

Box 1001

J-25-1

JAPAN

1947-49



# CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding

Date

Cabinet conclusions Nov.26 of  
interest to depts., including -

Nov.28,1947

Report of Cab.Com.on Japanese  
Questions; Emergency legislation -  
-----

- 1 - Cabinet approved report submitted & agreed  
a) that PC 251 Jan.13/43, PC 1665 Mar.4/42,  
PC 469 Jan.19/43, 946 Feb.5/43 as amended &  
PC 7355 Dec.15/45 be extended under Continuation  
of Transitional Measures Act until Mar.31/48; -  
b) that no action be taken to impose restrictions  
on persons of Japanese race re fishing in NWT; -
- 2 - Re above Item a) re retention of OC re liquidation  
of property of evacuated Japanese -

**SEE**

Name or Subject

File No.

- 1 - Mr.Mithbell from ADFH  
(Copy Mr.Glen  
Mr.MacNamara  
Dr.Keenleyside  
Mr.Henry)

C-20-2  
v.2

Mr.Gregg from ADFH

- 2 - Mr.Gibson from ADFH  
(copy Dr.Coleman)

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CABINET DOCUMENT
No. 557
Copy No. 25

J-25-1

THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA P50-1-B  
MEMORANDUM TO THE CABINET SECRET

Emergency Orders in Council relating to Japanese

The Cabinet Committee on Japanese Questions having considered the emergency Orders in Council relating to persons of Japanese origin has agreed to recommend to the Cabinet that the following Orders in Council be extended until March 31, 1948:

P.C. 251	of January 13, 1942
P.C. 1665	of March 4, 1942
P.C. 469	of January 19, 1943
P.C. 946	of February 5, 1943 as amended
P.C. 7355	of December 15, 1945

Issuance of fishing licences in the Northwest Territories to persons of Japanese race

The Committee having considered the existing restrictions on the granting of fishing licences to persons of Japanese race in British Columbia and whether similar restrictions should be imposed in the Northwest Territories has agreed to recommend to the Cabinet that no restrictions on the granting of fishing licences to persons of Japanese race in the Northwest Territories be imposed, except as otherwise provided for in the Fisheries Act.

Raymond Ranger,  
Privy Council Officer,  
Secretary.

Humphrey Mitchell,  
Minister of Labour,  
Chairman.

November 26, 1947.

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SECRET

MEMORANDUM TO THE CABINET COMMITTEE ON JAPANESE QUESTIONS

Re: Japanese Orders in Council

The Transitional Measures Act, 1947, continued in effect a number of Orders in Council relating to persons of the Japanese race in Canada. These Orders included the following:

(a) P.C. 946 of February 5, 1943, as amended.

The Order gives the Minister of Labour authority to provide for the welfare and relocation of Japanese evacuated from the Coastal area of British Columbia and to make orders governing their movement, places of residence, and discipline.

The Order should be extended until March 31, 1948 to carry out the current year's program. The provisions for welfare and relocation can be taken care of after March 31, 1948 by an item in the Annual Estimates of the Department. If, however, it is the policy of the Government to continue restrictions on the movement and residence of Japanese in the Coastal area of British Columbia, it will be necessary to provide for the extension of the life of this Order in Council.

The Department of Labour is of opinion that if the restrictions over movement of Japanese into the Coastal area are lifted there will be a movement of Japanese back into the Coastal area, but that it is probable this movement will not be in the nature of an immediate influx but will extend over a period of time and will not comprise a major percentage of Japanese in Canada. It is probable that the greater majority of those who do return to the Coast over a period of time will be drawn from the group now resident in the interior of British Columbia, who number approximately 6000 persons, the greater majority of whom are in self-supporting employment. There may be some movement over a period of time back from Alberta. On the other hand, our Commissioner of Japanese Placement estimates there may be a movement of 500 Japanese east from British Columbia in the Spring of 1948.

(b) P.C. 7355 of December 15, 1945.

This Order authorizes financial assistance to voluntary repatriates to Japan and gives authority to the Custodian of Enemy Property to take over and liquidate the assets of Japanese repatriated to Japan under this Order and to transmit the proceeds to the Japanese in Japan.

The Government has already made a decision to discontinue financial assistance for repatriation of Japanese under this Order. There is, however, a small amount of assets of Japanese still vested in the Custodian under this Order which will not be liquidated for some months at least. We are advised by the Custodian that this consists of amounts totalling around \$3,000, representing the refundable portion of Income Tax payments for 1942, 1943 and 1944, and a limited quantity of other assets of miscellaneous nature, including various company stocks.

It would appear that the extension of the provisions of this Order, to the extent necessary to continue the authority of the Custodian with respect to the disposition of these assets, will be necessary.

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PRIVY COUNCIL OFFICE

MEMORANDUM

for Mr. A.D.P. Heeney

A meeting of the Cabinet Committee on Japanese Questions will be held in the Privy Council Chamber, Tuesday, November 25 at 3:00 p.m. to review and consider Emergency Orders in Council P.C. 946 February 5, 1943 as amended, P.C. 7355 December 15, 1945, P.C. 1665 March 4, 1942, P.C. 469 January 19, 1943 and P.C. 251 January 13, 1942 relating to persons of Japanese race.

Attached herewith is a memorandum which has been prepared in this connection.

Raymond Ranger.  
November 21, 1947.

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(c) P.C. 1605 of March 4, 1942, and P.C. 469 of January 19, 1943.

These Orders are administered by the Department of the Secretary of State and give the Custodian of Enemy Property authority to liquidate property of evacuated Japanese vested in him under these Orders.

(d) P.C. 251 of January 13, 1942.

This Order prohibits the issue of fishing licenses on the West Coast to persons of the Japanese race. The decision as to the continuation of this Order is one of policy which is tied in with P.C. 946.

Without further action of Parliament to the contrary, all of the above Orders will expire on December 31, 1947.

Privy Council Office,  
November 21, 1947.

Raymond Ranger,  
Secretary.

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Ottawa, Ontario.  
November 3, 1947.

Mr. A. D. P. Heeney,  
Clerk of the Privy Council,  
East Block,  
O t t a w a.

Dear Mr. Heeney: Re: Japanese Orders in Council

The Transitional Measures Act, 1947, continued in effect a number of Orders in Council relating to persons of the Japanese race in Canada. These Orders included the following:

(a) P.C. 946 of February 5, 1943, as amended.

The Order gives the Minister of Labour authority to provide for the welfare and relocation of Japanese evacuated from the Coastal area of British Columbia and to make orders governing their movement, places of residence, and discipline.

The provision for welfare and relocation can be taken care of by an item in the Annual Estimates of the Department. If, however, it is the policy of the Government to continue restrictions on the movement and residence of Japanese in the Coastal area of British Columbia, it will be necessary to provide for the extension of the life of this Order in Council.

The Department of Labour is of opinion that if the restrictions over movement of Japanese into the Coastal area are lifted there will be a movement of Japanese back into the Coastal area, but that it is probable this movement will not be in the nature of an immediate influx but will extend over a period of time and will not comprise a major percentage of Japanese in Canada. It is probable that the greater majority of those who do return to the Coast over a period of time will be drawn from the group now resident in the interior of British Columbia, who number approximately 6000 persons, the greater majority of whom are in self-supporting employment. There may be some movement over a period of time back from Alberta. On the other hand, our Commissioner of Japanese Placement estimates there may be a movement of 500 Japanese east from British Columbia in the Spring of 1948.

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(b) P.C. 7555 of December 15, 1945.

This Order authorizes financial assistance to voluntary repatriates to Japan, and gives authority to the Custodian of Enemy Property to take over and liquidate the assets of Japanese repatriated to Japan under this Order and to transmit the proceeds to the Japanese in Japan.

The Government has already made a decision to discontinue financial assistance for repatriation of Japanese under this Order. There is, however, a small amount of assets of Japanese still vested in the Custodian under this Order which will not be liquidated for some months at least. We are advised by the Custodian that this consists of amounts totalling around \$3,000, representing the refundable portion of Income Tax payments for 1942, 1943 and 1944, and a limited quantity of other assets of a miscellaneous nature, including various company stocks.

It would appear that the extension of the provisions of this Order, to the extent necessary to continue the authority of the Custodian with respect to the disposition of these assets, will be necessary.

(c) P.C. 1665 of March 4, 1942, and P.C. 469 of January 19, 1943.

These Orders are administered by the Department of the Secretary of State and give the Custodian of Enemy Property authority to liquidate property of evacuated Japanese vested in him under these Orders. The Secretary of State will no doubt advise as to the necessity for the continuation of these Orders.

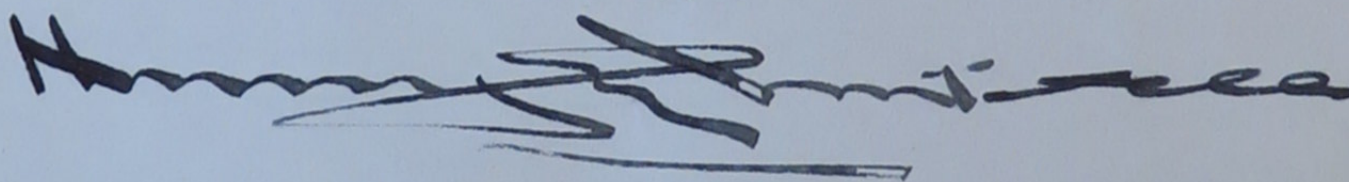
(d) P.C. 251 of January 13, 1942.

This Order prohibits the issue of fishing licences on the West Coast to persons of the Japanese race. The decision as to the continuation of this Order is one of policy which is tied in with P.C. 946.

Without further action of Parliament to the contrary, all of the above Orders will expire on December 31, 1947.

I would be glad if you would place this matter of extension of the life of the above Orders before Cabinet for consideration at a convenient early date.

Sincerely,



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## CROSS REFERENCE SHEET

Name or Subject

File No.

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Regarding

Date

Sept.15,1947

Cabinet conclusions Sept.11 of  
interest to depts., including -

Japanese in Canada; fishing licences -

Cabinet agreed that question of imposing  
restrictions re granting of fishing licences  
to Japanese in NWT similar to existing  
restrictions in BC be referred for consi-  
deration to Cab.Com.on Japanese questions -

### SEE

Name or Subject

File No.

Mr.Bertrand from AFPH  
(copy to Mr.Bates)

C-20-2  
v.2

REQ. 15  
5M-6-46

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8-25-1  
July 18, 1947

P.C. 1810

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 18th July, 1947.

The Committee of the Privy Council have had before them a report dated 14th July, 1947, from the Secretary of State, representing:

That during the war persons of the Japanese race were evacuated from the protected areas of British Columbia and by Order in Council P.C. 1665 of March 4, 1942, as amended by Order in Council P.C. 2483 of March 27, 1942, it was provided that all property situated in any protected area of British Columbia belonging to any person of the Japanese race (except fishing vessels subject to Order in Council P.C. 288 of January 13, 1942, hereinafter referred to, 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 was turned over to the Custodian by or on behalf of the owner, or which the owner on being evacuated from the protected area was unable to take with him, should be vested in and subject to the control and management of the Custodian as defined in the Regulations Respecting Trading with the Enemy;

That by Order in Council P.C. 469 of January 19, 1943, it was provided that whenever the Custodian had been vested with the power and responsibility of controlling and managing any property of persons of the Japanese race evacuated from the said protected areas, such power and responsibility should 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;

That by Order in Council P.C. 6247 of July 20, 1942, it was provided that all vessels and equipment not disposed of by the committee established by the said Order in Council of January 13, 1942, should on and after the first day of August, 1942, be vested in and be subject to the control of the Custodian;

That pursuant to the above mentioned Orders real and personal property of persons of the Japanese race was disposed of and claims have been made by persons of the Japanese race that in respect of such disposition of their property they have suffered pecuniary loss and

That it is deemed advisable to appoint a Commissioner under Part I of the Inquiries Act to investigate the said claims and to make recommendations with respect thereto

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The Committee, therefore, on the recommendation of the Secretary of State, advise:

1 That the Honourable Mr. Justice Henry Irvine Bird be appointed a Commissioner pursuant to the Inquiries Act, chapter ninety-nine of the Revised Statutes of Canada, 1927, to inquire into the following claims of persons of the Japanese race who are resident in Canada at the date of this Order, namely -

(a) that by reason of the failure of the Custodian to exercise reasonable care in the disposition of the real and personal property vested in the Custodian pursuant to the above mentioned Orders, the amount received by the Custodian for such property was less than the market value thereof at the time of such disposition; and

(b) that by reason of the failure of the Custodian to exercise reasonable care in the management of personal property, such property was lost, destroyed or stolen but no claim shall be considered in respect of property lost, destroyed or stolen while under the custody, control or management of any person, other than the Custodian, appointed by the owner of the property.

2. That the Commissioner shall examine into each claim and make a report to the Governor in Council setting forth the claims, if any, which in the opinion of the Commissioner are well-founded and the amount which, in his opinion would fairly and reasonably compensate the claimant for failure of the Custodian to exercise reasonable care.

3. That the Commissioner shall give public notice in such manner as he deems advisable of the time for the filing of claims and for the hearing of evidence and that all claims shall be in writing, verified by statutory declaration and filed in the Office of the Custodian at Vancouver, British Columbia.

4. That the Commissioner be authorized to engage the services of such counsel, technical advisers or other experts, clerks, reporters and assistants as he may deem necessary or advisable.

5. That the expenses of and incidental to the said inquiry be paid out of money appropriated by Parliament.

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

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THE SECRETARY OF STATE OF CANADA

July 11, 1947

Dear Mr. Heeney,

I think that the agenda for the final Cabinet meeting should contain an item for approval of the final draft of the terms of reference for the Commissioner to investigate Japanese claims. I hope that Mr. Ilsley will have approved of a draft by that time.

Yours sincerely,

*Blair Brown*

Mr. A. D. P. Heeney,  
Secretary to the Cabinet,  
Privy Council,  
O t t a w a

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Japanese in Canada  
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## CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding

Date

June 27, 1947

Cabinet conclusions June 25 of  
interest to dept., including -

Commr. to investigate Japanese claims; terms of Reference -

- 1 - Cabinet agreed: 1) that terms of reference of Commr. be amended to permit payment of additional compensation; - 2) that Mr. Justice Bird of BC Court of Appeal be appt. Commr. & that additional remuneration of \$25 a day while outside the Province be authorized; - 3) that OC of appt. & TB Minute re remuneration be passed;
- 2 - Re above - suggesting preparation of revised draft & consultation with Mr. Varcoe - suggesting submission to Council for approval -

### SEE

Name or Subject

File No.

- 1 - Mr. Gibson from ADFH  
(copy Dr. Coleman)
- 2 - Mr. Coleman from ADFH  
(copy Mr. Varcoe)

C-20-2  
v.2

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①  
J-25-1  
U-20

Ottawa, June 25, 1947.

Douglas G. Anglin, Esq.,  
President,  
University of Toronto  
Liberal Association,  
34 Ava Road,  
Toronto, Ontario.

Dear Mr. Anglin,

I duly received your letter of June 16 enclosing a brief prepared by the Executive of the University of Toronto Liberal Association concerning the policy of the government with respect to persons of Japanese origin in Canada. The specific points raised in the brief, as well as the general views of the executive have been carefully noted.

With regard to the more general aspects of the question, I feel that the origins and background of the present policy, together with certain of the practical difficulties which the government has faced, have been to some extent forgotten by many persons. The evacuation of the Japanese from the Pacific coast following the attack on Pearl Harbour was an emergency action at one of the darkest periods of the war. Virtually no one in Canada expressed any doubt as to the wisdom of that action at the time it was taken. From that original measure most of the later developments inevitably flowed. The evacuation would have been purposeless without restrictions on movement back to the protected area. Housing had to

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be provided urgently, and for the purpose special camps had to be created. Property left behind had to be taken into custody, and in many cases sale was imperative to realize full value before deterioration could result. In all cases the purpose was to secure a fair market value for the owner. These subsequent aspects of policy were not isolated and separate decisions, but necessarily followed the original action. Permanent settlement of the Japanese in separate camps was obviously undesirable, and the government actively assisted their relocation in suitable homes and employment east of the Rocky Mountains. This has been virtually completed in a most successful manner. The government has paid the costs of movement.

In the course of the war, a number of Japanese indicated a desire to proceed to Japan, and a questionnaire was circulated to ascertain who did so wish to go. Approximately 10,000 were included in the final total. After the end of the war, following the defeat of Japan, a number of these withdrew their applications. No person who withdrew an application has been required to go to Japan, nor has any other person of Japanese origin, whether of Japanese nationality or otherwise. No deportations whatever have taken place. Some 4000 persons have left Canada voluntarily, but, apart from dependent children under eighteen, these were all following their own expressed desire and each one could have altered his or her decision up to the time of departure had he or she so wished. The government paid all costs of movement; full value of property could be taken out of the country; and assistance in cash was provided for cases of indigence. I might add that there are still a number of Japanese persons wishing to leave Canada for whom it has not yet been possible to provide transportation.

Since the developments to which I have referred, the restrictions applying to Japanese persons in Canada have been steadily reduced until only two remain -- that concerning movement and settlement in

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British Columbia, and that concerning the acquisition of fishing licenses. These restrictions were approved by the Parliament of Canada at its present session as part of the Continuation of Transitional Measures Act, which has validity for a period of one year.

This is merely a short and incomplete outline of what has taken place but it does, I think, place the action of the government in proper perspective.

So far as the specific points in the brief are concerned there are a few comments which might be made. For the reasons I have indicated I cannot concur in the terms "deportee" or "deported" in the second part of the brief. With regard to the federal franchise, the Dominion Elections Act is at present under review. With regard to property losses, I announced on January 24 of this year that the government would be prepared to remedy the injustice in any case where it could be shown that a sale of property had been made by the Custodian at less than a fair market value. With regard to the United Nations Charter, I think that the suggestion that this country has been "the most persistent violator" of the pledge in respect of human rights will, on reflection, seem to you to be exaggerated.

I shall not attempt, however, to deal in detail with the points set forth in the brief submitted by the Executive of the University of Toronto Liberal Association. It is being brought to the attention of my colleagues in the Cabinet and will be given the most careful consideration.

Yours sincerely,

W. L. Mackenzie King.

RGR/IM

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# CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding

Date

Cabinet conclusions June 16 of  
interest to depts., including -

June 17, 1947

Japanes claims; Commissioners salary -

Cabinet agreed that Minister of Justice  
consider question of additional remuneration  
in relation to provisions of Judges Act  
& those of draft bill to amend Industrial  
Disputes & Investigation Act -

SEE

Name or Subject

File No.

Mr. Isley from ADFH

C-20-2  
v.2

REC. 15  
531-6-46

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## PRESS CLIPPINGS

Office of  
The Prime Minister

Name of Publication Toronto Star

Date May 26/47

Subject

### A Case of Expropriation

The Commons public accounts committee has received evidence concerning the disposal of properties belonging to Japanese Canadians which shows the necessity of a royal commission to probe the matter.

Government agents and committee have been allowed to deal harshly with the life-savings of thousands of citizens of Japanese origin. Up to 816 per cent. profit was realized by one government department on the sale of some Japanese properties, and no accounting was made to the custodian of alien properties.

The matter should be thoroughly investigated and corrected by an independent body. This is essential for the sake of this country's reputation as well as in fairness to the people concerned. The inquiry should be started at once because 400 parcels of land are still up for sale. In addition, quantities of furnishings and personal effects belonging to many evacuees have been scattered or lost.

It is shocking to think that the Japanese in Canada have, as Senator Roebuck said, been treated in the way the Nazis treated the German Jews. It is recalled that business properties and homes belonging to the Jews in Germany and other occupied lands were seized under special decrees by the Nazis, who sold them cheaply to party members or to others at high profits. It is shocking that almost similar deeds were committed in Canada against a minority group.

In a recent report, the dominion labor department showed that nearly four out of five of the 20,558 Japanese in Canada are Canadian citizens, and two out of three are Canadian-born.

The way the Japanese have been dealt with to date is contrary to the policy the prime minister announced on August 4, 1944. He stated in the House of Commons that care would be taken to "treat fairly and justly those (Japanese) found loyal to Canada during the war."

On that date Mr. King apparently had information which caused him to declare that most of the Japanese in Canada deserved to be treated as loyal people. He said they did not constitute a menace to the security of this country. He emphasized the point:

"Account should be taken of the fact that for the most part, the people of Japanese race in the country have remained loyal and have refrained from acts of sabotage and obstruction during the war. It is a fact that no person of Japanese race born in Canada has been charged with any act of sabotage or disloyalty during the years of war."

Mr. King promised that only those Japanese found to be disloyal would be deported; the loyal ones would be treated fairly and justly. On this point the prime minister gave the assurance:

"Surely it is not to be expected that the government will do other than deal justly with those who are guilty of no crime, or even of any ill intention. For the government to act otherwise would be an acceptance of the standards of our enemies and the negation of the purposes for which we are fighting."

But the opposite has happened. Japanese persons born in Canada or who became naturalized citizens, against whom there were no charges or proof of disloyalty, were in effect deported to Japan. Their properties and properties of those who remained in Canada were disposed of in heartless, ruthless fashion. These people are still being deprived of civil rights. No other group of former enemy aliens have been treated in such a way. The Germans, Austrians and Italians have at no time been deprived of personal liberties or of their homes, business properties or personal belongings.

(Retain for P.C. file -  
permission of PMO Clipping  
Room.)

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SECRET

Ottawa, May 1st, 1947.

MEMORANDUM FOR THE PRIME MINISTER:

Re: Claims by persons of Japanese race;  
proposed Commission

1. You will notice in paragraph 7 of the conclusions of yesterday's meeting of the Cabinet that (after you left) the Cabinet agreed upon the setting up of a Commission with terms of reference as follows:

To enquire into claims of any person of the Japanese race who was resident in Canada on the day of the Order, that, by reason of the failure of the Custodian to exercise reasonable care in the management or disposition of the real and personal property vested in the Custodian pursuant to the above mentioned Orders, the amount received by him for such property was less than the market value thereof at the time of the evacuation of the owner, but no enquiry to be made into claims in respect of any property for any loss that arose while the property was under the custody, control or management of any person, other than the Custodian, appointed by the owner thereof.

2. They also agreed that Mr. Justice Cameron of the Exchequer Court would be a suitable Commissioner.

3. Mr. Gibson is to prepare a submission for the appointment of the Commissioner under the Inquiries Act with the above terms of reference

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unless you feel that the latter are inconsistent with the reference made in your public statement of January 17th to the disposition of these claims.

In your statement the following relevant passage appears:

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

4. Please let me know if you concur in the terms of reference so that I can inform the Secretary of State and he may proceed accordingly.

A.D.P.H.

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# CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding

Date

Cabinet conclusions May 9  
interest to dept., including -

May 10, 1947

Japanese Claims; appointment of  
Commissioner; terms of reference -  
-----

Re PM's concurrence in decision taken  
April 30 on terms of refence & Cabinet  
agreed that OC be passed -

## SEE

Name or Subject

File No.

Mr. Gibson from ADPH

C-20-2  
v.2

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MEMORANDUM  
Office of the Prime Minister

Ottawa,.....

Arnold

This is an unrevised  
text. The P.M. has changed  
it substantially.

NSR

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# CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding

Date

May 1, 1947

Cabinet conclusions April 30 of  
interest to dept., including -

Japanese Claims; appointment of Commissioner -

Cabinet agreed that report submitted by Cab. Comm.  
on Japanese questions re appt. of Commissioner be  
approved & agreed that Terms of Reference be  
approved subject to concurrence of PM & agreed that  
SOS prepare submission to Council for appt. of  
Judge of Exchequer Court to act as Commr. -

## SEE

Name or Subject

File No.

Mr. Gibson from ADFH  
(copy Mr. Mackenzie  
Mr. Mitchell  
Dr. Coleman)

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v. 2

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JAPAN  
Japanese in Canada  
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8-25-1  
Ottawa, April 30th, 1947.

The Honourable Humphrey Mitchell,  
Minister of Labour,  
OTTAWA, Ontario.

Dear Mr. Mitchell:

With reference to the document on claims by persons of Japanese race which is to be considered at Cabinet this morning, further discussions with Mr. Ranger, Secretary of the Cabinet Committee, and with Mr. Robertson of the Prime Minister's Office have indicated that an additional point should be brought forward for consideration which is not spelled out in the document circulated.

The alternative terms of reference in the document in reality are different wordings of the same basic approach which is that claims shall be based upon the difference between market value at time of evacuation and moneys received from sale.

The other alternative, which I understand was considered in the Cabinet Committee and which is probably closer to the actual words used by the Prime Minister in his press release, is to base claims upon the difference between market value at time of sale and moneys received, taking into consideration, of course, deterioration through negligence, etc.

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An alternative wording that might meet this point would be:

"that the amount received by him for real and personal property vested in the Custodian was less than the market value thereof at the time of sale or that, by reason of the failure of the Custodian to exercise reasonable care in the custody of personal property which had been left in his control, it had been stolen or suffered deterioration or destruction, but no inquiry ...."

Yours sincerely,

J. R. Baldwin,  
Assistant Secretary to the Cabinet.

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SECRET

Memorandum for Mr. A. D. P. HeeneY:

I note from the agenda for Cabinet for Wednesday that the question of Japanese claims is going to be brought up. In this connection, I do not think that the draft Order in Council which has been prepared precisely sets forth the alternatives that were decided on at the meeting of Cabinet Committee. To carry out the intention of the Committee I think the alternative to Clause 1 should read as follows:

"1. That the Honourable .... be appointed a Commissioner pursuant to the Inquiries Act, Chap. 99 of the Revised Statutes of Canada, 1927, to inquire into claims of any person of the Japanese race, who was resident in Canada on the day of this Order, that the amount received by him for real and personal property vested in the Custodian was less than the market value thereof at the time of sale or that, by reason of the failure of the Custodian to exercise reasonable care in the custody of personal property which had been left in his control, it had been stolen or suffered deterioration or destruction, but no inquiry .... "

The main point is that this alternative was to be a limitation of claims to differences between sale price and market price at the time of sale, plus claims for loss or deterioration in personal property due to negligence.

29th April, 1947.

R. G. R.

W4  
lenb/pupus  
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PRIVY COUNCIL OFFICE

MEMORANDUM

For Mr. Ranger:

Re: Japanese claims

Mr. Mitchell said to me this morning that he would like to go ahead in Cabinet on Wednesday with the question of disposition of claims by persons of Japanese race. You may be able to clear the alternative proposals either by having your Cabinet Committee meet tomorrow or (if that cannot be arranged) by having it passed individually by the Ministers in advance of the Cabinet meeting.

In any event, I am putting the item on Wednesday's agenda which is going out this afternoon. Presumably the other Japanese questions will have to stand until after your Committee has gone into them.

A.D.P.H.

April 28th, 1947.

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THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA

SECRET
CABINET DOCUMENT
No. 448
Copy No. 25

MEMORANDUM FOR THE CABINET:

Claims by persons of Japanese race

The Cabinet Committee on Japanese Questions, having considered the problem of claims by persons of Japanese race resulting from their evacuation by the Government from the protected areas of British Columbia, recommend:

✓ (a) that a Commissioner be appointed to investigate the said claims of Japanese Evacuees and to make recommendations with respect thereto;

✓ (b) that only those claims submitted by Japanese Evacuees resident in Canada on the date of the passing of the Order be considered; and,

(c) that the following two alternative terms of reference for a Commissioner be submitted for consideration by the Cabinet:

(1) to enquire into claims of any person of the Japanese race, who was resident in Canada on the day of this Order, that the amount received by him for real and personal property vested in the Custodian pursuant to the above mentioned Orders was less than the market value thereof at the time of the evacuation of the owner, but no enquiry shall be made into claims in respect of any property for any loss that arose while the property was under the custody, control or management of any person, other than the Custodian appointed by the owner thereof;

✓ (2) to enquire into claims of any person of the Japanese race, who was resident in Canada on the day of this Order, that, by reason of the failure of the Custodian to exercise reasonable care in the management or disposition of the real and personal property vested in the Custodian pursuant to the above mentioned Orders, the amount received by him for such property was less than the market value thereof at the time of the evacuation of the owner, but no enquiry shall be made into claims in respect of any property for any loss that arose while the property was under the custody, control or management of any person, other than the Custodian, appointed by the owner thereof.

Raymond Ranger,  
Secretary,  
Cabinet Committee on  
Japanese Questions.

Privy Council Office,  
April 28th, 1947.

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PRIVY COUNCIL OFFICE J-25-1

MEMORANDUM

for Mr. Heesey

I am attaching herewith for your information:

- (a) copy of the minutes of the eighth meeting of the Cabinet Committee on Japanese Questions held on April 21, 1947; and *file*
- (b) a revised draft submission to Council in connection with claims by Japanese Evacuees.

Please be advised that another meeting will be held in the Privy Council Chamber on Monday, April 28, 1947 at 10:00 a.m.

*Raymond Ranger*  
Raymond Ranger.

April 25, 1947.

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D R A F T

OTTAWA, April

1947

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report as follows:

That during the war persons of the Japanese race were evacuated from the protected areas of British Columbia and by Order in Council P.C. 1665 of March 4, 1942, as amended by Order in Council P.C. 2485 of March 27, 1942, it was provided that all property situated in any protected area of British Columbia belonging to any person of the Japanese race (except fishing vessels subject to Order in Council P.C. 288 of January 13, 1942, hereinafter referred to, 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 was turned over to the Custodian by or on behalf of the owner, or which the owner on being evacuated from the protected area, was unable to take with him, should be vested in and subject to the control and management of the Custodian as defined in the Regulations respecting Trading with the Enemy.

That by Order in Council P.C. 469 of January 19, 1943, it was provided that whenever the Custodian had been vested with the power and responsibility of controlling and managing any property of persons of the Japanese race evacuated from the said protected areas, such power and responsibility should 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.

That by Order in Council P.C. 6247 of July 20, 1942, it was provided that all vessels and equipment not disposed of by the Committee established by the said Order in Council of January 13, 1942, should on and after the first day of August, 1942, be vested in and be subject to the control of the Custodian.

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That pursuant to the above mentioned Orders real and personal property of persons of the Japanese race was disposed of and claims have been made by persons of the Japanese race that by reason of such disposition of their property they have suffered pecuniary loss.

That it is deemed advisable to appoint a Commissioner under Part I of the Inquiries Act to investigate the said claims and to make recommendations with respect thereto.

The undersigned, therefore, has the honour to recommend:

1. That the Honourable ... .. be appointed a Commissioner pursuant to the Inquiries Act, chapter ninety-nine of the Revised Statutes of Canada, 1927, to inquire into claims of any person of the Japanese race, who was resident in Canada on the day of this Order, that the amount received by him for real and personal property vested in the Custodian pursuant to the above mentioned Orders was less than the market value thereof at the time of the evacuation of the owner, but no inquiry shall be made into claims in respect of any property for any loss that arose while the property was under the custody, control or management of any person, other than the Custodian appointed by the owner thereof.

ALTERNATIVE TO CLAUSE (1) ABOVE

1. That the Honourable .....be appointed a Commissioner pursuant to the Inquiries Act, chapter ninety-nine of the Revised Statutes of Canada, 1927, to inquire into claims of any person of the Japanese race, who was resident in Canada on the day of this Order, that, by reason of the failure of the Custodian to exercise reasonable care in the management or disposition of the real and personal property vested in the Custodian pursuant to the above mentioned Orders, the amount received by him for such property was less than the market value thereof at the time of the evacuation of the owner, but no inquiry shall be made into claims in respect of any

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property for any loss that arose while the property was under the custody, control or management of any person, other than the Custodian, appointed by the owner thereof.

2. That the Commissioner shall examine into each claim and make a report to the Governor in Council advising as to the amount of compensation that in his opinion would be fair and reasonable.

3. That the Commissioner shall give public notice in such manner as he deems advisable of the time for the filing of claims and for the hearing of evidence and that all claims shall be in writing, verified by statutory declaration and filed in the office of the Custodian at Vancouver, British Columbia.

4. That the Commissioner be authorized to engage the services of such counsel, technical advisers or other experts, clerks, reporters and assistants as he may deem necessary or advisable.

5. That the expenses of and incidental to the said inquiry be paid out of moneys appropriated by Parliament.

Respectfully submitted,

Secretary of State.

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April 25/47

Terms of Reference - Commission on Japanese Claims

To investigate and report upon the value or values, at the then prevailing market or current prices for disposal thereof, of any property of Canadian nationals of Japanese origin, then and now resident in Canada, evacuated, abandoned or lost at the time of such evacuation or abandonment by order of the Government of Canada, in relation to prices obtained therefor, whether by tender or otherwise; or by proven loss of goods in relation to their marketable value at the time of such evacuation or abandonment and proven loss; all such claims of any nature whatsoever to be limited to such property, real or personal, as was taken over by, declared to, and placed in the custody of, the Official Custodian of Enemy Alien Property of the Dominion of Canada.

*Mr. Heaney*

*Mr.*

H.R. Bill 6780 (V.S.)  
Creating Evacuation  
Claims Commission filed July 26/46

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CANADA  
PRIVY COUNCIL OFFICE

CABINET SECRETARIAT

Ottawa, April 18, 1947.

MEMORANDUM

for Mr. A.D.P. Heeney

I wish to advise that, by decision of the Cabinet, on April 17, 1947, the Cabinet Committee on Japanese Problems and the Cabinet Committee on Claims by Japanese Evacuees have been replaced by a reconstituted Committee on Japanese Questions composed of the following Ministers.

Minister of Labour (Chairman)  
Minister of Veterans Affairs  
Minister of Justice (the Solicitor General  
as alternate)  
Secretary of State  
Minister of Mines and Resources  
Minister of Fisheries  
Minister of Finance (for consideration of  
financial problems involved)

*Raymond Ranger*

Raymond Ranger,  
Secretary,  
Cabinet Committee  
on Japanese Questions.

W.H.  
Munich JAR 4 will  
be moved to Lab. com.  
late  
Dr

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THE SECRETARY OF STATE OF CANADA

Ottawa, April 17, 1947.

My dear Colleague:

We have two Cabinet Committees dealing with Japanese affairs, one dealing with controls over movement and residence of Japanese and the other with Japanese claims.

There is difficulty in securing full attendance at meetings and I consider that if the Committees were amalgamated, the subjects could be considered together and disposed of probably at one meeting.

The Committees are as follows:

JAPANESE CONTROLS

Mackenzie  
Mitchell  
Jean  
Claxton  
Glen additional  
Bridges "

JAPANESE CLAIMS

Mackenzie  
Mitchell  
Ilsley  
Gibson

I suggest the following as a Joint Committee, Mr. Abbott being added, as there will be considerable financial outlay in connection with the settlement of Japanese claims.

Mackenzie  
Mitchell  
Ilsley or Jean  
Gibson  
Glen  
Bridges  
Abbott

Yours sincerely,

The Rt. Hon. Louis St. Laurent,  
Secretary of State for External Affairs,  
OTTAWA, Ont.

p

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# CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding

Date

March 27, 1947

Cabinet conclusions Jan. 22 of  
interest to dept., including -

Persons of Japanese race; report of  
Cabinet committee -

-----  
Cabinet agreed that existing orders issued  
by Min. of Labour to regulate issue of fishing  
licences to Japanese be rescinded, but that  
general prohibition be continued for period  
of proposed extension of general emergency  
powers; appropriate provision to be included  
in schedule to draft bill for that purpose -

## SEE

Name or Subject

File No.

Mr. Bridges from ADFH

C-20-2  
v. 2

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# CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding

Date

March 11, 1947

Cabinet conclusions March 10 of  
interest to dept.] including -

Claims by Japanese Wartime Evacuees -

Cabinet agreed that special Com. of Cab.  
be established to consider & report on  
matters raised by SOS, & in particular,  
establishment of Commission to deal with  
above claims & terms of reference of such  
Comm; committee to consist of:

Secretary of State (Chairman)  
Minister of Veterans Affairs  
Minister of Justice  
Minister of Labour  
Minister of Fisheries

## SEE

Name or Subject

File No.

Mr. Gibson from Mr. Baldwin  
(copy to Committee members)

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Prime Minister's Office

Press Release

January 24, 1947

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

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

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

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

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

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

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

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

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

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

In 1941, out of a total population of 23,149 persons of Japanese origin, 22,036 resided in British Columbia; only 1,153 resided in all the rest of Canada. On December 31, 1946, the total had decreased to 20,558. Of this number only 6,776 were in British Columbia; while 13,782 now live in other parts of Canada. Since 1941 the population of British Columbia of Japanese origin has declined by 15,320 - or approximately two-thirds. In addition, the pre-war concentration on the coast has been eliminated.

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

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

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

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CANADA

PRIVY COUNCIL OFFICE

CABINET SECRETARIAT

Ottawa, Ontario,  
January 20, 1947.

SECRET

MEMORANDUM FOR MR. HEENEY

RE: CABINET DOCUMENT NO. 366 - REPORT FROM  
CABINET COMMITTEE ON JAPANESE PROBLEMS

With reference to Mr. Mackenzie's suggestion of amending sub-paragraph (a) of paragraph 2 of Cabinet Document No. 366, Order-in-Council P.C. 251, January 13, 1942, (copy attached), prohibits the issuing of fishing licences to fish in or off British Columbia to persons of Japanese racial origin, and also prohibits these persons to serve on fishing vessels. Therefore, if Administrative Order No. 2, February 19, 1944, issued by the Minister of Labour, is revoked, there still remains a prohibition to issue fishing licences in or off British Columbia to persons of Japanese racial origin.

Order-in-Council P.C. 251 was passed on the recommendation of the Minister of Fisheries, and under the authority of the War Measures Act and, consequently, will lapse on March 31, 1947, unless its life is extended by authority to be provided in the proposed bill to extend for one year the "National Emergency Transitional Powers Act". Therefore, if Cabinet decides that persons of Japanese racial origin should not be allowed to fish in the coastal waters of British Columbia, I would suggest that necessary action to amend P.C. 251 and extend its life, should be taken by the Minister of Fisheries.

*Raymond Ranger*  
Raymond Ranger.

Copy sent to Mr. Mackenzie  
Jan. 20, 1947.

RR/GV  
Enc.

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PRIVY COUNCIL OFFICE

MEMORANDUM

MR. HEENEY

RE: CABINET DOCUMENT NO. 366, RE REPORT FROM  
CABINET COMMITTEE ON JAPANESE PROBLEMS

The Minister of Veterans Affairs has brought my attention to the second paragraph of Cabinet Document No. 366 in connection with the rescinding of the existing orders to regulate the issue of fishing licences to Japanese.

Mr. Mackenzie would like sub-paragraph (a) to be changed to read as follows:

"(a) that the second part of Administrative Order No. 2, issued February 19, 1944, by the Minister of Labour and relating to fishing by persons of Japanese race in any inland waters in the Province of British Columbia, be rescinded; and"

I am attaching herewith for your information copy of Administrative Order No. 2.

I understand that Mr. Mackenzie will not be present at today's Cabinet Meeting.

Raymond Ranger.  
Raymond Ranger.

14-1-47

RR / info for next meeting Feb  
① What does this mean?  
② Do other Ministers or letters agree?

*Ranger speaks to me to day that the Minister of V.A. should be sure that he wanted this one change made.*

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PRIVY COUNCIL OFFICE

MEMORANDUM

ADMINISTRATIVE ORDER NO. 2 ISSUED BY  
MINISTER OF LABOUR, DATED FEB. 19, 1944

No person of the Japanese race shall fish for or take fish by any means whatsoever from any Pacific coastal waters of Canada or any inland waters in the Province of British Columbia without first having obtained a written permit therefor from the Commissioner of Japanese Placement.

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# CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding Cabinet conclusions Oct.1 of interest to depts., including -

Date

Persons of Japanese race; repatriation to Japan; return to Canada -

- |  |                 |
|--|-----------------|
| 1 - Cabinet approved recomb. submitted by Cab.Com.on Japanese questions to govern policy re repatriation to Japan & return to Can. subject to two minor amendments - (Cab.Doc.528) -   | Oct.4,1947<br>6 |
| 2 - Memo re above Cab.conclusion & re difference between Cab. Com.minutes Sept.3 & Cab.Doc. re issuance of visas or renewal of passports for return to Canada & suggesting amendment - | Oct.9,1947      |
| 3 - Re above & suggesting amendment to Cabinet conclusions -   | Oct.9,1947      |
| 4 - Re above - approving of amendment to Cabinet conclusions -   | Oct.14,1947     |
| 5 - Re above - enclosing amended pages of Cab.conclusions -  | Oct.15,1947     |
| 6 - Re above -   | Oct.16,1947     |
| 7 - Re above - re changes to be made -   | Oct.16,1947     |
| 8 - <del>Re</del> above - encl. amended pages of Cab.conslusions-  | Oct.15,1947     |

SEE

Name or Subject

File No.

- 1 - Mr.Glen from ADPH  
(copy Mr.Howe & Dr.Keenleeside)  
Mr.Mitchell from ADPH (Oct.6)  
(copy Mr.MacNamara)

C-20-2  
v.2

- 2 - R.G.Robertson to ADPH
- 3 - Mr Mitchell from ADPH
- 4 - Mr.Mitchell to ADPH
- 5 - Ministers concerned from ADPH
- 6 - Mr.Mitchell from ADPH
- 7 - Mr.Glen from AEPH

REQ. 15  
85M-6-46 PM from ADPH



J-25-1

THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA

MEMORANDUM TO THE CABINET

Report from Cabinet Committee on Japanese Questions

I. Repatriation to Japan -- Financial Assistance

SECRET
CABINET DOCUMENT
No. 528
Copy No. 35

The Cabinet Committee on Japanese Questions, at a meeting held on September 3rd 1947, considered the present Government policy to repatriate to Japan persons of Japanese origin and noted that Government assistance would total approximately \$50,000. for the 140-150 persons presently requesting repatriation. It was also noted that, following the repeal of Order in Council P.C. 7356 of December 15, 1945, effective January 23, 1947, there is now no means by which naturalized Japanese, who repatriate to Japan, can be deprived of Canadian citizenship, except under the clauses of the Citizenship Act.

The Cabinet Committee agreed to recommend to the Cabinet:

- (a) that, the present policy of granting financial assistance to persons of Japanese race who volunteer or volunteered to be repatriated to Japan be discontinued immediately; and,
- (b) that, from now on, persons of Japanese origin who wish to be repatriated to Japan will have to do so at their own expense.

II. Return to Canada of Persons of Japanese Origin

The Cabinet Committee also considered the problem of persons of Japanese origin (Canadian-born, naturalized or nationals retaining Canadian domicile) who left Canada before the war or who were repatriated and who wish to obtain Consular protection and assistance in Japan and who want to re-enter Canada.

The Cabinet Committee agreed to recommend to Cabinet that:

- (a) the Department of External Affairs and the Immigration Branch be authorized to consider and approve applications for temporary entry into Canada on behalf of Japanese nationals whose visits abroad are approved by Headquarters, Supreme Commander for the Allied Powers in Japan and who would be coming to Canada for conference, educational or other approved temporary purposes that would be assistance in the democratic re-education of Japan; or
- (b) that, where a Canadian citizen of Japanese origin "stood out" in Japan during the war and suffered proven hardship on that account and is desirous of returning to Canada, the Head of the Canadian Liaison Mission in Japan may consult the Department of External Affairs to determine what assistance, if any, may be afforded such person to return to Canada; and,
- (c) that the Canadian Liaison Mission in Tokyo, except for persons mentioned in above paragraphs (a) and (b) shall not:
  - (i) help persons of Japanese race to obtain exit permits or buy passage,
  - (ii) issue visas to Japanese aliens even if they have technically retained Canadian domicile, and
  - (iii) issue or renew passports to Canadian citizens of Japanese origin except in special circumstances.

Raymond Ranger,  
Privy Council Office,  
Secretary,  
September 22, 1947.

Humphrey Mitchell,  
Minister of Labour,  
Chairman.





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CABINET SECRETARIAT

PRIVY COUNCIL OFFICE

June 30, 1947.

For Mr. Heeney:

I have conferred with Gordon Robertson regarding the various questions raised in the attached material.

It is suggested that you send a memorandum to the Prime Minister suggesting that the various questions raised in the attached might be considered by the Cabinet Committee on Japanese Questions. A meeting of that Committee could be held in about two to three weeks.

If the P. M. does not concur with this suggestion, the following items:

1. Restriction on Movement, Residence and Occupation;
  3. Denial of Federal Franchise; and possibly,
  2. Canadian Status of Deportees;
- could be considered by Cabinet.

I may add that the following items are on the Agenda for the next meeting of the Cabinet Committee on Japanese Questions:

1. Control over Movement and Residence - persons of Japanese origin.  
(Document JAP 1 March 7, 1947 attached).
3. Return to Canada of Japanese (Canadian born, Naturalized or Nationals retaining Canadian domicile).  
(Document JAP 3 circulated April 16, 1947).

*Raymond Ranger*  
Raymond Ranger.



J-25-1  
1.50  
V.1

Ottawa, June 30th, 1947.

MEMORANDUM FOR MR. RANGER:

Re: Japanese questions

With reference to your attached memorandum, I feel that the Cabinet Committee should consider the representations made to the Prime Minister by the University of Toronto Liberal Association before they are put before the Cabinet. This will enable the Cabinet Committee to make their comments thereon.

I would suggest that you arrange with the Chairman of the Cabinet Committee to convene a meeting for later this week, at which these questions (together with other questions awaiting the Committee's attention) can be dealt with.

I would be grateful if you would prepare a letter to Mr. Mitchell, for my signature, enclosing copies of the correspondence between the Prime Minister and the Toronto Association saying that the Prime Minister wishes to have these matters considered by the Cabinet and suggesting that they be put on the agenda for a meeting of the Cabinet Committee so that the Committee may be in a position to report thereon to the Cabinet next week.

Your agenda for the Cabinet Committee might then include as one item:

Representations by Toronto Liberal Association:

- (a) restrictions on movement;
- (b) denial of Federal Franchise;
- (c) etc.

Your other items could then follow and copies of the Toronto Resolutions could be circulated with the agenda.

A. D. P. H.



# CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding

Date

Cabinet conclusions May 28 of  
interest to depts., including -

May 29, 1947

Pensioners of World War I in Japan -

Cabinet agreed that pensions of pensioners  
living in Japan should be re-instated & paid  
as from April 1/47, provided that pensioners  
had not engaged in anti-Allied activities in  
World War II - investigations to be made through  
EA -

## SEE

Name or Subject

File No.

I.A. Mackenzie from ADFH  
(copy Mr. Woods)

C-20-2  
v.2



Also referred to: Immigration  
SOS

R. R. Anger

A.R.MENZIES:DH

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FROM: THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS, OTTAWA.

TO: THE CANADIAN LIAISON MISSION, TOKYO, JAPAN

CYPHER

NO.

113

OTTAWA, May 22, 1947.

*Secret*

A comprehensive memorandum on questions of Consular protection and assistance in Japan for Canadian citizens of Japanese origin and the re-entry into Canada of such persons and Japanese nationals claiming retention of Canadian domicile was submitted some time ago to Cabinet Committee on Japanese Problems for consideration. Until Government policy on these matters is redefined you should follow lines of instructions already sent, particularly as outlined in memorandum of August 10, 1946 enclosed with our despatch No. 7, of August 16, 1946.

2. These questions should not be confused with questions of national status which are straight questions of <sup>law</sup> determinable from Canadian Citizenship Act and Orders-in-Council applicable to persons of Japanese ancestry. Those affecting national status are P.C. 10773 of November 26, 1942 which deprived of their status as British subjects and Canadian Nationals all persons repatriated to enemy countries in wartime exchanges and P.C. 7356 of December 15, 1945 which provided that naturalized Canadians <sup>repatriated</sup> ~~deported~~ from Canada under the provisions of P.C. 7355 shall cease to be British subjects or Canadian nationals from the date they leave Canada. Both these Orders provide that the names of all persons who have ceased to be British subjects and Canadian nationals by virtue of the Orders shall be published in the Canada Gazette. We have been endeavouring to secure such lists to send to you. Whether lists have been published or not does not disturb the fact that these persons lost their status as British Subjects and Canadian nationals.



3. Further, you will observe that under Section 21 of the Canadian Citizenship Act the certificates of naturalized Canadians may be revoked for a number of reasons. Sub-section (c) will be applicable in most cases of persons going to Japan before the war who have not taken steps to maintain substantial connection with Canada. Secretary of State may wish to take steps to revoke most such certificates. We will send you instructions in this connection as soon as possible.

SECRETARY OF STATE FOR EXTERNAL AFFAIRS





*JD, JWP*  
*BR*  
*J-25-1*

Ottawa, May 20, 1947.

Mr. A. D. P. Heeney,  
Clerk of the Privy Council,  
O t t a w a.

Dear Mr. Heeney:

I thought you might be interested  
in the attached copy of letter from Mr. J. F.  
MacKinnon, Commissioner, Japanese Division.

The continued desire of a consider-  
able number of Japanese to return to Japan certainly  
offers an additional refutation of the wide spread  
charges on the part of Japanese administration.

Yours very truly,

*A. MacNamara*  
A. MacNamara.

Encl.



C O P Y

DEPARTMENT OF LABOUR

JAPANESE DIVISION

360 Homer Street,  
VANCOUVER, B.C.

May 16th, 1947.

Mr. A. H. Brown,  
General Executive Assistant,  
Department of Labour,  
OTTAWA.

Our repatriate list now totals 141.

In connection with repatriation I enclose herewith copy of a letter received from Mr. Stanford. If I do not hear from Mr. Danaher within the next few days I will get in touch with him.

The VANCOUVER SUN carried big headlines the other day in regard to "Another threatened invasion of Vancouver by the Japanese". The subject matter was a despatch from Roy Brown at Ottawa in regard to the desire of some repatriated Japanese, and also some Japanese caught there when war broke out, to return to Canada. Other papers here carried almost nothing of the matter.

I thought possibly an analysis of our 141 repatriates for the next sailing might be of interest.

Of the 141 repatriates listed to May 15th there are: -

Japanese Nationals	59
Naturalized Canadians	26
Canadian Born (over 16 years)	25
(under 16 years)	31

Of the last two groups ages are as follows:

Canadian Born (over 16 years.)

16	-
17	-
18	-
19	3
20	2
21	-
22	-
23	-
24	4
25	1
26-30	8
31-35	6
36-30	1

Canadian Born (under 16 years)

1	4
2	2
3	5
4	3



220 East Street,  
San Francisco, California

Canadian Born (under 16 years)

5	1
6	5
7	1
8	1
9	3
10	-
11	3
12	-
13	1
14	1
15	1

(signed) J.F. MacKinnon,  
COMMISSIONER.

I am very sorry to hear of your  
last assured that the ship will be  
the movement of the ship.

Very truly yours,

A. S. MacKinnon,

Chief, Passenger Dept.

AS:JTB

Note: I was unable to find the A.P.  
line to send the ship to  
with the ship and the ship  
pick up the ship and the ship  
but I think the ship is  
don't mind the ship and the ship  
to send.



C O P Y

UNITED STATES MARITIME COMMISSION

220 Bush Street,  
San Francisco 4, California.

May 3

Mr. J. F. MacKinnon,  
Department of Labour,  
Japanese Division,  
360 Homer Street,  
Vancouver, B.C.

Dear Mr. MacKinnon:

The U.S. Maritime Commission does not contemplate the operation of a passenger vessel in the Pacific for the account of the Government. Therefore, I have discussed your problem with Mr. Danaher, Assistant to Vice President in Charge of Passenger Traffic, American President Lines. The American President Lines are interested in securing additional passenger ship tonnage for the Pacific passenger ship service, and within the next ten days or two weeks will be in a position to communicate with you in regard to moving the Japanese passengers in June, as well as the Chinese that you have in mind.

I am very much interested in your problems and you may rest assured that everything possible will be done to further the movement of these people.

Yours very truly,

A. S. Stanford,  
Chief, Passenger Section.

AS:jrg

Note: I was trying to lure the A.P. line to come into Vancouver with the idea that they could pick up a few hundred Chinese but I find that the Chinese don't mind going to San Francisco to embark.

J.F.M.



# CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding

Date

1 - Enclosing copy of Cdn. Pension Comm. memo  
May 10 re Payment of pensions to Cdn.  
pensioners of World War 1 in Japan -

May 16, 1947

2 - Re above - re re-instatement date for  
pensions & views of EA, Justice etc. -  
re re-instatement date recomm. by Cdn.  
Pension Comm: 1) Armistice with Japan;  
or 2) Apr. 1/47, termination date for  
purposes of Pension Act - Cab. Doc. 456 -

May 19, 1947

## SEE

Name or Subject

File No.

1 - I.A. Mackenzie to ADPH

R-70-2

2 - ADPH to Cabinet -



# CROSS REFERENCE SHEET

Name or Subject

File No.

Regarding

J-25-1

Date

Re re-instatement of World War 1 pensions  
for Japanese now in Japan - suggesting  
circulation of memo to Cabinet -

May 19, 1947

## SEE

Name or Subject

File No.

Mr. Elliott to ASPH

R-70-2



J-25-1  
23

for Mr. Heeney

Ottawa, March 21, 1947.

Re Special Cabinet Committee on  
Claims by Japanese Evacuees

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

A meeting of the above-mentioned Committee  
will be held in the Privy Council Chamber  
on Monday, March 24, 1947 at 10:30 a.m.

Dear Mr. Mitchell:

Attached is a copy of a Resolution passed  
at the annual general meeting of the Provincial  
Command (B.C.) of the Army, Navy and Air Force  
Veterans in Canada, in regard to the return of  
Japanese to the protected coastal area.

This Resolution was passed to this office  
by the Right Honourable I. A. Mackenzie, Minister  
of Veterans Affairs, and is forwarded to you for  
your information and whatever action you may deem  
advisable.

Yours sincerely,

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

Encl.

OCE:p



Prime Minister's Office

J-25-1  
D-19-A

Press Release

January 24, 1947

OTTAWA, February 11, 1947.

The Prime Minister, Mr. Mackenzie King.

MEMORANDUM FOR: Lieutenant-Colonel Todd,  
Director of Military Intelligence,  
Department of National Defence.

In response to your telephone enquiry yesterday I have looked up the decisions of Cabinet War Committee in connection with the enlistment of Canadian-born Japanese into the Canadian Army.

War Committee on September 23rd, 1944, considered a proposal of the Minister of National Defence to enlist 300 Canadian-born Japanese into the Army and they deferred decision.

The matter was before them again on October 11th when they decided that the proposal could not be approved but that Canadian-born Japanese could be enlisted in Canada for service in the armed forces of any of the United Nations.

On January 17th, 1945, the Minister of National Defence reported that the decision of October 11th was difficult to implement and asked for reconsideration of his original proposal. The War Committee then agreed that suitable Canadians of Japanese race, to a maximum of 100 for the present, might be accepted for enlistment in the Canadian Army and for subsequent loan to the Australian government for special duty. They further agreed that no publicity should be given to this decision.

(a) Separation of the loyal from the

disloyal among the persons of Japanese

origin in Canada and from  
Cabinet Defence Committee.

Canada of those who were disloyal;



DRAFT

Prime Minister's Office

Press Release

January 23, 1947.

The Prime Minister, Mr. Mackenzie King, announced today that a further stage had been reached in the government's policy with regard to persons of Japanese origin in Canada. In view of the progress made in carrying out the wartime programme, the government had decided that it was unnecessary to continue in force the orders permitting the deportation from Canada of persons of Japanese origin who had, during the war, signed declarations of desire to go to Japan. This does not mean that assistance will be discontinued for voluntary departures. The Prime Minister stated that he was particularly pleased that it had been possible to carry the policy through without the necessity of any deportations.

In making his announcement, the Prime Minister stated that the present action of the government marked the substantial completion of the program which he had laid down in his address to the House of Commons on August 4, 1944. At that time the Prime Minister indicated the following "tentative measures" which it was proposed to put into effect:

- (a) Separation of the loyal from the disloyal among the persons of Japanese origin in Canada, and the removal of those who were disloyal from this country;
- (b) Provisions to enable Japanese loyal to Canada to remain here and be treated "fairly and justly"; and
- (c) Settlement of the Japanese remaining



here "throughout Canada", rather than almost exclusively in British Columbia as was the case before the war.

The separation of those Japanese whose continued presence would be undesirable in Canada has been accomplished on a voluntary basis under the provisions for assisted movement from Canada which the government put into effect. Nearly 4,000 persons of Japanese origin have now left Canada and returned to Japan. Among these were many Japanese whose deportation would have been desirable had they not been prepared to go voluntarily. Accordingly the provisions of Order in Council P.C. 7355 of December 15, 1945, which enabled deportation by the government have been repealed. In view of this decision the authority given to the government by Order in Council P.C. 7357 of December 15, 1945, which authorized the establishment of a special commission to investigate the loyalty of Japanese persons is unnecessary. That order has also been repealed. While revoking the provisions for deportation the government has continued in effect the provisions enabling free passage and financial assistance to be extended to persons of Japanese origin wishing to move to Japan on a voluntary basis. Order in Council P.C. 7356 of December 15, 1946, concerning the revocation of Canadian status of naturalized persons leaving Canada, has also been repealed. Such repeal will not, however, have any effect upon the status of persons who have hitherto come within its terms.



persons in Canada had fallen to 20,558. of these, only 6,775 were The second important aspect of the government policy as outlined in 1944 was to allow Japanese loyal to Canada to remain here and to be accorded fair and just treatment. In this connection Mr. King pointed out that of the 20,558 persons of Japanese origin now remaining in Canada, less than 1700 were not yet settled in new homes and employment, and of these a large proportion were invalids, aged or otherwise unemployable. The government had provided free transportation to new locations in Canada, had given financial assistance in resettlement, and through the Department of Labour, had assisted in securing suitable employment for Japanese who had moved from British Columbia.

To ensure fair treatment, the Prime Minister announced, the government had decided to authorize investigation of any claims that land, buildings, or other property of Japanese removed from the coast had been sold by the Custodian at unduly low prices. If, in any case, it were found <sup>that</sup> less than a fair market value had been secured for the Japanese owner, the government would be prepared to authorize compensation.

The Prime Minister stated that the third aspect of policy as outlined by him in 1944--the distribution of persons of Japanese origin throughout Canada--had been accomplished to a very satisfactory extent. In 1941, out of a total population of 23,149 persons of Japanese origin, 22,096 resided in British Columbia. Only 1,153 resided in all the rest of Canada. On December 31, 1946, the number of Japanese



persons in Canada had fallen to 20,558. Of these, only 6,776 were in British Columbia, while 13,782 lived in other parts of Canada. The Japanese population of the province had declined by 15,320-- or approximately two-thirds. In addition, the pre-war concentration of the Japanese on the coast had been eliminated. From having 95% of the Japanese of Canada in 1941, British Columbia now had only 33%. To ensure that this redistribution would take permanent roots, the government had decided to continue, for a limited period, the restrictions on movement which are at present in effect. The government felt, however, that the relatively permanent character of the resettlement that had thus far been accomplished would make it unnecessary for such controls to be of any lengthy duration.

Continuing his announcement, Mr. King stated that the government had decided to retain for some time only one other measure affecting Japanese persons. This provision was that which prohibited the operation of fishing vessels off the coast of British Columbia by Japanese. All other Orders in Council and special controls, other than those necessary to complete the administration of assets already vested in the Custodian, had been revoked by the government as of today.

The Prime Minister stated that he regretted the extent to which the exigencies of war, and the urgent necessities it had imposed in the domestic field had caused hardships and inconvenience for many persons of Japanese origin who had themselves been innocent of



any feeling of disloyalty with regard to Canada.

The government was determined to do all it could to remove any sense of racial discrimination in Canada and to ensure equitable treatment for all.

In this connection, Mr. King referred specifically to the warning and the objective which he had given with regard to the Japanese policy in 1944:

"We must not permit in Canada the hateful doctrine of racialism which is the basis of the nazi system everywhere. Our aim is to resolve a difficult problem in a manner which will protect the people of British Columbia and the interests of the country as a whole, and at the same time preserve in whatever we do, principles of fairness and justice."

*Raymond Sagar*  
Raymond Sagar.

Humphrey Mitchell,  
Minister of Labour,  
Chairman.



THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA

SECRET

MEMORANDUM TO CABINET

REPORT FROM CABINET COMMITTEE ON JAPANESE PROBLEMS

The Cabinet Committee on Japanese Problems, at a meeting held January 10, 1947, considered and reviewed the question of deportation and control over movement of Japanese persons and, after discussion agreed to recommend to Cabinet:

- approved  
repeal of  
return. financial prov. by  
Act 13-42 x
- approved for  
period of Act extension
- (a) that no action be taken to deport any persons of Japanese race under Order-in-Council P.C. 7355, December 15, 1945, but that financial assistance authorized to voluntary repatriates be continued under Order-in-Council P.C. 7355; and
  - (b) that control over movement in Canada of Japanese persons be continued for a year or two by authority to be provided in the proposed bill to extend for one year the "National Emergency Transitional Powers Act" by extending the life of Order-in-Council P.C. 946, February 5, 1943.

The question of prohibition of fishing licences to Japanese persons in British Columbia was also considered and reviewed and, after discussion, the Committee agreed to recommend:

- see note  
of 70251  
Jan 13-47
- (a) that existing orders issued by the Minister of Labour to regulate the issue of fishing licences to Japanese be rescinded; and
  - (b) that authority for granting such fishing licences be left to the Federal Department of Fisheries and the Provincial Government.

OLP-70251-42  
Same as (a) above  
Continue period  
of Act extension  
approved

All other Orders-in-Council still in force under the "Emergency Powers", affecting Japanese, will be allowed to lapse as of March 31, 1947, except the authority required by the Department of Secretary of State to complete the liquidation and distribution of properties, situated in the former protected area of British Columbia, of Japanese evacuated therefrom.

approved

The concurrence of Cabinet in the above recommendations is sought.

Raymond Ranger,  
Privy Council Office,  
Secretary.

Humphrey Mitchell,  
Minister of Labour,  
Chairman.

Privy Council Office,  
January 13, 1947.



AT THE GOVERNMENT HOUSE AT OTTAWA  
TUESDAY, the 13th day of JANUARY, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

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

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

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

Sgd. A.D.P. Heeney

Clerk of the Privy Council.



# CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding

Date

Questions for order paper re Japanese in  
Canada -

Jan.16,1947

Questions for order paper re Japanese sent  
back to Japan -

## SEE

Name or Subject

File No.

Hon.G.Stirling -

P-24



J-2521  
Ottawa, Ontario,  
January 3, 1947.

The Honourable Brooke Claxton, K.C.,  
Minister of National Defence,  
Ottawa, Ontario.

Dear Mr. Claxton:

I am attaching herewith for your information  
one copy of the Privy Council decision regarding Orders-  
in-Council P.C. 7355, 7356, 7357 dated 15th December, 1945,  
pertaining to Japanese problems.

Yours sincerely,

Raymond Ranger,  
Secretary,  
Cabinet Committee on Japanese Problems.

RR/GV  
Enc.