excellency 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 that 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.

All of which is respectfully submitted.

Secretary of State.

Ottawa, January , 1943.

No. 57899

NAME

*Order in Council 1943-1-10*



DRAFT

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL :

The undersigned, the Secretary of State of Canada,  
has the honour to report:

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

(2) That the appraisals of lands contemplated by the said Order in Council have been made and that it is the opinion of the Minister of Mines and Resources, to whom the Director of Soldier Settlement of Canada reports under the said Order in Council, that the said Order in Council should be revoked.

The undersigned, therefore, with the concurrence of the Minister of Mines and Resources and the Minister of Pensions and National Health, has the honour to recommend that Order in Council approved on the 29th June, 1942, (P.C. 5523) be revoked.

The undersigned has the honour to recommend further that Order in Council approved on the 4th August, 1942, (P.C. 6685) amending Order in Council approved on the 29th June, 1942, (P.C. 5523) be likewise revoked.

All of which is respectfully submitted.

Secretary of State.

Ottawa, January , 1943.

No. 1  
57899

NAME

*Soldier Settlement of Canada Hand Let.*



TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL :

The undersigned, the Secretary of State of Canada, has the honour to report as follows:

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

(2) Since the transfer <sup>was effected,</sup> questions have been raised as to the authority of the Custodian to <sup>deal with</sup> ~~dispose of~~ unfinished business of the said Committee in relation to vessels or equipment disposed of prior to the 1st August, 1942, and it is expedient to remove any doubts in this respect.

The undersigned, <sup>under the War Measures Act, chapter 186 of the</sup> ~~therefore~~, has the honour to recommend, with the concurrence of the Minister of Fisheries, that paragraphs numbered 3 and 4 in the Order of Your Excellency in Council of the 20th July, 1942, (P.C. 6247) be <sup>repealed</sup> ~~revoked~~ and the following substituted therefor:

3. All right, title and interest to or in any vessels or equipment purported to have been disposed of by the said Committee are hereby vested in the Custodian as on and from the 1st August, 1942, and the Custodian is vested with power to complete any such purported sales and to execute any conveyances or grants requisite to convey title to the purchasers.

No. 57899

NAME

Selling Settlement of the same hand let.

P.C. 6247, 20th July 1942, 1st August 1942.

as on and from 1st August 1942.



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

All of which is respectfully submitted.

Secretary of State.

Ottawa, January 14, 1943.

No. 1  
57899

NAME

*Robert Littlewood & Co. Ltd.*



final Draft

6805

TO HIS EXCELLENCY  
THE GOVERNOR GENERAL IN COUNCIL :

The undersigned, the Secretary of State of Canada, has the honour to report:

(1) That by Order of Your Excellency in Council approved on the 29th June, 1942, (P.C. 5523) amended by Order of Your Excellency in Council approved on the 4th August, 1942, (P.C. 6685) Regulations were made imposing certain duties and responsibilities on the Director of Soldier Settlement of Canada in relation to agricultural lands owned by persons of the Japanese race ordinarily resident in the protected areas of British Columbia;

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

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

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

(5) That by Orders made by Your Excellency in Council relating to the property of persons of the Japanese race evacuated from the protected areas of British Columbia, the Custodian has been vested with the responsibility of controlling and managing property belonging to persons of the Japanese race who have been evacuated from the protected areas, except deposits of money, shares of stock, debentures, bonds or other securities or other property which the owner on being evacuated from the protected areas was able to take with him;

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

The undersigned, therefore, with the concurrence of the Minister of Mines and Resources, the Minister of Pensions and National Health, the Minister of Labour and the Minister of Fisheries, has the honour to recommend that an Order, under the War Measures Act, Chapter 206 of the Revised Statutes of Canada 1927, be made by Your Excellency in Council, as follows :

No. 57899

NAME

*Solomon Settlement of Japanese Land Act.*



6885

No. 57899

NAME

*Asst. Secretary of State*

1. That Order in Council approved on the 29th June, 1942, (P.C. 5523) and amending Order in Council approved on the 4th August, 1942, (P.C. 6685) be revoked.

2. That paragraphs numbered 3 and 4 in Order in Council of the 20th July, 1942, (P.C. 6247) be rescinded and the following substituted therefor:

3. All right, title and interest to or in any vessels or equipment purported to have been disposed of by the said Committee are hereby vested in the Custodian as on and from the 1st August, 1942, and the Custodian is vested as on and from the 1st August, 1942, with power to complete any such purported sales and to execute any conveyances or grants requisite to convey title to the purchasers.

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

3. That wherever, under Orders made by Your Excellency 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 that 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.

All of which is respectfully submitted.

Secretary of State.

Ottawa, January , 1943.



PLEASE ADDRESS  
THE DEPUTY MINISTER OF JUSTICE  
OTTAWA

DWM/DC

1943 JAN 19 AM 9:46

UNDER SECRETARY  
OF STATE

OTTAWA January 18th, 1943.

BY HAND

J.R. 7536-43

A letter, dated January 15th, from the Secretary of State to the Minister of Justice, enclosing a draft recommendation to Council relative to the disposition of property owned by persons of the Japanese race who have been evacuated from the protected areas of British Columbia and of certain fishing vessels and equipment, has been referred to me.

With reference to paragraph one of the proposed recommendation to Council, it appears that the reference to P.C. 6685 therein made should read 6885.

With reference to paragraph 2, I would suggest that the paragraph numbered (3) therein contained be redrafted to read as follows:

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

It is unnecessary, I think, to refer to any transactions which the Committee on the Disposal of

...

The Under Secretary of State,  
Department of State,  
OTTAWA.

No. 57899  
NAME

*Robert Littlewood of Ottawa and Hand Let.*



Japanese Vessels purported to enter into inasmuch as I understand that the purpose of this paragraph is merely to confirm subsequent steps taken by you as Custodian.

Otherwise I have no suggestions to make as to the form of the proposed recommendation.

*F. P. Varcoe*  
Deputy Minister.

No. 1  
57899

NAME

*Admiral Settlement of Japanese Bond Act.*



Copy for the information of Dr. E. H. Coleman, K.C.

January 18, 1943.

to Hon. Mr. Mitchell.

In the matter of liquidating the Estates of Japanese, I am of the view that the fact this is to occur must become known to the Japanese within a very short time.

It, I believe, should be made clear to your Colleagues before Order in Council is passed that the action will probably make Japanese very difficult to manage. Sit-down strikes and possibly sabotage may be expected.

I would recommend the contemplated action of "liquidation" should be done gradually and I also suggest that External Affairs Department would be interested and should be consulted before decision is taken.

A. MacNamara.



COPY

Ottawa, January 26th, 1943.

My dear Colleague:

I have your letter of the 19th inst.  
relative to the evacuation of Japanese in British Columbia,  
and appreciate very much your concurrence in the recommend-  
ation contained in the Order-in-Council.

Yours sincerely,

Honourable Ernest Bertrand,  
Minister of Fisheries,  
O t t a w a .



COPY

DEPARTMENT OF FISHERIES  
OTTAWA

January 19th, 1943.

My Dear Colleague:

I have your letter of the 15th instant with regard to a meeting held by a sub-committee of Cabinet dealing with matters arising out of the evacuation of persons of the Japanese race from the protected areas of British Columbia and to which you attached a draft recommendation to Council in connection with the turning over to the Custodian for Enemy Alien Property the responsibilities of the Japanese Fishing Vessel Disposal Committee as from August first last.

I have no objection to the form of the proposed submission and concur in the recommendations contained therein.

Yours very truly,

(Signed) Ernest Bertrand  
Minister of Fisheries.

Honourable Norman McLarty,  
Secretary of State,  
Ottawa, Ontario.

No. 1  
57899

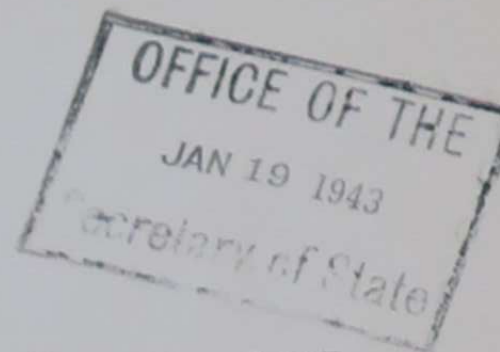
NAME

*Admiral's Settlement of Japanese Food Act.*





MINISTER OF PENSIONS AND NATIONAL HEALTH



Ottawa, 16th January, 1943

My dear Colleague,-

I have your letter of the 15th instant, enclosing Recommendation to Council. This Recommendation, except for one particular, is thoroughly satisfactory. I refer to paragraph (6) on page 1. The words used are as follows:

"that it is necessary to provide facilities for liquidation of property in appropriate cases".

That would seem to me to be a limited jurisdiction, although it is apparently cured by paragraph 3 on the second page. I think the paragraph in question should read:-

"that it is necessary to prepare and carry out a programme for the liquidation of property, ... etc." - and then specify the nature of the properties.

There are four or five different kinds of properties that must be liquidated.

This is a suggestion which your Deputy Minister may consider before the matter comes before Council.

Yours sincerely,

*File 15-10 Japan and*  
The Honourable Norman McLarty,  
Secretary of State of Canada,  
O t t a w a.

No. 1  
57899

NAME

*Admiral's Settlement of Japanese Bond Act.*



Same letter to Hon. Ian Mackenzie, K.C.,  
Min. Pensions & Nat. Health,  
Hon. Humphrey Mitchell,  
Minister of Labour

Ottawa, January 15, 1943.

My dear Colleague,-

You will recollect that at the meeting on Monday of the Sub-Committee of Cabinet dealing with matters arising out of the evacuation of persons of the Japanese race from the protected areas of British Columbia the Committee reviewed certain difficulties which have arisen in administration and came to the conclusion that certain amendments should be made to the Orders in Council regulating the responsibilities of the Custodian in respect to various types of property.

It was agreed that I should recommend to Council the necessary amending Order.

I am enclosing a draft of a recommendation which I propose to make. You will observe that the draft states that the recommendation is made with your concurrence and I hope this may be satisfactory in view of the general discussion which took place at our meeting. I shall, therefore, be pleased if you will advise me if you have any objection to the recommendation being made in the form proposed.

Yours sincerely,

Secretary of State.

The Honourable T. A. Crerar,  
Minister of Mines and Resources,  
O t t a w a .

*Adeline Settlement of British Columbia Land Act.*



*Soldier Settlement of Japanese Land Act.*

Ottawa, January 15, 1943.

My dear Colleague,-

On Monday of this week a meeting was held of a Sub-Committee of Cabinet dealing with matters affecting the evacuation of persons of the Japanese race from the protected areas of British Columbia. There were present at the meeting Mr. Crerar, Mr. Mitchell, Mr. Mackenzie and me.

The conclusion was reached that we should recommend to Council (1) the withdrawal of the Soldier Settlement Board from responsibilities in connection with agricultural lands; (2) a clarification in relation to the shipping vessels which were taken over by the Custodian from the Committee previously operating under Mr. Justice Smith; and (3) a power in the Custodian to liquidate Japanese property, the proceeds, of course, of each parcel or piece of property to be held in trust for the evacuated owner.

The situation in British Columbia concerning both urban and farm properties of Japanese who have been evacuated is exceedingly difficult and it was the unanimous view of the members of Council who looked into the problem that it would probably be necessary to take steps to liquidate, with appropriate safeguards for the protection of the interests of the owners of the Japanese race.

I was requested by my colleagues to draft a recommendation to Council setting out the necessary changes which might have to be made in various Orders in Council and Regulations affecting the property of these people. I enclose a copy of my draft submission for your information.

Yours sincerely,

The Honourable Louis S. St. Laurent, K.C., LL.D.,  
Minister of Justice,  
O t t a w a .

Secretary of State.



*Admiral's Settlement of Japanese Land Act.*

Ottawa, January 15, 1943.

My dear Colleague,-

On Monday last a meeting was held of a Sub-Committee of Cabinet dealing with matters arising out of the evacuation of persons of the Japanese race from the protected areas of British Columbia. The Committee reviewed certain difficulties which have arisen in administration and came to the conclusion that certain amendments should be made to the Orders in Council regulating the responsibilities of the Custodian in respect to various types of property.

It was agreed that I should recommend to Council the necessary amending Order.

Your Department is familiar with P.C. 6247 of the 20th July, 1942, which in effect wound up the business of the Committee in Vancouver dealing with Japanese fishing vessels. Subsequent to the transfer it developed that some question arose as to the authority of the Committee to give good title to purchasers from it and the Custodian's representative executed conveyances and transfers to enable the proper entries to be made in the Shipping Registers.

Since the Order of the 20th July, 1942, was passed on the recommendation of the Minister of Fisheries, I have thought it desirable that your concurrence in the amending Order should be expressed.

I shall, therefore, be pleased if you will consider the draft and advise me if you have any objection to its being submitted in the form proposed.

Yours sincerely,

The Honourable Ernest Bertrand, K.C.,  
Minister of Fisheries,  
O t t a w a .

N. A. McLARTY  
Secretary of State.



OFFICE OF  
THE SECRETARY OF STATE

MEMORANDUM Dec. 28/42

Dr. Coleman:

I believe we agreed, in connection with the matter of Japanese property, that it would be wise for Mr. McPherson to see Mr. Murchison relative to the agricultural property and if a general agreement can be arrived at in connection with that, pursuant to Mr. Mackenzie's letter, we might call a meeting of the Committee dealing with Japanese matters and add as ad hoc members Mr. Crerar and myself, so that the whole question could be settled at the same time.

N.A. McL.

Ottawa, 23rd December, 1942  
of your letter of the 21st  
lose copy of a memorandum  
er Secretary of State; also  
W. McPherson, who repre-  
ish Columbia.

Ottawa,

193

that this is a matter of  
ere is now in existence a  
of Cabinet - Mr. Gardiner,  
advise Council on questions  
the evacuation of the  
at after the holiday you join  
meeting of it yourself, as  
we may make concrete recommenda-  
tions to Council in regard to this matter.

My own opinion is (but my opinion may not be sustained by Council) that we should take over all these urban properties, as, to my mind, they are very much in the nature of definite slums. Of course, Council may not agree with my already publicly-expressed opinion that these Japanese should never be allowed to return to the coast of British Columbia. I shall be glad to discuss this matter with you at any time it is convenient.

I return the memorandum signed by Mr. McPherson.

Yours sincerely,

The Honourable Norman McLarty,  
Secretary of State of Canada,  
O t t a w a.

*Admiral's Settlement of Japanese Land Act.*



*John Bennett & Co. Ltd.*

MINISTER OF PENSIONS AND NATIONAL HEALTH

Ottawa, 23rd December, 1942

My dear Colleague,-

I am in receipt of your letter of the 21st instant, with which you enclose copy of a memorandum presented to you by the Under Secretary of State; also copy of a letter from Mr. G. W. McPherson, who represents the Custodian in British Columbia.

I agree with you that this is a matter of major Government policy. There is now in existence a committee of three members of Cabinet - Mr. Gardiner, Mr. Mitchell and myself - to advise Council on questions of policy with reference to the evacuation of the Japanese. May I suggest that after the holiday you join this committee and convene a meeting of it yourself, as Secretary of State, so that we may make concrete recommendations to Council in regard to this matter.

My own opinion is (but my opinion may not be sustained by Council) that we should take over all these urban properties, as, to my mind, they are very much in the nature of definite slums. Of course, Council may not agree with my already publicly-expressed opinion that these Japanese should never be allowed to return to the coast of British Columbia. I shall be glad to discuss this matter with you at any time it is convenient.

I return the memorandum signed by Mr. McPherson.

Yours sincerely,

The Honourable Norman McLarty,  
Secretary of State of Canada,  
O t t a w a.



ATM

Ottawa, December 16, 1942.

G. W. McPherson, Esq.,  
506 Royal Bank Building,  
Vancouver, B.C.

I received today your letter of the 12th concerning Japanese agricultural lands. The Minister has sent a copy of your letter to the Honourable Mr. Crerar, in order that the suggestions may be considered by Mr. Crerar and his officers. When we have any reply I shall advise you.

E. H. Coleman  
Under Secretary of State  
and Deputy Custodian.

No. 57899 NAME

*Soldier Settlement of Veterans Fund Act.*



Ottawa, December 16, 1942.

My dear Colleague,-

With further reference to my letter of December 8th concerning the farm properties in British Columbia, I am enclosing for your information a copy of a letter received by the Deputy Custodian, Mr. Coleman, from Mr. McPherson, who has been our representative at Vancouver. You may wish to have this letter examined by your officers with the view of obtaining their opinion concerning Mr. McPherson's suggestions.

I shall be glad to hear from you when you and your officers have had an opportunity of considering the suggestions made by Mr. McPherson.

Yours sincerely,

Secretary of State.

The Honourable T. A. Crerar,  
Minister of Mines and Resources,  
O t t a w a .



CANADA  
DEPARTMENT OF THE SECRETARY OF STATE  
OFFICE OF THE CUSTODIAN  
JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131  
PLEASE REFER TO  
FILE NO. ....

1942 DEC 16 AM 9:26

506 ROYAL BANK BLDG.,  
HASTINGS AND GRANVILLE  
VANCOUVER, B.C.

December 12, 1942.

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

SECRETARY  
OF STATE

Dear Doctor:

Re: Japanese Agricultural Lands

I have your letter of December 7th, with enclosures, and regret the delay in replying but the points raised are so important that they required considerable thought and discussion with the people handling the practical problem, including a meeting between myself and Mr. Barnett, the local representative of the Soldier Settlement of Canada, which lasted from 12 o'clock noon today until 4 o'clock.

After very careful consideration of all the facts available I would recommend:

1. That the future policy of the Custodian as to the disposition of all vested real estate be determined as soon as possible.
2. That such policy be a policy of liquidation.
3. That no attempt be made to segregate the general problems of administering Japanese farmers' affairs from other Japanese affairs and that, except as outlined below, no change in administration be made.
4. That the authority, duties and responsibilities of the Soldier Settlement of Canada be increased as set out below insofar as the administration of agricultural lands is concerned.
5. That either the definition of agricultural lands be amended so as not to include densely settled areas, such as Steveston, or the Director give the Custodian a blanket approval with respect to all transactions in such areas.

The reasons why I make these recommendations are as follows:

1. It is obvious, both in the city and country, that Japanese property is going to deteriorate rapidly and will not, in some cases, be sufficiently revenue bearing to pay fixed and operating charges.

continued -

No. 1  
57899  
NAME

*Soldier Settlement of Veterans Land Act.*



*Soldier Settlement of Japanese Land Act.*

- 2 -

2. The policy should be one of liquidation and this policy should eventually include all chattels that are not required in the Japanese evacuees' new homes. I realize the danger of such a policy insofar as it might cause dissatisfaction among evacuees but the deterioration of real property and the loss of chattels will soon liquidate the capital investment. At the present time evacuees are encouraged to release encumbered property where they have no real equity and to approve reasonable sales.

3. It is apparent to persons administering the practical problem that any attempt to transfer in toto the work of looking after Japanese farmers' affairs to the Soldier Settlement of Canada would be an unnecessary duplication of work and increase interdepartmental correspondence and negotiations. The evacuation is stated to be complete and preliminary negotiations have already taken place as to the movement of necessary chattels from farms, homes and storage places to the evacuees.

This organization has completed the spade work and is proceeding with a leasing program, approximately 150 leases already having been signed by me and in addition to this 200 leases of the Pacific Co-operative Union are continuing.

The reason for the long delay in instituting such a program has not been due to lack of effort either by the Soldier Settlement or this office but principally due to the long delay in completing the evacuation. The farmers from the Valley were about the last to be evacuated and the evacuation was not completed until the end of October.

After the insertion of the Soldier Settlement into the picture on June 29th, 1942, conferences were held with the local representative, Mr. Barnett, and a more or less workable arrangement made as set out in my letter to you of July 25th.

Regardless of arrangements made between Mr. Barnett and myself farms could not be leased until the Japanese owners were off but surveys could be, and were made, by the Soldier Settlement, titles were searched by this office, inventories of chattels were proceeded with and the Japanese were encouraged to make their own arrangements. Whether the manager of the Pacific Co-operative is persona grata or not is, in my opinion, secondary because the Custodian's supervisor is now in charge. This co-operative did, at the request of the Japanese members, go out and get tenants, signed up leases and advanced money in an effort to save the crop. Their actions were at least partially successful. While it is true some of their tenants have left it is also true other tenants placed by the Soldier Settlement have left. The co-operatives are a real part of the Valley picture and, in my opinion, the interest of the former members can best be protected by this Department continuing in legal control of the lands and co-operatives.

The taxes are recorded here, revenues are not always sufficient to pay same and the general assets are often used, with the approval of the Japanese, to pay taxes and insurance. The accounts are all set up and operating, claims by creditors are being settled and in general the complicated picture of administering 23,000 trusts is just beginning to clear and should not, in my opinion, be radically disturbed at this time.

continued -



As far as the reduction of staff is concerned, there are only nine persons, including field men, in the farm department and three of these are leaving at the end of the year. If the arrangements suggested below are approved there will be a further reduction but only after chattels on the farms have been disposed of.

When considering, as is suggested in your letter, but not directly in the Hon. Mr. Crerar's letter, the complete transfer of all the work relating to farms, the above points should be considered and in addition the objectives of the two departments namely -

1. The Custodian's objective, as I interpret it, is to minimize the economic loss both to the Japanese evacuee and the economic picture generally.
2. The Soldier Settlement of Canada's objective, because of the very purpose of their organization, is to obtain the best of the lands and they are not primarily interested in the Japanese. With the Custodian as owner there is no reason why they could not purchase the land if a liquidation policy were decided upon. Criticism from the Japanese and their legal representatives (who are quite voluble even now) would be voiced because of a trustee purchasing trust assets as it were if the Soldier Settlement of Canada takes over completely.

For the above and other practical reasons, I would recommend consideration of the following plan -

(a) The Custodian appoint the Director his Deputy under Regulation 6 (2) of the Consolidated Regulations Respecting Trading with the Enemy (1939) and Mr. Barnett have the necessary authority to act for him; the appointment to give the Director full power to manage and operate the farm lands. I suggest that an amending Order in Council is not necessary and would only confuse the tenants and the Japanese. The Japanese might interpret it as meaning the Soldier Settlement of Canada were taking over and their interests would not be protected. I believe the problem can be handled under the Regulations, the Director being in effect the official agent of the Custodian.

(b) The Custodian under this arrangement would -

1. Continue to protect the title to the land.
2. Sign the leases or other documents as owner.
3. Be in the position of principal to the Director and continue to deal with the Japanese as trustee.
4. Receive rents from the Soldier Settlement of Canada, keep the accounts, pay taxes as a preferred claim on revenues and, if in accordance with the general policy of the office, use other assets to make up any deficit. Since the Custodian will have the other assets and be in direct communication with the Japanese, he should pay taxes and insurance, keeping the Soldier Settlement of Canada fully informed and asking their advice as to the insurance to be carried, if any.

continued -

No. 1  
57899  
NAME

*Soldier Settlement of Canada Land Act.*



*Soldier Settlement of Japanese Land Act.*

5. 5. The Custodian as lessor will have the necessary authority to go on the land and under the chattels agreement will be able to remove the stored chattels for shipment to the evacuee as arranged with the British Columbia Security Commission, or for the sale of same if a policy of liquidation is approved.
- (c) Mr. Barnett, representing the Director and the Custodian, would -
  1. Continue to locate tenants, take applications to rent and approve of same.
  2. Prepare the lease documents in consultation with this office as to chattels, obtain the tenant's signature, approve the completion of the agreement and obtain the Custodian's signature and then arrange the delivery of one copy to the tenant.
  3. Have his staff supervise the actual farming operations and advise the Custodian on the situation generally, including the question of the desirability of placing insurance.
  4. Collect the rentals and pay same to the Custodian for credit to the Japanese account.
  5. Approve all reductions of rentals on existing leases to prevent the Custodian reducing the rent to a figure which might embarrass the Soldier Settlement when the farms come under their control after the termination of the present lease.
  6. Supervise the operations of all farms leased prior to June 29th and now under the Custodian's control but not interfering with the lease arrangements made by the Japanese.
  7. Advise the Custodian on all matters relating to the claims now being filed by tenants who leased direct from the Japanese, the claims being for misrepresentation of acreage.

At the present time by arrangement with Mr. Barnett numbers (b) 1,2,3, and 5 and (c) 1 are in effect as is (c) 2 except as to the actual preparation of the lease.

A copy of this letter is being handed direct to Mr. Barnett in order that he may be fully informed of my views and to avoid any misunderstanding here as between our two organizations which are now co-operating 100%. An extra copy is enclosed for your convenience.

Yours very sincerely,

GWMcP/FC.



EHC:DC

Ottawa, December 8th, 1942.

My dear Colleague,

I received on December 5th your letter of November 30th concerning the farm properties in British Columbia.

Mr. McPherson, who has had charge of the Vancouver Office of the Custodian, was here a few weeks ago and had a talk with Mr. Murchison. I have, therefore, had a communication sent to him by air mail outlining the suggestions made in your letter. When he has had an opportunity of considering the matter and of submitting a report, I shall communicate with you again.

I may say, however, that, subject to any observations which may be made by Mr. McPherson, the Deputy Custodian, Mr. Coleman, tells me that he is inclined to favour the policy set out in your letter.

Yours sincerely,

Secretary of State.

The Honourable T.A. Crerar,  
Minister of Mines and Resources,  
O t t a w a.

No. 57899

NAME

*Arthur Bennett & Co. Ltd.*



No. 57899

NAME

*Soldier Settlement of Veterans Fund Act.*

EHC:DC

AIR MAIL:

Ottawa, December 7th, 1942.

Dear Mr. McPherson,

On Saturday morning the Minister received a letter from the Minister of Mines and Resources, dated November 30th, a copy of which I enclose for your consideration.

My personal view is that we should favour letting the Soldier Settlement people take over the rather trying duty of looking after the farm properties. It appears to me that if we did, we could materially curtail the number of our Vancouver staff and that the office in Vancouver would be freed from a great deal of vexatious detail.

Will you kindly consider the matter and let me have an expression of your views as early as possible?

Yours sincerely,

(E.H. Coleman)  
Under Secretary of State.

G.W. McPherson, Esq.,  
Office of the Custodian of Enemy Property,  
513 Royal Bank Building,  
VANCOUVER, B.C.



No. 57899 NAME

*Soldier Settlement of Japanese Land Act.*



CANADA  
MINISTER  
OF  
MINES AND RESOURCES

OFFICE OF THE  
DEC 5 1942  
Secretary of State

OTTAWA, November 30, 1942.

The Honourable Norman McLarty,  
Secretary of State,  
OTTAWA.

My dear Colleague,-

Included with the persons of the Japanese race evacuated from the defence area of the Province of British Columbia were the owner occupants of 939 small farm properties, practically all of which are located in the lower Fraser Valley. These properties, in addition to their use as homes or working headquarters of the Japanese families, were used mainly in the production of small fruits - strawberries, raspberries, and other cane fruits; asparagus; early rhubarb; hops; cucumbers; hothouse tomatoes; and poultry. There are 19 of these properties equipped with greenhouses having a total of 450,216 sq. ft. of glass, and other properties equipped with housing accommodation for approximately 190,000 laying birds.

The evacuation of these Japanese people gave rise to a variety of problems in the care and administration of their properties, such as the shortage of efficient labour and the serious decline in the volume production of soft fruits, with attendant difficulties from the standpoint of the berry industry as a whole. The position of the Official Custodian in this matter was one of great difficulty because no action could be taken by him until the Japanese concerned were actually moved out of the defence area. You will also recall that the movement of these people extended over a considerable period of time, and I understand was not completed until quite recently.

In order to safeguard against abuses during the period of evacuation, and in order that the Government might ascertain the number and present values of the properties concerned, Order in Council 5523 was passed on June 29th last, under which the Director of Soldier Settlement was placed in control of the sale, lease, or other disposition of these lands, and was authorized to carry out an appraisal of them.

The appraisal of the lands was reported to me on September 8th by Gordon Murchison, Director of Soldier Settlement, whose officers placed an aggregate value of \$1,059,419 on the 939 properties, the identity of which he was able to establish as being owned by Japanese. There may be several additional properties where actual ownership is somewhat obscure. However, the important fact is that the value of these properties at the time the Japanese were evacuated has been reported on. In Murchison's opinion the values placed are conservative, having regard to the type of agriculture for which they are adapted, their location as to market and climate, and the local land scarcity. Since the enactment of the above Order there have been only two applications for the sale of land submitted to the Director for approval, one of which was declined. It can be said, therefore, that the Order in Council very definitely checked any local tendency there may have been toward exploiting the circumstances under which these Japanese people were placed.



-2-

The situation with regard to leasing these Japanese properties has presented some difficulties and has given rise to local criticism, but the main difficulty relates to a state of affairs which originated before the Official Custodian or the Director of Soldier Settlement were vested with any authority in the matter. As I understand it, the Official Custodian had no powers to act until a Japanese person had been actually moved out of the defence area, and the authority of the Director of Soldier Settlement dates only from June 29th last. The following is an outline of the situation I refer to:

Some 224 of these Japanese farmers are members of a co-operative marketing and shipping agency known as the Pacific Co-operative Union, whose central warehouse is located at Mission City. The majority of the share capital of this co-operative is owned by these Japanese farmers, and under the terms of their membership agreement with the co-operative there is a clause by which they are bound to deliver their total product to the co-operative. It appears that immediately following the decision to evacuate the Japanese, the management of the Pacific Co-operative Union - by arrangement with its Japanese shareholders - took immediate action to rent Japanese owned farms to white people under rather novel terms, as follows: The co-operative borrowed funds from the bank and after arriving at the rental consideration in each case the Japanese owner was paid one-half the rental consideration in cash and a post-dated cheque for the balance. In turn, the tenants gave the Pacific Co-operative Union promissory notes for the total amount and these notes were endorsed by the Japanese owners. The rental agreements contained a clause obligating the tenant to deliver all his 1942 and 1943 product to the Pacific Co-operative Union. (I understand most if not all these leases were for a two-year period.) Because of the inexperience of some of these tenants, or because of some misrepresentation or misunderstanding as to actual acreages in productive crops, or because of the unfortunate climatic conditions which occurred during the crucial growing and marketing period, considerable dissatisfaction resulted among the tenants.

I am advised that the Official Custodian has placed a supervisor in charge of the Co-operative Union and has investigated its financial affairs. There are said to be current liabilities of \$173,000, consisting in part of outstanding cheques for \$72,000 (of which \$34,000 is payable to evacuated Japanese), an overdraft of \$17,000 at the Canadian Bank of Commerce, and demand loans of \$34,000 with the same bank. The assets are stated to be worth \$250,000 if the Pacific Co-operative Union can collect the money owing to it. Obviously, the financial affairs of this co-operative appear to be shaky, and according to all the advice I have received it appears doubtful if the production of soft fruits by tenants of these Japanese lands will reach a volume that will place and keep the co-operative on a sound financial basis. The indications are that both the farms and the co-operative are going to deteriorate in value.

The Director of Soldier Settlement, acting under Order in Council 5523, takes the stand (and I think quite properly) that while he has no authority over lease agreements entered into prior to the date of the Order (June 29th, 1942) he declines to approve any new leases on lands in which the Pacific Co-operative Union or any other marketing agency claims a contractual interest which contains a clause obligating tenants of these lands to deliver their total product to any specified marketing or



*Soldier Settlement of Japanese Land Act.*

processing agency. According to recent reports it appears that a number of the tenants who entered into these agreements with the Pacific Co-operative Union in the spring of 1942 have vacated the farms and left them in a state of neglect. Doubtless the wages available in war industries on the Pacific Coast are more attractive than the operation of these small places, and the securing of efficient tenants already presents difficulty and probably will become more difficult as time passes and these properties continue to deteriorate.

The Director of Soldier Settlement assures me that there is no lack of understanding between him and the Official Custodian, but it would appear that so long as there is divided responsibility for the administration of these Japanese lands there is always room for third parties to criticise, and in my view the present arrangement is a cumbersome one. It seems to me that this can be corrected by cancellation of Murchison's responsibility or by enlarging his authority to include the documentation of leases and the collection of rentals which would, of course, be remitted to the Official Custodian. Personally, I am not anxious to have Murchison and his local staff in British Columbia burdened with this responsibility in addition to those already carried or otherwise in prospect. On the other hand, I am not unmindful that the Official Custodian has a heavy and continuing responsibility in connection with the administration of a wide variety of Japanese properties other than these farm lands. Perhaps Dr. Coleman and his local representative would welcome an enlargement of Murchison's assistance in connection with these farm properties.

The foregoing deals with immediate problems of administration, but future administration of these lands will be considerably simplified depending upon what decisions are contemplated with regard to the return or non-return of the Japanese people to the Pacific Coast area, and the basis upon which the Dominion Government may have to consider claims for reparation. As stated above, these farm properties were carefully inspected and appraised early last summer, and therefore the Dominion Government is in a position to determine the equity of the Japanese owners at the time they were evacuated. If they are not going to return to these farms, the administrative programme should provide for the disposition of the farms in an orderly manner rather than continued attempts to lease them. If this course were followed monies received from such sales could be deposited with the Official Custodian. If the sale price realized were less than the valuations made last summer, consideration would have to be given to the final basis of settlement with the owners. It appears to me that the principle should be accepted of compensating these Japanese people on the basis of values which were believed to exist when they were evacuated from their farms.

If it is not decided to proceed along the foregoing lines, the future administration of these lands must contemplate the ultimate return of the Japanese owners. Great difficulty is going to be experienced in maintaining these properties in reasonable repair and productiveness, due to the scarcity of skilled tenants and labour, and the impracticability of arranging leases for periods which will encourage a tenant to carry out the rotations, replantings, and fertilization which must be methodically followed in specialized farming operations of this character. There is an annual tax bill of approximately \$40,000 to be provided for, and unless these taxes are paid there will doubtless be constant friction with local taxing authorities. Here again



No. 1  
57899

NAME

*Japanese Settlement of Japanese Land Act.*

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it seems to me that careful consideration should be given now to the principle that the Government recognizes a given value for each property when the Japanese owner was evacuated, and if and when he does return he should have the choice of resuming operation of his holding without further claim on the Government, or accepting as full settlement from the Government the value of his holding at the time he was obliged to leave it.

There is a third point which I believe merits some consideration at this time. I refer to the probability of some of these Japanese farmers and their families not earning enough during their absence from their homes to support themselves and as a consequence relief grants will be necessary. The question arises as to whether the Canadian taxpayers as a whole are entitled to insist that these Japanese people live as long as they can on funds that can be derived from the liquidation of their property holdings, or if because of all the circumstances surrounding their evacuation relief grants should not become a full charge against their properties.

Summarized, it is my view that because of (i) the inevitable deterioration of these Japanese farm properties; (ii) the fact that the great majority of this group of Japanese people are British nationals; and (iii) the uncertainty as to the time and circumstances under which these people may ever return to their homes; it is desirable from the standpoint of the Government that decisions be reached on the various matters discussed herein.

Yours faithfully,

*J. H. Curran*



No. 1  
57899

NAME

*Soldier Settlement of Veterans Fund Act.*

ATM

*air mail*

Ottawa, October 22, 1942.

Dear Mr. McPherson,-

I have been laid up for the last week or more with a very heavy cold and may have to go back to bed this afternoon. I struggled to the office this morning and had a conference with Mr. Murchison.

He showed me circular letters from a growers' organization in the Valley, protesting specifically against the proposed obligation to deliver to this co-operative. I must admit that, taking a long view, I think we would be unwise in trying to insist upon such a covenant either in a lease or in a subsidiary agreement, more particularly since our Solicitor, Mr. Sheppard, has given you an opinion that the agreement is not binding on the Custodian.

It seems to me that there would be very grave danger of the Custodian being criticized as favouring some particular co-operative movement. I realize that this may not be in accordance with your views but I think we would be taking too much on ourselves if we disregarded the advice of the Soldier Settlement people.

I am writing in haste as I may have to go back to bed this afternoon.

Yours sincerely,

**E. H. COLEMAN**

G. W. McPherson, Esq.,  
1409 Royal Bank Building,  
Vancouver, B.C.



No. 57899

NAME

*Arthur Bennett to Ottawa Hand Del.*

VIA AIR MAIL

ADDRESS ALL  
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TO THE  
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FILE NO.

CANADA  
DEPARTMENT OF THE SECRETARY OF STATE  
OFFICE OF THE CUSTODIAN

1942 OCT 13 AM 10:59 1409 Royal Bank Building,  
Vancouver, B.C.  
October 9th, 1942.

UNDER SECRETARY  
OF STATE

Dr. E.H. Coleman, Esq.,  
Under Secretary of State,  
West Block,  
OTTAWA, Ontario.

Re: Pacific Co-Operative Union  
and Japanese Farms

Dear Dr. Coleman:

The Pacific Co-Operative Union is the largest berry and fruit marketing co-operative in the Fraser Valley, and the Japanese had a seventy-five percent interest in same.

The manager of this company is a Mr. J.B. Shimek, who appears to be disliked by many people in the valley, on grounds of rumours that he is dishonest. On one occasion Major Austin Taylor of the British Columbia Security Commission called him to his office and gave him quite a lecture in my presence, insisting at the time that Mr. Shimek turn over to the Custodian at Hastings Park sixty-seven trucks, which were in the name of the co-operative, and had been transferred to the co-operative prior to the time that the R.C.M. Police seized the cars in this area. Mr. Shimek took the calling down. He stated that he thought he was in the right, but delivered the cars. Subsequent investigation by this office on behalf of the Custodian indicated that Mr. Shimek was in the right and, contrary to the desires of Major Taylor, the trucks were returned to Mr. Shimek. This entire operation cost the Pacific Co-Operative Union approximately \$1,700.00, figuring the hiring of drivers, the gasoline and the time in bringing the trucks from Mission to Vancouver.

I watched Mr. Shimek's actions in the Valley all Summer with a great deal of interest since the Co-Operative, being a chief marketing agent for the Japanese farm lands, was of vital interest to the Custodian in his administration of these farms. Mr. Shimek, while he has been run down by everybody that I have come in contact with, is the only



Dr. Coleman.

Oct. 9/42.

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person in the Valley, in any company or co-operative, who really took active steps to try and get new tenants for the land and to save the crop this year.

He arranged with the Japanese, prior to their leaving this area, to find them tenants and had the Union's lawyer, Mr. Campbell, draw up the leases. The leases themselves contained a clause, which stated as follows:-

"The Lessee covenants with the Lessor that he will market all of the aforesaid crops with the Pacific Co-operative Union and will in all respects carry out the obligations of the Lessor to Pacific Co-operative Union under the Lessor's contract with that co-operative association and will execute an Agreement of his own with Pacific Co-operative Union."

The Japanese owner of the land, at the time that he joined the co-operative, had executed a co-operative agreement, which contained a clause as follows:-

"The Producer expressly covenants and agrees that he will not, save as herein permitted, sell or otherwise dispose of any of the berries, or rhubarb produced or acquired by or for him in the Province of British Columbia, during the life of this Agreement to any person or persons, firm or corporation, other than the Association."

and it further provided in Section 15 -

"This Agreement shall be binding upon the Producer in respect of all berries or rhubarb produced by or for him on the lands and premises now or hereafter occupied or owned by him, whether produced by him or by any person to whom he has leased said lands or over whom he exercises or may exercise control, and in every lease or other agreements of the lease of the said lands made by the producer there shall be inserted a covenant by the lessee or person to have the use of the saidlands, assuming all obligations of the Producer hereunder and agreeing to observe all conditions by Agreement imposed upon the Producer."

Mr. Shimek, in an effort to keep the farms in production this



Dr. Coleman.

Oct. 9/42.

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year, and, of course, with the selfish object of getting produce for the co-operative of which he was manager, insisted that the clause quoted as being in the lease between the white tenant and the Japanese farmer be put in, in order to comply with the Japanese covenants in the co-operative agreement.

Insofar as the Custodian is concerned, I have already obtained a legal opinion from Mr. Sheppard as to the effect of this agreement on the Custodian, and I am advised that it does not bind the Custodian. However, the point at issue now is not a question as between the Custodian and the co-operative, but a question as between this office and the Soldiers Settlement of Canada. Mr. Barnett, the local representative of the Soldiers Settlement of Canada, refuses to approve of leases where the Custodian inserts a clause holding the white tenant to the covenant made by him in the lease as between himself and the Japanese, which are now being replaced with leases direct from the Custodian. The question of whether or not these leases should be replaced has been a subject of long discussions and all parties interested here have finally agreed that the leases should be direct from the Custodian and the tenant made responsible to this office. As far as I know, the tenants are not objecting to the insertion of such a clause, but Mr. Barnett says that the Soldiers Settlement of Canada had an unfortunate experience with a Dairy Co-Operative in the Fraser Valley and, therefore, their policy for a number of years has been not to include covenants as to the sale of crops from land. He states that he is quite prepared to present the matter to Mr. Murchison in Ottawa for his decision, and I have advised him that I am writing you this letter and requesting you to discuss the matter with Mr. Murchison.

You will, of course, appreciate the fact that the Pacific Co-Operative Union, being a seventy-five percent Japanese co-operative, is a co-operative in which the Custodian is vitally interested. It is also serving a very useful



Dr. Coleman.

Oct. 9/42.

- 4 -

purpose in the Fraser Valley in the marketing of berries, over which we had a great deal of discussion last Spring with Mr. O'Meara of the Food Products Marketing Board.

I have no exact figures but am told that the value of the co-operative's assets in buildings and machinery is in the neighborhood of \$50,000.00, and the co-operative itself is indebted to the Canadian Bank of Commerce for an equal amount, and in addition are indebted to the Japanese growers, who have been evacuated during the past season.

There was so much talk about Mr. Shimek that I considered it desirable to have his co-operative investigated, and appointed Messrs. Riddell, Stead, Graham & Hutchison as the inspectors. Their investigation is now completed and their preliminary report indicated that they had found nothing indicating dishonesty in the strict sense of the word, insofar as the manager, Mr. Shimek is concerned, but that the co-operative was in poor financial condition and they recommended that a supervisor be appointed. Subsequent to receiving this preliminary report, I appointed Mr. Ure, a former co-operative manager, as supervisor and he is now supervising the co-operative's affairs and controlling Mr. Shimek.

This co-operative and the Fraser Valley situation is one of our most difficult problems and, in fact, the growers are having a second protest meeting in Mission today, to protest the way the situation has been handled. Many of the growers do not like Mr. Shimek, but I have notified them by circular letter of Mr. Ure's appointment, and I am advised that the circular has had the desired effect of satisfying a lot of questions being asked about the Custodian's operations.

I, for one, have no personal opinion as regards Mr. Shimek but have gone to considerable trouble to obtain his police record and past history. According to the police, he is



*Soldiers Settlement of Fraser Valley*

Dr. Coleman.

Oct. 9/42.

- 5 -

a Czech and is a naturalized Canadian, having come here in 1907. I think that at times he "sails very close to the wind" in matters, using the co-operative's funds for his own purposes, but the Japanese do not appear to have objected to this policy. I am inclined to the view that many of his critics are people who cannot stand to see a successful co-operative where so many have failed in the Valley.

I had a long, private talk with Mr. Shimek the other day and advised him that our investigation had not disclosed any facts indicating mismanagement or any corruption on his part and that I was quite prepared to accept him at his face value, although I had heard many rumours. I told him that we were appointing a supervisor and, if the supervisor subsequently found that there was anything wrong, then it would be too bad for him.

I consider it absolutely essential to the welfare of the Fraser Valley as a whole, and particularly in the interests of the Japanese farm lands, now under the control of this office, that the tenants who signed leases with the Japanese and agreed to deliver their crop to the co-operative should be held to that covenant, and that the proper way to hold them to the covenant is to insert an appropriate covenant in the new lease being substituted for the existing lease.

I do not wish to quarrel with the Soldiers Settlement here and thought possible you could have a discussion with Mr. Murchison, if you have the time, and explain the situation to him.

I am sorry that I have to bother you in this matter, but I do not think there is the slightest chance of getting Mr. Barnett to do anything about it here and, if the Soldiers Settlement will not agree to such a provision in the lease, then I think the only solution is to refuse to rent the farm, unless the tenant agrees to execute a subsidiary agreement, dealing with the delivery of the crop.

As I see the picture, with the Custodian supervising the co-operative, if the tenants on the Japanese farms are permitted to haul their crops to other co-operatives or to the open markets, the co-operative will soon go broke



No. 57899

NAME

*John Bennett of Montana Land Act.*

Dr. Coleman.

Oct. 9/42.

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and neither the bank nor the Japanese will realize their investment in same.

It seems ridiculous to me that we should have to prepare subsidiary agreements, when it could all be provided for in the lease.

Yours very sincerely,



GWMcP:HW.

P.S. - I am enclosing a copy of my letter to today's date to Mr. Barnett.

G.W.McP.



1409 Royal Bank Building,  
Vancouver, B.C.  
October 9th, 1942.

Mr. Barnett,  
Soldier Settlement of Canada,  
470 Granville Street,  
VANCOUVER, B.C.

Re: Pacific Co-Operative Union  
and Japanese Leases

Dear Sir:

Mr. Richardson advises me that the Soldier Settlement of Canada is not prepared to approve of any lease, in which there is a clause dealing with the marketing of the crop.

Insofar as the Pacific Co-Operative Union is concerned, the Japanese owners of the land, at the time that they became members of the co-operative, signed a co-operative agreement in which they agreed as follows:

"This Agreement shall be binding upon the Producer in respect of all berries or rhubarb produced by or for him on the lands and premises now or hereafter occupied or owned by him, whether produced by him or by any person to whom he has leased said lands or over whom he exercises or may exercise control, and in every lease or other agreements of the lease of the said lands made by the producer there shall be inserted a covenant by the lessee or person to have the use of the said lands, assuming all obligations of the Producer hereunder and agreeing to observe all conditions by Agreement imposed upon the Producer."

and the subsequent lease signed between the new white tenant and the Japanese contained a provision as follows:-

"The Lessee covenants with the Lessor that he will market all of the aforesaid crops with the Pacific Co-Operative Union and will in all respects carry out the obligations of the Lessor to Pacific Co-operative Union under the Lessor's contract with that co-operative association and will execute an Agreement of his own with Pacific Co-Operative Union."

You will see from these two covenants that the crops from the land owned by members of the co-operative are already tied to the Pacific Co-Operative Union. The Custodian is supervising the affairs of this Union and the Union must be successful, in order to pay off the substantial debt which it owes in the Fraser Valley and to the Japanese evacuees. If the white tenants are permitted to haul



Mr. Barnett.

Oct. 9/42.

- 2 -

their crops to other than the Union, as they have already agreed, then the Custodian might just as well close the co-operative. I consider it essential, therefore, that either the lease executed between the Secretary of State as Custodian and the white tenant contain a proviso dealing with the crops or that a subsidiary document be drawn. I think that the drawing of a subsidiary document is unnecessary and undesirable, and not in the best interests of all concerned.

I understand that you are anxious to refer this matter to Mr. Murchison, since it is definitely a departure from the policy to permit such a clause to be inserted in the lease, and I have taken the liberty of writing to the Deputy Minister, asking him to get in touch with your Director and discuss the matter in Ottawa.

I would appreciate it if we could have a decision in this matter as soon as possible, since, if the decision is that a clause is not to be inserted, then it may be that the Custodian will feel that the leases now in existence and made by the Japanese should be continued, rather than cancelled by him.

Your co-operation in this matter and the co-operation of your staff in all matters relating to the Fraser Valley is greatly appreciated.

Yours very truly,

G.W. McPHERSON.  
Authorized Deputy of the Secretary  
of State and/ or the Custodian.

GWMcP:HW.

No. 57899  
NAME

*Colin Pittman of Ottawa Hand Let.*





AUG 5 PM 3:55

CH. ST.

AT THE GOVERNMENT HOUSE AT OTTAWA  
TUESDAY, the 4th day of AUGUST, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Mines and Resources and the Minister of Pensions and National Health report that substantial progress has been made by the Director of Soldier Settlement in appraising the value of all agricultural lands in any protected area of British Columbia owned by persons of the Japanese race or by Japanese Companies;

AND WHEREAS the regulations made by Order in Council P.C. 5523, dated 29th June, 1942, provide, in Section 3, that the Director may, in his sole discretion, exercise the powers therein contained;

AND WHEREAS the Ministers are of the opinion that in the absence of the Director the powers conferred on him by the said regulations should not lapse but should be performed by an officer named by the Minister during the absence of the Director;

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Mines and Resources and the Minister of Pensions and National Health and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend the regulations made by Order in Council P.C. 5523, dated 29th June, 1942, and they are hereby amended by revoking Section 3 thereof and substituting the following therefor,-

3. The Director may, at his discretion, approve or refuse to approve, either unconditionally or subject to such terms or conditions as to him seem fair and reasonable, the purchase, sale, lease or other acquisition or disposition, or any agreement therefor, of any agricultural land in a protected area of British Columbia owned by any person of the Japanese race or by any Japanese Company.

(1) In the absence of the Director an officer named by the Minister shall have the powers and perform the duties of the Director with regard to all matters herein contained.

The Honourable  
the Secretary of State.

*Asst. Sec. of State*  
Clerk of the Privy Council.

No. 57899

NAME

*Soldier Settlement of Veterans Land Act.*



No. 57899

NAME

*Soldier Settlement of Veterans Fund Act.*

ATM

Ottawa, July 27, 1942.

Dear Mr. McPherson, - re Soldier Settlement Board

Thank you for your letter of the 25th. I think the arrangement you outline in your letter will be quite satisfactory.

Yours sincerely,

E. H. COLEMAN

G. W. McPherson, Esq.,  
501 Royal Bank Building,  
Vancouver, B.C.



No. 57899

NAME

*Soldier's Settlement of Fraser Valley*

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL  
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TO

FILE NO. ....

1942 JUL 27 AM 9:30

501 Royal Bank Building,  
Vancouver, B.C.  
July 25th, 1942.

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

Re: Soldier's Settlement Board

Dear Doctor:

I have had several discussions with Mr. Barnett of the Soldier's Settlement Board, concerning the leasing situation in Fraser Valley. We have finally arrived at a compromised settlement whereby a Mr. McKay in his office is going to find a tenant for the Custodian. This, I think, is the only sensible way, as there is no point in the Custodian's staff wasting their time looking for tenants and then having Mr. Murchison turn them down.

I placed the question of lease before Mr. Shepherd and he has prepared a draft form which I intend to have mimeographed and used on all farms, so that the Custodian will have a uniform lease. The mechanics will be that an applicant for a farm, if he calls at this office, will be directed to the local branch of the Soldier's Settlement Board. Mr. McKay, who is familiar with farming operations in the valley will interview the prospective tenants, arrive at satisfactory terms for a lease and then with his recommendations will send the tenant here where the lease will be prepared and signed.

In the meantime Mr. Barnett will contact Mr. Murchison, giving him particulars and his recommendation of approval and ask for Mr. Murchison's approval.



*Soldier Settlement of Japanese Hand Let.*

- 2 -

Dr. Coleman.

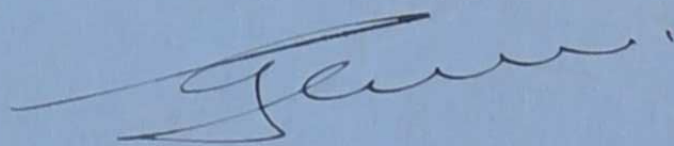
July 25\*42.

Under this system all new leases should work out fairly well. There will, however, be a problem with regard to leases already executed by the Japanese with white people, either direct or through marketing co-operatives. Some of these leases are ridiculous in terms, such as a lease "for the Duration of the War" for \$1.00 and the taxes. The Jap in such a case may owe considerable debts in his district and no doubt sold this year's crop outright, taking the cash out of the area with him. In addition to this he possibly has a wife and eight children, who have to be maintained by the State, unless his own assets are properly administered.

It is my idea that the custodian should review all of these leases, if they are not equitable, taking into consideration the value of the land, etc., that new leases should be prepared with the tenants in the Custodian's name and the proceeds from the operation forwarded to the Jap so that he can maintain himself, his wife and family in his new home.

This is the policy we are following at the present time and I trust you and the Custodian will approve of same.

Yours truly,



GWMcP:FW.

STATE TO YUKON  
CANADA  
DEPARTMENT OF THE SECRETARY OF STATE



No. 57899

NAME

*Soldier Settlement of Veterans Fund Act.*

File #8-6



GM/EK

OFFICE OF  
THE DIRECTOR OF SOLDIER SETTLEMENT

OTTAWA, July 21, 1942.

1942 JUL 22 AM 9:27  
Dr. E. H. Coleman, K. C.,  
Under Secretary of State,  
O t t a w a.

UNDER SECRETARY  
OF STATE

Dear Dr. Coleman,-

I have your letter of the 20th instant, enclosing  
letter from Mrs. Robert Arkell, of Whonnock, B. C. I have  
written Mr. Barnet, District Superintendent at Vancouver, air mail  
today in this matter.

Yours sincerely,

*Japanese file*

*G. Murchison*

Director.

E. H. COLEMAN  
Under Secretary of State.

G. Murchison, Esq.,  
Director of Soldier Settlement,  
O t t a w a .



No. 57899

NAME

*Soldier Settlement of Veterans Land Act.*

ATM

Ottawa, July 20, 1942.

Dear Mr. Murchison,-

I am enclosing a letter which I have received from Mrs. Robert Arkell, Whonock, B.C., for your attention.

I have informed Mrs. Arkell that the Government, as a matter of policy, made a regulation some weeks ago providing that leases and sales must be subject to your approval and that I am forwarding her letter to you for consideration.

Yours sincerely,

E. H. COLEMAN  
Under Secretary of State.

G. Murchison, Esq.,

Director of Soldier Settlement,

O t t a w a .



No. 57899

NAME

*Soldier Settlement of Veterans Land Act.*

ATM

Ottawa, July 20, 1942.

Dear Madam,-

I have received your letter of the 16th February. The Government decided, as a matter of policy, about a month ago, to make certain Regulations relating to the Japanese lands and to provide that sales and leases must be approved by the Director of Soldier Settlement. The matter concerning which you write is therefore not a matter which is under the control of the Custodian.

I am sending your letter to the Director of Soldier Settlement in order that he may consider the representations you have made.

Yours sincerely,

E. H. COLEMAN  
Under Secretary of State.

Mrs. Robert Arkell,  
3092-3rd Rd.,  
Whonock, B.C.



ATM

Copy sent to Mr. McPherson

No. 57899

NAME

*Soldier Settlement of Veterans Land Act.*

*Japanese file*

Ottawa, July 8, 1942.

Dear Mr. Murchison,-

With reference to our conversation of yesterday concerning P.C. 5523, this will confirm our understanding that you will instruct your officers in British Columbia to keep closely in touch with the Custodian's representative. It is also understood that where possible a duplicate copy of the reports of the appraisers will be made available to the Custodian. In cases where it is not possible for you to provide the stenographic force to supply a duplicate, it is understood that you are agreeable to the Custodian making copies.

For reasons which we discussed, such as the fact that any appraised value at the moment must necessarily be only approximate and may have but a slight bearing on the value should the Government decide to acquire the properties later, it is clearly understood between the Custodian and you, as Director of Soldier Settlement, that should subsequent negotiations take place any appraised value in the reports are entirely without prejudice and are not to be taken as representing prices which your Board might have in contemplation for purchase. It is also understood that we do not expect to be supplied with copies of any sketches or plans.

As I explained to you, it is our desire, in order to have an idea of the extent of the property, to have on our files copies of the reports of your Inspectors, but again, I repeat, entirely without prejudice to any subsequent negotiations.

Yours sincerely,

G. Murchison, Esq.,  
Director of Soldier Settlement,  
Department of Mines & Resources,  
O t t a w a .

E. H. COLEMAN  
Under Secretary of State  
and Deputy Custodian.

Statutes of Canada, 1927, is pleased to make the following regulations and they are hereby made and established accordingly:-  
for the purpose of ascertaining whether any person of the Japanese race or any Japanese person in the possession of any agricultural land in -  
- R E G U L A T I O N S -  
1. In these regulations, unless the context otherwise requires:

(a) "Director" means the Director of Soldier Settlement of Canada;

The Honourable  
the Secretary of State.

(b)/



All

P.C. 5523

PRIVY COUNCIL



12:42:33 AM 11:48

CANADA

(b) "Japanese Company" means any corporation of which the majority of the shares issued by it are owned by persons of the Japanese race, or of which the majority of the directors are persons of the Japanese race;

(c) "Agricultural land" means land and any real or personal property and any interest, legal or equitable therein, and the right to possession thereof, situated otherwise than within the town;

AT THE GOVERNMENT HOUSE AT OTTAWA

(d) MONDAY, the 29th day of JUNE, 1942. and Resources;

(e) "person of the Japanese race" means any person wholly of the Japanese race;

HIS EXCELLENCY

(f) "protected area in British Columbia" means any

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Mines and Resources and the Minister of Pensions and National Health report that persons of the Japanese race ordinarily resident in the protected areas of British Columbia have been required by Orders of the Minister of Justice, under Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, to leave such protected areas;

That many such persons of the Japanese race were or are engaged in agriculture and have been or shall be compelled to abandon farming operations on lands owned by them or by companies which they control;

That it is in the public interest to ascertain the actual number of such Japanese farms, to carry out an appraisal of their fair present day value, and to consolidate the control of the disposition of these lands by sale, lease, or otherwise;

AND WHEREAS the Ministers are of opinion that by reason of the state of war now existing it is advisable for the security of peace, order and welfare of Canada to make provision for the matters aforesaid;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Mines and Resources and the Minister of Pensions and National Health and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to make the following regulations and they are hereby made and established accordingly:-

- REGULATIONS -

1. In these regulations, unless the context otherwise requires:

(a) "Director" means the Director of Soldier Settlement of Canada;

The Honourable  
the Secretary of State.

(b)/

No. 57899

NAME

*Soldier Settlement of Ottawa Land Act.*



*John Littlewood of Victoria, B.C.*

2.

(b) "Japanese Company" means any corporation of which the majority of the shares issued by it are owned by persons of the Japanese race, or of which the majority of the directors are persons of the Japanese race;

(c) "Agricultural land" means land and any real or immovable property and any interest, legal or equitable therein, and the right to possession thereof, situated otherwise than within the boundaries of any incorporated city or town;

(d) "Minister" means the Minister of Mines and Resources;

(e) "person of the Japanese race" means any person wholly of the Japanese race;

(f) "protected area in British Columbia" means any area in the province of British Columbia, now or hereafter declared, pursuant to the provisions of Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, to be a protected area for the purposes of such Regulation.

2. Except with the approval in writing of the Director and in accordance with any terms or conditions therein set out, no person shall, after the date hereof,

(i) purchase, lease or otherwise acquire or agree to purchase, lease or otherwise acquire, or

(ii) either for himself or on behalf of the owner, sell, lease or otherwise dispose of or agree to sell, lease or otherwise dispose of,

any agricultural land in a protected area of British Columbia, owned by any person of the Japanese race or by any Japanese Company.

3. The Director may, in his sole discretion, refuse to approve or approve, either unconditionally or subject to such terms or conditions as to him seem fair and reasonable, the purchase, sale, lease or other acquisition or disposition, or any agreement therefor, of any agricultural land in a protected area of British Columbia owned by any person of the Japanese race or by any Japanese company.

4. The Director shall cause an appraisal to be made of the fair present-day value of all agricultural lands in any protected area of British Columbia owned by persons of the Japanese race or by Japanese companies, and shall report thereon to the Minister.

5. Any person authorized in writing by the Director to act as an inspector under these regulations may, for the purpose of making any appraisal under the last preceding section, or for the purpose of ascertaining whether any person of the Japanese race or any Japanese company is the owner of any agricultural land in a protected area of British Columbia, or for the purpose of determining whether the provisions of these regulations are being or have been complied with,

(1)/



*Arthur Bennett of Victoria, B.C.*

3.

(1) enter at all reasonable times and inspect any agricultural land in a protected area of British Columbia, owned by any person of the Japanese race or by any Japanese company, or which is reasonably believed by such inspector to be or to have been owned by any such person or company;

(11) examine orally any person occupying or having any interest in agricultural land in a protected area of British Columbia, which is reasonably believed by such inspector to be or to have been owned by a person of the Japanese race or a Japanese company;

(111) require any person occupying or having any interest in agricultural land in a protected area of British Columbia, which is reasonably believed by such inspector to be owned by a person of the Japanese race or a Japanese Company, or having in his possession any documents relating to any such land, to furnish any information in his possession or such documents to such inspector.

6. The production by any person of any document purporting to be signed by the Director and purporting to authorize such person to act as an inspector under these regulations, shall be evidence of the authority of such person to act as an inspector.

7. Any person,

(1) who purchases, leases, or otherwise acquires, or sells, leases or otherwise disposes of or agrees to purchase, lease or otherwise acquire, or to sell, lease or otherwise dispose of, any agricultural land in any protected area of British Columbia, owned by any person of the Japanese race or by any Japanese company otherwise than in accordance with these regulations; or

(11) who wilfully delays or obstructs an inspector in the exercise of any power conferred upon him under these regulations; or

(111) who fails to give any information or to produce any documents in his possession if required to do so under these regulations; or

(iv) who refuses to reply to any reasonable question asked him by an inspector acting under these regulations,

shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding one thousand dollars or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

8. The burden of proof that any purchase, sale, lease or other acquisition or disposition, or any agreement therefor, of any agricultural land in a protected area of British Columbia, is not a violation of any of the provisions of these regulations, shall be upon the accused.

9. Nothing in these regulations shall be deemed to apply to, or to affect enemy property as defined by the CONSOLIDATED REGULATIONS RESPECTING TRADING with the ENEMY (1939).



No. 1  
57899

NAME

*Soldier Settlement of Veterans Land Act.*

4.

10. All expenses or costs incurred by the Director in connection with this Order shall be payable out of the moneys appropriated by Parliament to carry out measures deemed necessary in consequence of a state of war.

*A. P. Hurry.*

Clerk of the Privy Council.



*Soldier Settlement of Veterans Fund Act.*

ATM

AIR MAIL

Ottawa, July 3, 1942.

Dear Mr. McPherson,-

I enclose for your file a copy of  
P.C. 5523, dated June 29th, 1942, making Regula-  
tions concerning Japanese lands in the protected  
areas of British Columbia.

Yours sincerely,

**E. H. COLEMAN**

G. W. McPherson, Esq.,  
501 Royal Bank Building,  
Vancouver, B.C.



ATM

Ottawa, June 12, 1942.

Dear Mr. Murchison,-

I have received your letter of June 12th enclosing the redraft of the proposed recommendation to Council relating to agricultural lands owned by Japanese in the Pacific Coast Defence Area.

I have gone over the redraft with Mr. McPherson, who happens to be in Ottawa today. We have no observations to make and so far as this Department is concerned the form of the recommendation is satisfactory.

Yours sincerely,

**E. H. COLEMAN**

Under Secretary of State.

G. Murchison, Esq.,  
Director of Soldier Settlement,  
O t t a w a .

No. 1  
57899

NAME

*Soldier Settlement of Veterans Land Act.*



CM/K



OFFICE OF  
THE DIRECTOR OF SOLDIER SETTLEMENT  
OTTAWA, CANADA

1942 JUN 13 AM 9:09

June 12, 1942.

Dr. E.H. Coleman, K.C.,  
Under Secretary of State,  
OTTAWA.

Dear Dr. Coleman,-

Japanese Lands - Pacific Coast  
Defence Area.

You will recall our discussion in your office on May 26th, during which Mr. McPherson and Mr. Drewry were present. On May 28th Mr. McPherson addressed a memorandum to me, copy of which is attached hereto.

Also attached is copy of a redraft of the proposed recommendation to Council which I have just received from the Deputy Minister of Justice. Will you please advise me by return, if possible, if the drafting now submitted carries your approval?

Yours very truly,

*G. McPherson*  
Director.

Enclosures.

- (d) "Minister" means the Minister of Mines and Resources;
- (e) "person of the Japanese race" means any person wholly of the Japanese race;
- (f) "protected area in British Columbia" means any area in the province of British Columbia, now or hereafter declared, pursuant to the provisions of Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, to be a protected area for the purposes of such Regulation.

No. 57899

NAME

*Soldier Settlement of Japanese Land Act.*



Copy.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

Office of the Custodian

May 28th, 1942.

Memorandum to Mr. Murchison.

In accordance with Dr. Coleman's instructions I have considered the proposed Order-in-Council.

The third and fourth paragraphs of the recitals assume that the Custodian has not carried out his duties under P.C. 1665, Sec. 12(1) which specifically states that he is to protect Japanese interests.

Your definition of persons of the Japanese race does not appear to include Eurasians and I understand they are included in the evacuation and may own some of the property you are anxious to obtain.

I would suggest that a paragraph be inserted to except the Custodian from the effect of the Order if passed. Something along the following lines might be used if you agree -

"Nothing in these Regulations shall be deemed to apply to or effect enemy property as defined by the Consolidated Regulations Respecting Trading with the Enemy (1939)."

G.W. McPherson.

- (d) "Minister" means the Minister of Mines and Resources;
- (e) "person of the Japanese race" means any person wholly of the Japanese race;
- (f) "protected area in British Columbia" means any area in the province of British Columbia, now or hereafter declared, pursuant to the provisions of Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, to be a protected area for the purposes of such Regulation.

No. 57899

NAME

*Adeline Bennett of Victoria, B.C.*



TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned have the honour to report:

That persons of the Japanese race ordinarily resident in the protected areas of British Columbia have been required by Orders of the Minister of Justice, under Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, to leave such protected areas;

That many such persons of the Japanese race were or are engaged in agriculture and have been or shall be compelled to abandon farming operations on lands owned by them or by companies which they control;

That it is in the public interest to ascertain the actual number of such Japanese farms, to carry out an appraisal of their fair present day value, and to consolidate the control of the disposition of these lands by sale, lease, or otherwise;

That the undersigned is of opinion that by reason of the state of war now existing it is advisable for the security of peace, order and welfare of Canada to make provision for the matters aforesaid;

The undersigned have, therefore, the honour to recommend that Your Excellency in Council, under and by virtue of the powers conferred by the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, be pleased to make the following regulations:

1. In these regulations, unless the context otherwise requires:
  - (a) "Director" means the Director of Soldier Settlement of Canada;
  - (b) "Japanese Company" means any corporation of which the majority of the shares issued by it are owned by persons of the Japanese race, or of which the majority of the directors are persons of the Japanese race;
  - (c) "Agricultural land" means land and any real or immovable property and any interest, legal or equitable therein, and the right to possession thereof, situated otherwise than within the boundaries of any incorporated city or town;
  - (d) "Minister" means the Minister of Mines and Resources;
  - (e) "person of the Japanese race" means any person wholly of the Japanese race;
  - (f) "protected area in British Columbia" means any area in the province of British Columbia, now or hereafter declared, pursuant to the provisions of Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, to be a protected area for the purposes of such Regulation.



2. Except with the approval in writing of the Director, and in accordance with any terms or conditions therein set out, no person shall, after , 1942,

- (i) purchase, lease or otherwise acquire or agree to purchase, lease, or otherwise acquire, or,
- (ii) either for himself or on behalf of the owner, sell, lease or otherwise dispose of or agree to sell, lease or otherwise dispose of,

any agricultural land in a protected area of British Columbia, owned by any person of the Japanese race or by any Japanese company.

3. The Director may, in his sole discretion, refuse to approve or approve, either unconditionally or subject to such terms or conditions as to him seem fair and reasonable, the purchase, sale, lease or other acquisition or disposition, or any agreement therefor, of any agricultural land in a protected area of British Columbia owned by any person of the Japanese race or by any Japanese company.

4. The Director shall cause an appraisal to be made of the fair present-day value of all agricultural lands in any protected area of British Columbia owned by persons of the Japanese race or by Japanese companies, and shall report thereon to the Minister.

5. Any person authorized in writing by the Director to act as an inspector under these regulations may, for the purpose of making any appraisal under the last preceding section, or for the purpose of ascertaining whether any person of the Japanese race or any Japanese company is the owner of any agricultural land in a protected area of British Columbia, or for the purpose of determining whether the provisions of these regulations are being or have been complied with.

- (i) enter at all reasonable times and inspect any agricultural land in a protected area of British Columbia, owned by any person of the Japanese race or by any Japanese company, or which is reasonably believed by such inspector to be or to have been owned by any such person or company;
- (ii) examine orally any person occupying or having any interest in agricultural land in a protected area of British Columbia, which is reasonably believed by such inspector to be or to have been owned by a person of the Japanese race or a Japanese company;
- (iii) require any person occupying or having any interest in agricultural land in a protected area of British Columbia, which is reasonably believed by such inspector to be owned by a person of the Japanese race or a Japanese company, or having in his possession any documents relating to any such land, to furnish any information in his possession or such documents to such inspector.

6. The production by any person of any document purporting to be signed by the Director and purporting to authorize such person to act as an inspector under these regulations, shall be evidence of the authority of such person to act as an inspector.

No. 57899

NAME

*Adeline Bennett of Vancouver Island B.C.*



7. Any person,

- (i) who purchases, leases, or otherwise acquires, or sells, leases or otherwise disposes of or agrees to purchase, lease or otherwise acquire, or to sell, lease or otherwise dispose of, any agricultural land in any protected area of British Columbia, owned by any person of the Japanese race or by any Japanese company otherwise than in accordance with these regulations; or
- (ii) who wilfully delays or obstructs an inspector in the exercise of any power conferred upon him under these regulations; or
- (iii) who fails to give any information or to produce any documents in his possession if required to do so under these regulations; or
- (iv) who refuses to reply to any reasonable question asked him by an inspector acting under these regulations,

shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding one thousand dollars or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

8. The burden of proof that any purchase, sale, lease or other acquisition or disposition, or any agreement therefor, of any agricultural land in a protected area of British Columbia, is not a violation of any of the provisions of these regulations, shall be upon the accused.

9. Nothing in these regulations shall be deemed to apply to, or to effect enemy property as defined by the CONSOLIDATED REGULATIONS RESPECTING TRADING WITH THE ENEMY (1939).

10. All expenses or costs incurred by the Director in connection with this Order shall be payable out of the moneys appropriated by Parliament to carry out measures deemed necessary in consequence of a state of war.

Respectfully submitted,

Minister of Mines and Resources.

Minister of Pensions and National Health.

No. 57899

NAME

*Adeline Settlement of Japanese Land Act.*



No. 57899

NAME

*Robert Littlewood of Vancouver Bond Act.*

ATM

Ottawa, May 27, 1942.

Dear Sir,-

I had a conference yesterday with the two senior members of the Custodian's staff who are dealing with problems relating to Japanese property on the Pacific Coast. As I am sure you will understand, they tell me that, more particularly in relation to the property of persons of the Japanese race being evacuated without any long advance notice, questions of law frequently arise. While my senior officers are themselves qualified lawyers, there are occasions when they would like to consult qualified practitioners in Vancouver.

There is a great variety of these questions, dealing with such matters as conditional sales, mechanics' liens, insurance policies, property leases, royalties, and almost every branch of real property and commercial law. In order that the job may be done satisfactorily, we have had to give our responsible officers in Vancouver authority to deal with many of these problems, without reference to Ottawa.

It occurs to me, therefore, that it would be a great convenience if the Minister of Justice would designate a panel of three or four lawyers or firms of lawyers in Vancouver who might be consulted by our officers as occasion arises. You will, I am sure, understand that it is desirable that we should have two or three alternatives, because some lawyers in their practice have greater experience in particular lines than others and there is always the possibility of one

of ---

The Deputy Minister of Justice,

O t t a w a .



No. 57899

NAME

*Section Settlement of Japanese Bond Act.*

- 2 -

of the leading firms in Vancouver representing clients other than the Custodian in relation to some particular transaction upon which advice may be sought.

I should like to make it clear that the number of cases when advice may be sought may not be very great and that no instructions will be given for the institution of suits without reference here.

The matter is one of urgency, since the number of persons of the Japanese race evacuated may increase in the near future.

I am only suggesting this as a provisional measure, so that our officers may feel free, if in their judgment it is necessary, to obtain advice from some Vancouver lawyers.

Will you be kind enough to take the matter up with your Minister and advise me of his decision at your early convenience.

Yours sincerely,

E. H. COLEMAN  
Under Secretary of State  
and Deputy Custodian.



ATM

Ottawa, May 21, 1942.

Dear Mr. Murchison,-

I received your letter of May 20th enclosing the draft of a recommendation to Council concerning Japanese lands in the Pacific Coast defence area.

There are two points which I must bring to your attention:

1. The Custodian, under the operation of the Trading with the Enemy Regulations, is vested with the properties of persons resident in Japan and is administering these properties in accordance with the Trading with the Enemy Regulations. This administration is, necessarily, quite different from the property of persons of Japanese origin evacuated from the coast area. The number of properties owned by those who come definitely within the definition of "enemy" is not very large but they should not be included within the scope of the proposed policy, for reasons which I think will be quite obvious to you. I think, therefore, your recommendation should be limited to the property of persons of Japanese origin evacuated from the defence areas.

2. While from the point of view of the Custodian's Office we have no objection to the proposed policy, I think it is essential that before the recommendation is put forward the British Columbia Security Commission should be given the opportunity of presenting their views. In a telephone conversation which I had with Mr. McPherson on Wednesday evening, he informed me that he was quite sure Mr. Austin Taylor, and the members of his Commission, would feel greatly exercised if the Order went through without their being consulted. For your private information, I may say that Mr. McPherson told me that the situation in respect to the evacuation is critical and that any further Orders made at Ottawa and promulgated in British Columbia might have serious repercussions until the process of evacuation is further advanced.

I am given to understand that in most of the municipalities approximately 75% of the Japanese who are being evacuated have made arrangements to rent their properties and that very few sales are taking place.

Mr. McPherson and Mr. Drewry of my Vancouver staff will be in Ottawa on Tuesday and I will have a further discussion with them.

Yours sincerely,

G. Murchison, Esq.,  
Director of Soldier Settlement,  
O t t a w a .

E. H. COLEMAN  
Under Secretary of State.

No. 1  
57899

NAME

*Soldier Settlement of Japanese Land Act.*



GM/K



OFFICE OF  
THE DIRECTOR OF SOLDIER SETTLEMENT  
OTTAWA, CANADA

May 20, 1942.

Dr. E.H. Coleman, K.C.,  
Under Secretary of State,  
OTTAWA.

Dear Dr. Coleman,-

Japanese Lands - Pacific Coast  
Defence Area.

I enclose copies of an exchange of letters between my Minister, the Honourable T.A. Crerar, and the Honourable the Minister of Pensions and National Health, which are self-explanatory. I also enclose a draft of a joint submission to Council which has been approved by the Department of Justice and which was discussed with Mr. Crerar and Mr. Mackenzie yesterday afternoon.

Before taking any further steps it was suggested that this proposal be brought to the notice of the Department of Labour as the evacuation of the Japanese is under the control and supervision of that Department. In discussing the matter with Mr. Macnamara, Associate Deputy Minister of Labour, he was of the opinion that this order should carry the approval of the Official Custodian, otherwise some confusion might result.

The inspection and appraisal of these Japanese lands is proceeding but the work will require rather more time than was first anticipated. Information obtained up to the 2nd instant disclosed a total of 969 parcels in the defence area, not including approximately 430 parcels or lots within the boundaries of the town of Steveston at the mouth of the Fraser River. Meanwhile, I am advised that sales of these lands are continuing.

It will be appreciated if you can let me have your reaction at your very earliest convenience to the provisions incorporated in the attached draft order. I may say quite frankly that unless sales or other disposition of these lands are brought under immediate control it will be very difficult to develop an accurate report on this Japanese land situation. In other words, I can see no point in this Department merely going through the motions of inspection and appraisal of properties that may be already in process of sale or that may be disposed of very shortly after appraisal takes place.

Yours faithfully,

*G. Macpherson*

Director.

Enclosure.

or equitable interest, and the right to possession thereof, situated otherwise than within the boundaries of any incorporated city or town;

- (d) "Minister" means the Minister of Mines and Resources;
- (e) "person of the Japanese race" means any person wholly of the Japanese race;

....

No. 57899

NAME

*Soldier Settlement of Japanese Land Act.*



Copy

MINISTER OF PENSIONS AND NATIONAL HEALTH

URGENT

Ottawa, 29th April, 1942

My dear Colleague,-

This acknowledges your letter of April 27th about the Japanese lands in the Pacific Coast defence area.

I am in agreement with Major Murchison's memorandum. I understand informally that the survey has already been initiated and I note Major Murchison's agreement that if action is to be taken to conserve the potential productivity of these lands for soldier settlers, some steps must be taken by the Government immediately to prevent their getting into other hands.

If you care to make a recommendation under the War Measures Act for immediate action, I shall be very glad to support you.

Yours very sincerely,

sgd) Ian A. Mackenzie

The Honourable T.A. Crerar, M.P.,  
Minister of Mines and Resources,  
Ottawa.

or equitable interest, and the right to possession thereof, situated otherwise than within the boundaries of any incorporated city or town;

(d) "Minister" means the Minister of Mines and Resources;

(e) "person of the Japanese race" means any person wholly of the Japanese race;

....

No. 1  
57899

NAME

Robert Lattinmont of Victoria Hand Act.



GM/K

Ottawa, 12th May 1942.

OTTAWA, April 27, 1942.

The Honourable Ian Mackenzie, M.P.,  
Minister of Pensions & National Health,  
OTTAWA.

My dear Colleague,-

Japanese Lands - Pacific Coast Defence Area.

I have given careful thought to your letter of the 14th instant, in which you suggest that the Director of Soldier Settlement might be appointed by Order-in-Council under the War Measures Act to take certain action. Before replying to your letter I have taken this matter up with Mr. Murchison, Director of Soldier Settlement, who has given me a written summary of his reactions. I attach hereto a copy of his memorandum of the 22nd, with which I am generally in agreement.

You will agree, I am sure, that if some special action should be taken by the Federal authorities it is of first importance to obtain reasonably accurate information with respect to all these lands rather than to attempt to deal only with those related to the production of small fruits. With this in mind, I have already authorized Mr. Murchison to proceed immediately with a detailed survey and appraisal. Having regard to the highly specialized lines along which some of these properties have been developed and in order to determine the approximate equity of the Japanese owners, Murchison estimates that this survey will require a period of from four to six weeks to complete.

In order to more effectively protect these Japanese farmers against local pressure to sell or lease at sacrifice prices, I suggest that immediate consideration should be given to ways and means to deal with these people on a basis of justice and equity to the limit possible under the exigencies of a state of war. It is my view that action might be taken by Order-in-Council under the War Measures Act to forbid the purchase or lease of any of these properties by any person, firm, or corporation unless such transactions are first approved by a referee appointed by the Dominion Government. Since the Director of Soldier Settlement has been authorized to proceed with examination and appraisal of these properties it would seem logical that the Director might be appointed for the purpose I have suggested.

When survey has been completed, the Dominion Government will be in a better position to decide on what further action may or should be taken with respect to any or all of these lands, including those which may be regarded as suitable for the purposes of the Veterans' Land Act.

Yours sincerely,

Encl.

or equitable interest, and the right of possession thereof, situated otherwise than within the boundaries of any incorporated city or town;

- (d) "Minister" means the Minister of Mines and Resources;
- (e) "person of the Japanese race" means any person wholly of the Japanese race;

....

No. 1  
57899

NAME

*Soldier Settlement of Japanese Land Act.*



Ottawa, 12th May 1942.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned have the honour to report:

That persons of the Japanese race ordinarily resident in the protected areas of British Columbia have been required by Orders of the Minister of Justice, under Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, to leave such protected areas;

That many of such persons of the Japanese race were engaged in agriculture and have been compelled to abandon lands owned by them or by companies which they control;

That unless measures are taken to control the disposition of such lands, such persons of the Japanese race may be exposed to undue exploitation;

That it is in the public interest to provide for the control of the disposition of such lands.

The undersigned have, therefore, the honour to recommend that Your Excellency in Council, under and by virtue of the powers conferred by the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, be pleased to make the following regulations:

1. In these regulations, unless the context otherwise requires:

- (a) "Director" means the Director of Soldier Settlement of Canada;
- (b) "Japanese Company" means any corporation of which the majority of the shares issued by it are owned by persons of the Japanese race, or of which the majority of the directors are persons of the Japanese race;
- (c) "Agricultural land" means land and any real or immovable property and any interest, legal or equitable therein, and the right to possession thereof, situated otherwise than within the boundaries of any incorporated city or town;
- (d) "Minister" means the Minister of Mines and Resources;
- (e) "person of the Japanese race" means any person wholly of the Japanese race;

....

No. 1  
57899

NAME

*Arthur Littlewood & Co. Ltd.*



- (f) "protected area in British Columbia" means any area in the province of British Columbia, now or hereafter declared, pursuant to the provisions of Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, to be a protected area for the purposes of such Regulation.

2. Except with the approval in writing of the Director and in accordance with any terms or conditions therein set out, no person shall, after May , 1942,

- (i) purchase, lease or otherwise acquire or agree to purchase, lease or otherwise acquire, or
- (ii) either for himself or on behalf of the owner, sell, lease or otherwise dispose of or agree to sell, lease or otherwise dispose of,

any agricultural land in a protected area of British Columbia, owned by any person of the Japanese race or by any Japanese company.

3. The Director may, in his sole discretion, refuse to approve or approve, either unconditionally or subject to such terms or conditions as to him seem fair and reasonable, the purchase, sale, lease or other acquisition or disposition, or any agreement therefor, of any agricultural land in a protected area of British Columbia owned by any person of the Japanese race or by any Japanese company.

4. The Director shall cause an appraisal to be made of the fair present-day value of all agricultural lands in any protected area of British Columbia owned by persons of the Japanese race or by Japanese companies, and shall report thereon to the Minister.

5. Any person authorized in writing by the Director to act as an inspector under these regulations may, for the purpose of making any appraisal under the last preceding section, or for the purpose of ascertaining whether any person of the Japanese race or any Japanese company is the owner of any agricultural land in a protected area of British Columbia, or for the purpose of determining whether the provisions of these regulations are being or have been complied with,

- (i) enter at all reasonable times and inspect any agricultural land in a protected area of British Columbia, owned by any person of the Japanese race or by any Japanese company, or which is reasonably believed by such inspector to be or to have been owned by any such person or company;



(ii) examine orally any person occupying or having any interest in agricultural land in a protected area of British Columbia, which is reasonably believed by such inspector to be or to have been owned by a person of the Japanese race or a Japanese company;

(iii) require any person occupying or having any interest in agricultural land in a protected area of British Columbia, which is reasonably believed by such inspector to be owned by a person of the Japanese race or a Japanese company, or having in his possession any documents relating to any such land, to furnish any information in his possession or such documents to such inspector.

6. The production by any person of any document purporting to be signed by the Director and purporting to authorize such person to act as an inspector under these regulations, shall be evidence of the authority of such person to act as an inspector.

7. Any person,

(i) who purchases, leases, or otherwise acquires, or sells, leases or otherwise disposes of or agrees to purchase, lease or otherwise acquire, or to sell, lease or otherwise dispose of, any agricultural land in any protected area of British Columbia, owned by any person of the Japanese race or by any Japanese company otherwise than in accordance with these regulations; or

(ii) who wilfully delays or obstructs an inspector in the exercise of any power conferred upon him under these regulations; or

(iii) who fails to give any information or to produce any documents in his possession if required to do so under these regulations; or

(iv) who refuses to reply to any reasonable question asked him by an inspector acting under these regulations,

shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding one thousand dollars or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

8. The burden of proof that any purchase, sale, lease or other acquisition or disposition, or any

.....



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agreement therefor, of any agricultural land in a protected area of British Columbia, is not a violation of any of the provisions of these regulations, shall be upon the accused.

9. All expenses or costs incurred by the Director in connection with this Order shall be payable out of the moneys appropriated by Parliament to carry out measures deemed necessary in consequence of a state of war.

Respectfully submitted,

Minister of Mines and Resources.

Minister of Pensions and National Health.

*Suggest insert section to clarify portion of every property possibly as follows.*

- (1) Nothing in these Regulations shall be deemed to apply <sup>to every</sup> ~~to~~ property as defined by the Consolidated Regulations Respecting Trading with the Enemy (1939).

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*Goldwin Littlewood & Son, Vancouver, B.C.*



CANADA  
DEPARTMENT OF THE SECRETARY OF STATE  
OFFICE OF THE CUSTODIAN  
JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131  
PLEASE REFER TO  
FILE NO. ....

506 ROYAL BANK BLDG.,  
HASTINGS AND GRANVILLE  
VANCOUVER, B.C.

May 1, 1942

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

Dear Dr. Coleman:

I have your letter of the 29th ultimo  
with enclosure.

I have already had two interviews with  
Mr. Child of the Soldier Settlement Board. We  
have offered to give them all information and  
every facility which we can.

Yours truly,

*C. L. Drewry*  
C. L. Drewry,  
Manager.

*Japanese file*  
Air Mail.

CLD/PMH

No. 1  
57899

NAME

*Soldier Settlement of Veterans Fund Act.*



ATM

AIR MAIL

Ottawa, April 29, 1942.

Dear Mr. Drewry,-

I am enclosing a copy of a letter from Mr. Murcheson, Director of Soldier Settlement. I gave Mr. Murcheson your name and address. I am quite sure you will be glad to give any information and facilities to Mr. Barnet of the Soldier Settlement Board.

Yours sincerely,

E. H. COLEMAN

C. L. Drewry, Esq.,  
506 Royal Bank Building,  
Vancouver, B.C.

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NAME

*Soldier Settlement of Veterans Fund Act.*



ATM

Ottawa, April 29, 1942.

Dear Mr. Murcheson,-

I have to thank you for your letter of the 27th. I have sent an air mail letter to Mr. Drewry in Vancouver enclosing a copy of your letter. I have asked Mr. Drewry to see that all information and facilities within our power are supplied to Mr. Bernet and his officers.

Yours sincerely,

E. H. COLEMAN  
Under Secretary of State.

G. Murcheson, Esq.,  
Director of Soldier Settlement,  
O t t a w a .

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57899

NAME

*Soldier Settlement of Veterans Fund Act.*



GM/K



OFFICE OF  
THE DIRECTOR OF SOLDIER SETTLEMENT AM 9:20  
OTTAWA, CANADA

April 27, 1942.

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

Dear Dr. Coleman,-

Japanese Lands - Pacific Coast Area.

Further to my letter of the 22nd instant and our telephone conversation on the morning of the 25th, during which I advised you of Mr. Crerar's verbal authorization to carry out an inspection and appraisal of Japanese lands, I now advise you that Mr. I.T. Barnet, District Superintendent of Soldier Settlement for the Province of British Columbia, arrived in Ottawa yesterday morning by plane and discussed with me ways and means to carry out this work. Mr. Barnet is returning to Vancouver by plane today. I expect that some of the preliminary steps commenced this morning.

It occurs to me that your officers on the ground should be advised of the steps I have taken, and if you are in agreement it would be appreciated if you would write them to this effect.

Yours very truly,

*G. Munichson*

Director.

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*Soldier Settlement & Veterans Hand Let.*



GM/K



OFFICE OF  
THE DIRECTOR OF SOLDIER SETTLEMENT  
OTTAWA, CANADA

April 22, 1942.

Dr. E.H. Coleman, K.C.,  
Under Secretary of State,  
OTTAWA.

Dear Dr. Coleman,-

Japanese Lands - Pacific Coast Area.

I am sending you herewith copy of memorandum which  
I am passing to my Minister, the Honourable Mr. Crerar, covering  
the highlights of our conversation yesterday afternoon.

Yours very truly,

Director.

1942 APR 23 AM 11:54  
Enclosure.

be regarded as incidental to the main problem confronting the Dominion authorities in connection with the removal of the Japanese people. If it is held that the removal of these people will be facilitated by the Dominion authorities acquiring these lands there should be no commitment, inferentially or otherwise, that the administration of the Veterans' Land Act is under obligation - perhaps some years hence - to take over any of the lands on the basis of what may be done now to meet a difficult war problem. Some of these lands are undoubtedly suitable for veteran land settlement. Others are not, including those which have a value in excess of the limitations contained in the proposed Veterans' Land Act. Reservation of the suitable lands involves a variety of risks. If plantations and productivity cannot be maintained because of labour shortage, if improvements deteriorate due to the passing of time, if taxation charge

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*Soldier Settlement of Japanese Land Act.*



April 22, 1942.

Memorandum -Mr. Crerar.Japanese Lands - Pacific Coast Area.

The proposals contained in letter of the 14th instant from your Colleague, the Honourable the Minister of Pensions and National Health, are based on three considerations:

- (a) the problem of conservation of the continuity of production of small fruits;
- (b) more adequate provision for the treatment of the Japanese concerned, on the basis of justice and equity;
- (c) control of the disposition of these lands, having regard to potential requirements under the Veterans' Land Act.

Following a discussion yesterday afternoon with Dr. Coleman, Under-Secretary of State, and Mr. A.H. Mathieu, of his Department, who have this situation under close observation and study, my opinions were confirmed that arising from the labour shortage which will be brought about by the removal of the Japanese people, and arising, too, from the problems of operating fruit plantations on a tenancy basis, great difficulty will be encountered in preserving anything like the present volume of production of small fruits on these lands. This labour shortage will not only affect the production on lands held by Japanese at the present time but also on lands operated by white growers who for many years have depended to a varying extent on Japanese labour.

It is my understanding that the situation confronting the Official Custodian with respect to Japanese lands is such that definite action appears to be urgently needed, not only with respect to the production of soft fruits or with respect to such of these lands as may be found suitable later on for veteran land settlement. As I understand it the problem confronting the Official Custodian relates to practically all the lands held by Japanese and quite a variety of production problems, including small fruits, poultry farms (including hatcheries), and specialized vegetable production. Therefore, Mr. Mackenzie's suggestion would fall short of meeting the whole problem with respect to land, and it is not believed desirable that there should be more than one Federal agency authorized to deal with these lands so far as the Japanese people are concerned.

With regard to (c) I respectfully observe that the reservation of some of these lands for future use under the Veterans' Land Act should be regarded as incidental to the main problem confronting the Dominion authorities in connection with the removal of the Japanese people. If it is held that the removal of these people will be facilitated by the Dominion authorities acquiring these lands there should be no commitment, inferentially or otherwise, that the administration of the Veterans' Land Act is under obligation - perhaps some years hence - to take over any of the lands on the basis of what may be done now to meet a difficult war problem. Some of these lands are undoubtedly suitable for veteran land settlement. Others are not, including those which have a value in excess of the limitations contained in the proposed Veterans' Land Act. Reservation of the suitable lands involves a variety of risks. If plantations and productivity cannot be maintained because of labour shortage, if improvements deteriorate due to the passing of time, if taxation charge

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*Soldier Settlement & Veterans' Land Act.*

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exceed revenue, there will be losses - and I believe that fact might as well be recognized at the outset. The extent of these losses can be modified only by the soundest type of administration.

In view of the above I conclude that the most effective service the Director of Soldier Settlement may render in this complex matter would be an immediate survey of the lands concerned, in order to determine the actual numbers and the various types of rural properties involved, and to determine the approximate present day value of them. A preliminary survey could probably be carried out in two weeks time, or a detailed examination in from four to six weeks. I imagine such an operation, if decided upon, should be authorized by appropriate Order in Council under the War Measures Act.

If upon completion of such survey it is considered desirable for the Dominion authorities to buy up all these properties on a basis which will protect not only the Japanese concerned but also equitable mortgagees and the claims of unpaid vendors and taxing authorities, the Director of Soldier Settlement has no objection to carrying out such an operation.

Until close examination has been made it is impossible to determine how many of these Japanese lands may be found suitable for the purposes of the Veterans' Land Act. But it is a more or less foregone conclusion that if all these lands are taken over there should be constant and well directed effort toward the resale of those which are not deemed suitable for Veterans' Land Act operations in order to avoid the losses and carrying charges which will almost inevitably result because of the prospective scarcity of skilled and unskilled labour required in the operation of these properties along the lines for which they are best adapted.

I shall be glad to have your reaction to the foregoing at your earliest convenience.

*G. M. Macdonald*

Director.



COPY

P.C. 2483.

PRIVY COUNCIL  
Canada

AT THE GOVERNMENT HOUSE AT OTTAWA  
FRIDAY, the 27th day of MARCH, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS BY Order in Council P.C. 1665 dated March 4th, 1942, the British Columbia Security Commission was established for the purpose of planning, supervising and directing the evacuation from the protected areas of British Columbia of all persons of the Japanese race and for such purpose was empowered to determine amongst other things all matters relative to the placement of such persons;

AND WHEREAS it is represented to the Minister of Justice that it is desirable to provide that any plan with regard to the placement of such persons be limited to making provision for the temporary placement only of such persons during the continuation of the state of war now existing and that the authority of the Commission should include power to vary or amend any placement order;

AND WHEREAS recommendations have been made to the Minister of Justice by the British Columbia Security Commission to the effect that a greater degree of protective control over persons of the Japanese race and the property of such persons be provided for than was provided by the Order establishing the Commission, above referred to;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice and under and by virtue of the powers conferred by the War Measures Act, Chapter 206, R.S.C., 1927, is pleased to amend the Regulations established by Order in Council P.C. 1665 dated March 4th, 1942 as follows:

1. Regulation one is hereby amended by adding thereto the following paragraph:

"(bb) 'Person of the Japanese race' means any person of the Japanese race required to leave any protected area of British Columbia by Order of the Minister of Justice under Regulation 4, as amended, of the Defence of Canada Regulations (Consolidation) 1941."

2. Regulation ten is hereby amended by adding thereto the following paragraphs:

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*Adeline Lettman of Victoria, B.C.*



"(5) Any such plan or plans shall make provision for the temporary placement only of such persons during the continuation of the state of war now existing.

"(6) The Commission's authority relative to the placement of persons shall include power to vary or amend any placement order."

3. Regulation eleven is hereby amended by rescinding paragraph two thereof and substituting therefor the following:

"(2) The Commission may make orders respecting the conduct, activities and discipline of any person of the Japanese race who is within any protected area or who is ordinarily resident within any protected area but who has left or leaves such area after February 5th, 1942."

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 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".

A.D.P. HEENEY

Clerk of the Privy Council.

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NAME

*Adeline Settlement of Victoria Bond Act.*



COPY

P.C. 2483.

PRIVY COUNCIL  
Canada

AT THE GOVERNMENT HOUSE AT OTTAWA  
FRIDAY, the 27th day of MARCH, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS BY Order in Council P.C. 1665 dated March 4th, 1942, the British Columbia Security Commission was established for the purpose of planning, supervising and directing the evacuation from the protected areas of British Columbia of all persons of the Japanese race and for such purpose was empowered to determine amongst other things all matters relative to the placement of such persons;

AND WHEREAS it is represented to the Minister of Justice that it is desirable to provide that any plan with regard to the placement of such persons be limited to making provision for the temporary placement only of such persons during the continuation of the state of war now existing and that the authority of the Commission should include power to vary or amend any placement order;

AND WHEREAS recommendations have been made to the Minister of Justice by the British Columbia Security Commission to the effect that a greater degree of protective control over persons of the Japanese race and the property of such persons be provided for than was provided by the Order establishing the Commission, above referred to;

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*Adeline Settlement of Victoria and Port of*



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"(2) The Commission may make orders respecting the conduct, activities and discipline of any person of the Japanese race who is within any protected area or who is ordinarily resident within any protected area but who has left or leaves such area after February 5th, 1942."

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. 285 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 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".

A.D.P. HEENEY

Clerk of the Privy Council.

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NAME

*Order in Council P.C. 285 of January 13th, 1942, and deposits of money, shares of stock, debentures, bonds or other securities)*