

No. J. R. 6870-42. 143829

Date MAY 26, 1942.

FILE CHECKED FOR MPV
SEE BACK COVER
DOSSIER VERIFIE POUR DSUU
VOIR ENDOS DE LA CHEMISE

REGISTRY

Department of Justice

PERMANENT RETENTION
IN JUSTICE
CONSERVATION PERMANENTE
A LA JUSTICE

From SOLDIER SETTLEMENT.

SUBJECT:

JAPANESE LANDS - PACIFIC COAST DEFENCE AREA.

DRAFT RECOMMENDATION TO COUNCIL.

Charged to D.W.M.

REMARKS:

CROSS REFERENCE:

TIP-BACK SINGLE
FASTENER HOLDER
CAN. PATENT
NO. 361978



MPV / DSJL ON FILE / SUR DOSSIER
YES / OUI (✓) NO / NON ()
ABSTRACTOR / REDACTEUR: DD

DATE: 15 June 1985

No. J. R. 6870-42

TIP-BACK
FILE COVER
CAN. PAT. NO. 361978



FILE-TEX STOCK
To Duplicate Order

No. Sp. 1379



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

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

I PLEASE INDICATE:
VEUILLEZ INDIQUER:

A) Department Justice
Ministère

B) File No. 143829
N° du dossier

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

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

Yes ☐ Oui

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

No ☐ Non

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

DEFINITION

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

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

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

A) Letter dated: _____
Date de la lettre: _____

B) Memorandum dated: _____
Date de la note: _____

C) Judgment dated: _____
Date du jugement: _____

D) Other material dated: _____
Date des autres documents: _____

DATE: _____

Signature _____

IV FOR FILE RETIREMENT SECTION ONLY:

POUR LA SECTION CHARGÉE DE LA DISPOSITION DES DOSSIERS SEULEMENT:

SCHEDULE — CALENDRIER

Scheduled for destruction À éliminer	<input type="checkbox"/>	Master card checked Carte principale à jour	Date of transfer to P.A.R.C.* Date de l'envoi au D.C.A.P.*
Scheduled for retention À conserver	<input checked="" type="checkbox"/>	Yes — Oui <input type="checkbox"/>	—
Not scheduled En attente de décision	<input type="checkbox"/>	No — Non <input type="checkbox"/>	Date of destruction Date d'élimination
PAC Approval No. Approbation des APC No. <u>88/002</u>		—	
Sec. Art. <u>2</u>	S. Sec. Para. <u>4</u>	Transfer to Historical Branch of P.A.C.* Dépôt à la division historique des A.P.C.*	
		<u>1977</u>	
Retention Period Durée de conservation			
In Justice Au Ministère	Records Management Branch of P.A.C. À la direction de la gestion des documents d'A.P.C.		Total No. of years Nombre total d'années
<input checked="" type="checkbox"/>			

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

Signature [Signature]

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

June 23/93

À CONSERVER DANS CE DOSSIER

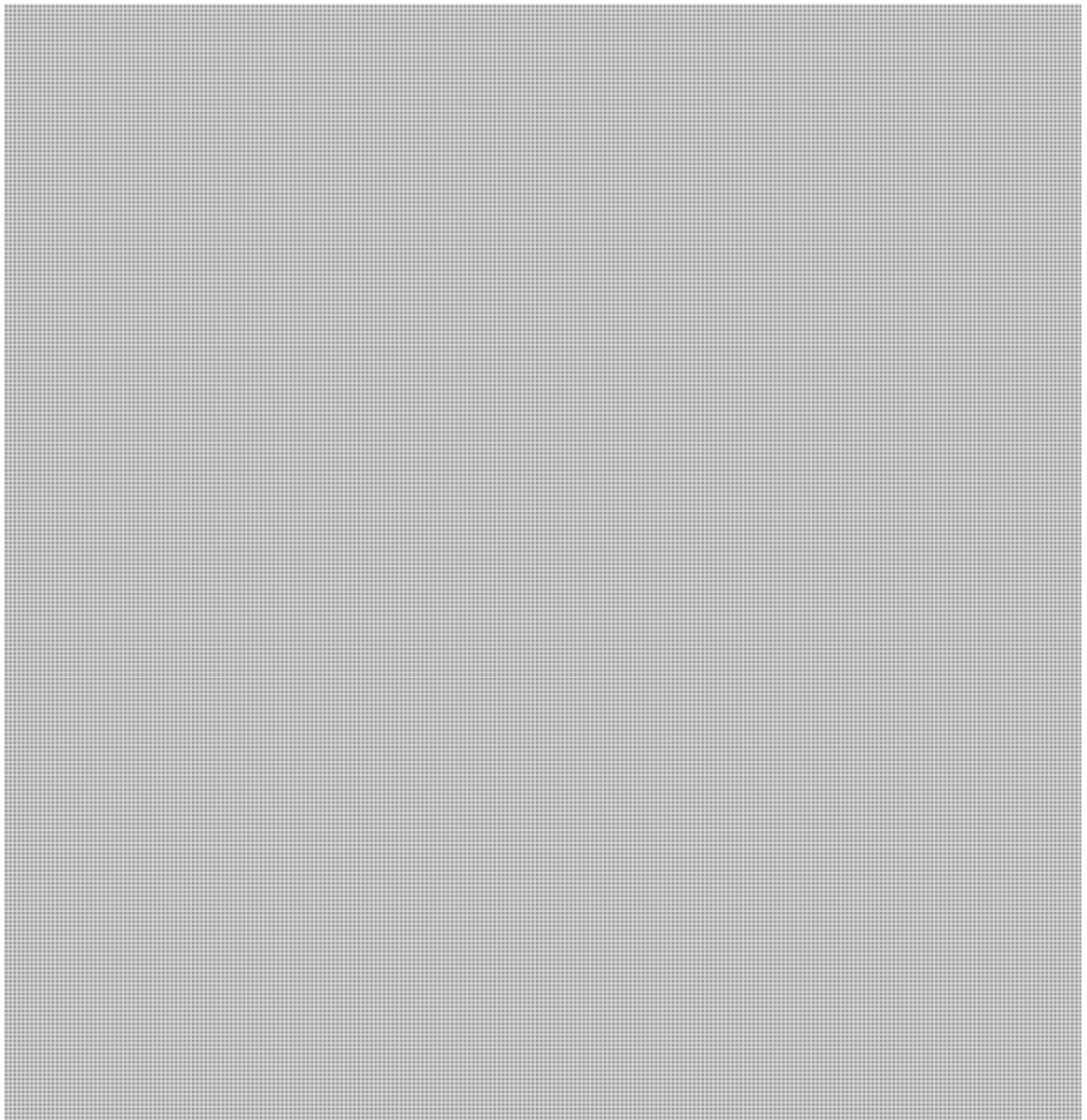
TO BE KEPT IN THIS FILE

DWM/DC

s.23

June 6, 1942.

MEMORANDUM FOR THE DEPUTY MINISTER OF JUSTICE:



D. W. M.

Page 1985

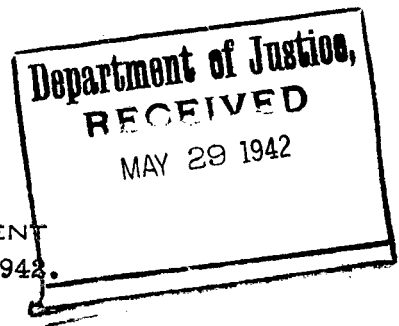
**is withheld pursuant to section
est retenue en vertu de l'article**

23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

Mumford

GM/K



OFFICE OF
THE DIRECTOR OF SOLDIER SETTLEMENT

OTTAWA, CANADA May 29, 1942.

F.P. Varcoe, Esq., K.C.,
Deputy Minister of Justice,
OTTAWA.

s.23

Dear Sir,-

Yours very truly,

G. Munro
Director.

**Pages 1987 to / à 1989
are withheld pursuant to section
sont retenues en vertu de l'article**

23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

508

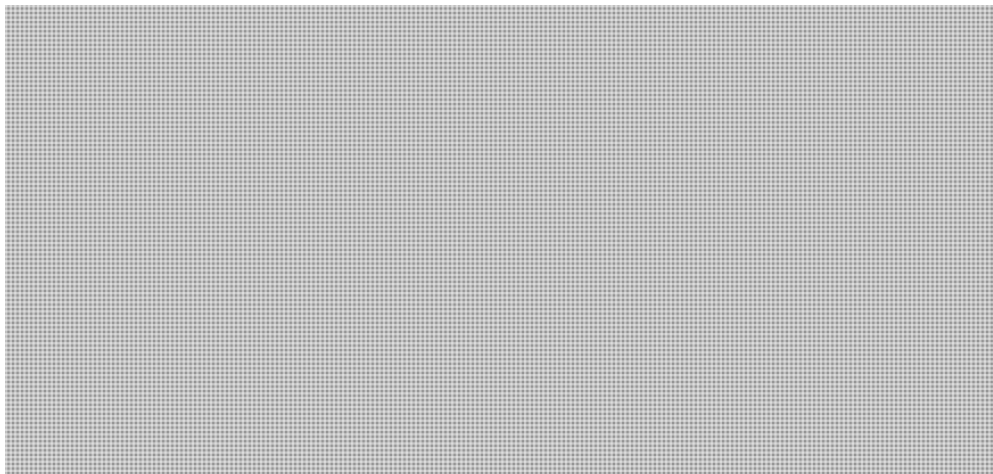
s.23

DEM/DC

May 12th, 42.

Re: Japanese Lands - Pacific
Coast Defence Area.

Dear Sir:



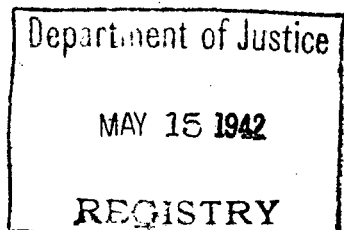
Yours truly,

Enc.

F. P. Varcoe

Deputy Minister.

The Director of Soldier Settlement,
O t t a w a .



DWM/DC

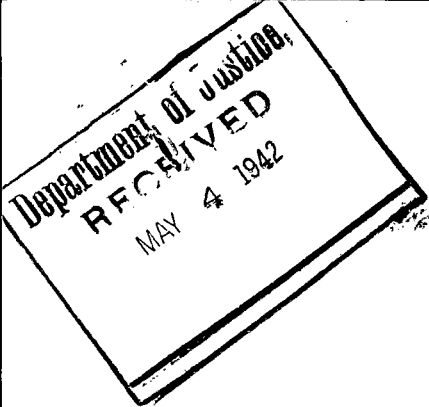
s.23

May 12th, 1942.

MEMORANDUM FOR THE DEPUTY MINISTER OF JUSTICE:

[Redacted content]

D. W. M.



GM/K



Mundell

OFFICE OF
THE DIRECTOR OF SOLDIER SETTLEMENT
OTTAWA, CANADA

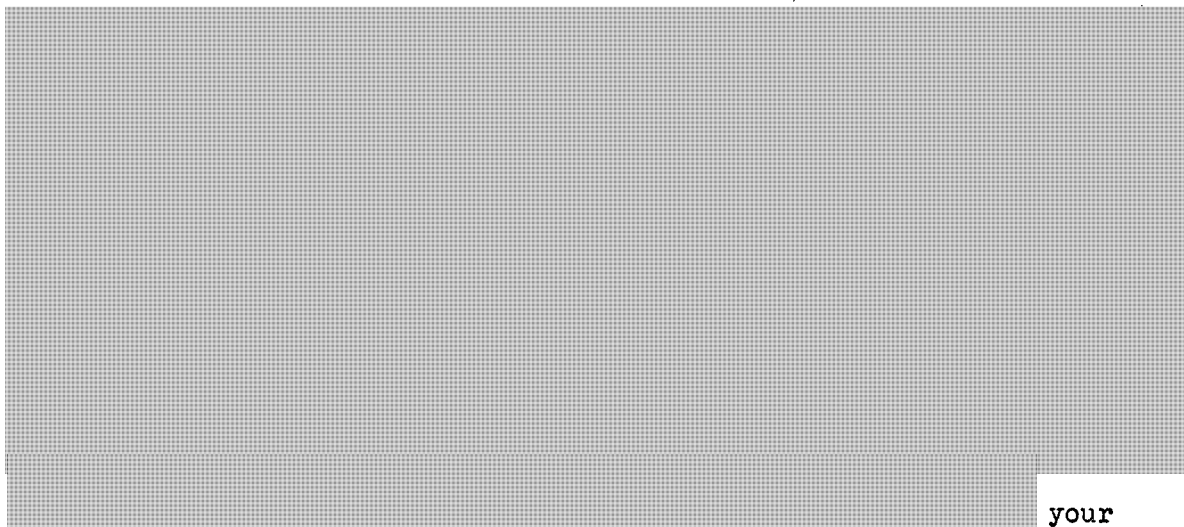
May 4, 1942.

F.P. Varcoe, Esq., K.C.,
Deputy Minister of Justice,
OTTAWA.

s.23

Dear Mr. Varcoe,-

Japanese Lands - Pacific Coast Defence Area.



early attention will be greatly appreciated.

your

Yours very truly,

G. B. Munro

Director.

Enclosure.

**Pages 1993 to / à 1996
are withheld pursuant to section
sont retenues en vertu de l'article**

23

**of the Access to Information Act
de la Loi sur l'accès à l'information**

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SUBJECT:

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DRAFT RECOMMENDATION TO COUNCIL.

Charged to D.W.M.

REMARKS:

CROSS REFERENCE:

OTTAWA, May 1, 1942.

Memorandum to Council:

In connection with the evacuation of Japanese from the protected area of the Province of British Columbia on the Pacific Coast, several hundred Japanese farmers will be compelled to abandon their land holdings. It is believed for the most part these holdings have been developed along specialized lines such as the production of small fruits, vegetables and poultry products. It is further believed that the disposition of these lands should be brought under Federal control.

The British Columbia Security Commission authorized by P.O. 1665 lacks authority to deal with these properties, and the Official Custodian has no authority in the matter unless and until they have been actually abandoned, the practical result being that the Japanese are endeavouring to sell or lease these properties and often at sacrifice prices - all of which results in a situation which, even under the exigencies of a state of war, is not in line with the principles of equity and justice.

In order to bring this situation under proper control the undersigned respectfully submits the attached Order for favourable consideration.

Respectfully submitted,

Minister of Mines and Resources.

Minister of Pensions and National Health.

DRAFT.

The Committee of the Privy Council have had before them a report dated May 1st, 1942, from the Honourable the Minister of Mines and Resources and the Honourable the Minister of Pensions and National Health, stating that:

- (1) In pursuance of operations carried out or to be carried out by the British Columbia Security Commission under the authority of P.C. 1665 and the War Measures Act, Japanese engaged in various types of agriculture in the Pacific Coast Defence Area of British Columbia will be removed;
- (2) Unless suitable measures are taken to control the disposition of their lands the Japanese concerned may be exposed to undue exploitation;
- (3) It is in the public interest to bring the disposition of these lands under Federal control.

THEREFORE His Excellency the Governor in Council on the recommendation of the Minister of Mines and Resources and the Minister of Pensions and National Health and under and pursuant to the powers conferred by the War Measures Act, Chapter 206 of the Revised Statutes of Canada 1927, is pleased to make the following Order and it is hereby made and established accordingly:

1. In this Order unless the context otherwise requires -

(e) "The Minister" means the Minister of Mines and Resources;

"The Director" means the Director of Soldier Settlement of Canada;

(a) *person of Japanese* - *wholly*
(b) "Japanese" means all persons of Japanese racial origin including those who have not become naturalized British Subjects;

(c) "Japanese Corporation" means any Corporation of Japanese created under Dominion or Provincial legislation, any Association, Co-operative Society, Club, Mutual Benefit Society, owned or controlled by Japanese, or operated for the benefit of Japanese;

(d) "Land" means real or immovable property including messuages, lands, tenements, and hereditaments of any tenure of a Japanese or Japanese Corporation, used for agricultural purposes, situate within the

boundaries of the Pacific Coast Defence Area as such area may from time to time be defined, but not within the boundaries of any incorporated city or town in that area, and real rights, easements, and servitudes, streams, water courses, waters, roads and ways, and all rights or interests in, or over, or arising out of, and all charges upon any such property.

2. The Director shall cause to be carried out by his staff an inspection and appraisal of all land as defined by this Order for the purpose of ascertaining the fair present day value thereof, and an inquiry and determination of the interest, whether legal or equitable, of the Japanese concerned and shall report thereon to the Minister.

The Director and his staff, nominated by him for this purpose, shall have the right to enter upon the land of any Japanese or other person, for the purpose of carrying out the inspection and appraisal above ordered and any such Japanese or other person having an interest in the land shall furnish the Director with all information which the Director may require in a form satisfactory to him in order accurately to determine the interest of any such Japanese or other person.

Every person obstructing entry on the land by one nominated as aforesaid for the purposes of this Order, or refusing to furnish the information hereby ordered, shall be liable, upon summary conviction, to a fine of \$100.00.

3. The Director is hereby authorized to approve any sale or agreement to sell, option, lease or other disposal or agreement to dispose of land as defined by this Order and unless with the approval of the Director in writing any such sale, agreement to sell, option, lease or other disposal or agreement to dispose of land shall as, from day of May, 1942, be invalid and of no force or effect, and any person making or attempting to make any such sale or other disposal whether as principal, agent or in any other capacity without such approval in writing shall be liable upon summary

2 No sale etc
except
with
approval
of Director
and
Minister
in writing
before
May 1st
1942
any person
making or
attempting
to make
any such
sale or
other
disposal
without
such
approval
in writing
shall be
liable
upon
summary
conviction
to a fine
of \$100.00

any person purchasing
land in this area
must get
approval
from the
Director
and the
Minister
in writing
before
May 1st
1942

conviction to a fine not exceeding \$1000.00.

4. 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.

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get diff from 39 E
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diff from 39 E
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dispose of land as defined by this Order and unless with the approval
of the Director in writing any such sale, agreement to sell, option,
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and after the day of May, 1942, be invalid and of no force
or effect, and any person making or attempting to make any such sale
or other disposal whether as principal, agent or in any other capacity
without such approval in writing shall be liable upon summary

2 No sale
except
with
approval
of the
Director
and
no
sale
shall
be
valid
after
May 1, 1942
without
approval
of the
Director

Any person purchasing
land in the United States