

CO-OPERATIVE COMMITTEE ON JAPANESE -
CANADIANS: NEWS BULLETINS 1946-1948

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MEMO FOR INTERESTED GROUPS ACROSS CANADA

Attached hereto is a statement prepared by the Co-operative Committee.

We have written an urgent letter to the Prime Minister about the necessity for establishing a Commission that will investigate property losses and give fair compensation.

As will be seen from the statement, there seems to be a serious danger that the terms of reference in regard to the property losses will be so much narrower than the corresponding bill before the Congress of the United States that it will not be possible to establish fair rates of compensation.

Much attention has been given to the fact that sales were made by the Custodian at less than fair market values. This unfortunately obscures the real fact that a substantial amount of the losses sustained by the Japanese Canadians as a result of the evacuation orders arose before the Custodian took control, and that even in the many cases in which the Custodian and his representatives acted carefully and properly, substantial losses have been incurred.

We urge that interested groups make representations as early as possible to the members of the Cabinet and inform their local newspapers of their resolutions, urging that the property losses of the Japanese Canadians be fully investigated by a commission with authority to inquire into all losses incurred by reason of the evacuation orders and to arrive at fair and equitable compensation. The point should be emphasized that we in Canada should certainly do no less than the United States government is proposing. As the matter is now before the Cabinet, no time should be lost.

Mrs. Hugh MacMillan,
Secretary to Co-operative Committee,
126 Eastbourne Ave., Toronto, Ont.

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COOPERATIVE COMMITTEE ON JAPANESE CANADIANS

NEWS BULLETIN NO. 9. May 1, 1947.

THE PROPERTY ISSUE The major question that remains to be settled, if Japanese Canadians are to get fair treatment from the people and government of Canada, is restitution for property losses through mass evacuation from the coastal areas. The Government order of Feb. 26, 1942, required all Japanese Canadians to leave their homes and properties on short notice. In a settling of confusion and hysteria, stocks, businesses, and property were sold at sacrifice prices, and inadequate arrangements were made for the protection and management of property. In the interval between the order for evacuation and the order on March 27, giving control of property to the Custodian some goods had unaccountably disappeared, properties had deteriorated, and substantial losses had already been incurred. Between February and July, 1942, the Smith Committee (established by Order-in-Council P.C. 987) sold or leased most of the Japanese-owned fishing boats and equipment on the Pacific coast, and in July the remainder were turned over to the Custodian of Alien Property. In June 1942, Japanese farm properties, comprising approximately 1000 farms were, placed under the control of the Director of Soldier Settlement of Canada for administration, and subsequently the greater number of them were expropriated for postwar veteran settlement.

Parliament and the press have criticized the action of the Custodian in handling the sales of the property, but such criticism should not be allowed to obscure the main fact that substantial losses had been sustained before the Custodian had taken over. No matter how carefully the Custodian tried to secure fair appraisal of values, it was impossible to realize the price equivalent to those prevailing before the evacuation order.

In the United States the government has presented to Congress a bill which provides for compensation for any losses fairly arising out of the evacuation orders, and the setting up of a commission with full authority to inquire into the matter and decide what is fair and equitable. It should be noted that the United States Government did not sell the property of Japanese Americans.)

The Japanese Canadians might well claim that they should be entitled to restoration of their property where this is possible, and, indeed, now that the war is over, they are in principle entitled to this. However, many of them have been resettled across Canada and do not desire to return to their former homes even if they could.

In these circumstances, in order to do full justice, the Government of Canada can do not less than the American Government proposes, namely, to set up a commission to inquire into all losses arising out of the evacuation order.

On January 24, 1947 the Prime Minister stated that the Government would give consideration to cases where it could be shown that sales were made by the Custodian at less than a fair market value, and the Cabinet is at present considering the form of the commission to be set up. However, on April 24th, the Secretary of State indicated in Parliament that the Government proposes to set up a commission to consider cases only where the Custodian was responsible. If terms

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of reference are so narrow that they are confined to cases where it can be shown that the custodian acted improperly or carelessly, many cases of serious injustices and substantial losses will not be met.

The Cooperative Committee believes that the people of Canada as a whole earnestly desire that full justice be done in regard to these property losses which were inflicted upon innocent people through no fault of their own. If the terms of reference to the commission are as narrow as the Secretary of State now indicates, full justice will not be done.

Urgent representations have been made to the government by the Cooperative Committee on Japanese Canadians, and should be made by all Canadians who are concerned to see that justice is done.

The proposed deportations, the many restrictions imposed on Japanese Canadians and the many hardships which they have sustained make it extremely urgent for the good name of Canada that recompense be provided on the fairest terms.

The conscience of the people of Canada has been aroused in this matter, and the Government would do well to grant generous compensation for all losses sustained due to evacuation.

REMAINING RESTRICTIONS On April 24, 1947, the Canadian Parliament, by a vote of 105 to 31 (107 members being absent), sustained the continuance of restrictions on movement and the issuance of fishing licenses on all Japanese Canadians in the province of British Columbia. In addition, no person of the Japanese race can enter the province without a permit from the Chief Commissioner of Placement in British Columbia. These restrictions will remain in effect until March 31, 1948, the date on which the Continuation of the Emergency Powers Act will lapse.

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THE CO-OPERATIVE COMMITTEE ON JAPANESE CANADIANS
126 Eastbourne Ave.,
TORONTO.

NEWS BULLETIN #3

PRESS RELEASE---FOLLOWING SUPREME COURT DECISION.

The decision of the Supreme Court of Canada is a moral victory for those who have been fighting for the cause of the Japanese Canadians. A substantial part of the Government scheme of deportation has been held to be unconstitutional by a majority of the Court.

One part of the scheme which the majority of the Court has held to be invalid is that which makes wives and children of those to be deported themselves liable to be deported. Two distinguished judges, The Honourable Mr. Justice Rand and The Honourable Mr. Justice Kellock have further held that other parts of the scheme are also invalid in so far as they apply to Canadian born and naturalized citizens.

What is left of these orders as legally valid cannot be carried out without separating families, depriving wives of their husbands and children of their fathers, thus making in effect widows and orphans of Canadian citizens. The Government of Canada will surely not persist in such a policy of inhumanity especially as their constitutional power is made to appear so doubtful by the dissenting judgments in the Supreme Court.

It is not too late for the Government to give heed to the storm of protest which has arisen in every part of Canada. It can withdraw the Orders-in-Council. The very least the Government should do is to amend the Orders-in-Council so as to make it clear that before anyone is sent unwillingly to Japan there should be a full judicial enquiry as to whether they have been guilty of disloyal conduct harmful to Canada. The machinery for this is already available in the Immigration Act which is part of the law of the land and enables the deportation of aliens who are a danger to Canada in time of war.

The issue involved is of such crucial importance to the liberties of Canadians generally and especially to minority groups, and the result of the opinions of the Justices of the Supreme Court is so confusing that the groups of citizens who have formed the Committee on Japanese Canadians in all parts of Canada have been determined that the case should be taken to the final court of appeal for the British Commonwealth, namely the Privy Council in London.

Instruction accordingly, has been given to the Committee's Counsel, Mr. Andrew Brewin, to launch the appeal to the Privy Council forthwith. In the meantime we assume that the Government will halt proceedings of deportation until this matter of such importance is decided by the final Court of appeal.

We urge the very many public-spirited citizens who have given assistance in the campaign for justice for our fellow citizens of Japanese origin to continue the battle and make it clear to the Government that it is the Government's responsibility quite apart from the legal decision of the Court, to determine the policy of Canada. They should now reverse their steps and remove a blot from Canada's fair name. No legal justification of the action of the Government can obscure the Government's moral responsibility.

WHAT TO DO.

1. Write or wire the Prime Minister to withdraw the Orders-in-Council or at least to amend them so as to allow every person who wishes to remain in Canada a judicial hearing. Send a copy of your letter or wire to your Federal Member.
2. Arrange public or group meetings in your district. Ask for speakers from the local Civil Liberties Association or other organizations which have taken up this cause.

FINANCE The response to our appeal for funds for the Supreme Court case was gratifying. (Full statement forthcoming.) Funds for the Privy Council hearing are now required. This is a big undertaking but the ever-widening circle of concerned people can be counted on to "see it through". Send your contribution to the Treasurer, Miss Constance Chappell, 299 Queen St. W. Toronto. If desired, make your contribution through your local Co-Operative Committee.

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THE CO-OPERATIVE COMMITTEE ON JAPANESE CANADIANS
126 Eastbourne Avenue
Toronto

NEWS BULLETIN #6

April 30th, 1946

Dear Friend:

Enclosed please find a sample copy of the new leaflet "OUR JAPANESE CANADIANS; CITIZENS, NOT EXILES".

We would be pleased to have, at your earliest convenience, an estimate of the number of these leaflets you could use in your organization or community. We have a limited quantity and it is hoped that these may be put into the hands of influential leaders in all religious bodies, political parties, labour and youth organizations, and newspaper and radio commentator circles. Contributions toward printing costs will be appreciated. (Sixty cents a hundred.)

The Orders-in-Council drawn up for the exile of Canadians of Japanese racial origin are still on the Statute books. Canada must remain awake to the danger nationally and internationally until these are withdrawn. During Spring and Summer months many representative Canadian gatherings are held. People who see far-reaching significance for Canadian citizenship rights and for United Nations relationships will want this question placed in a prominent place on the agenda of such gatherings. Meanwhile, many Japanese Canadians are moving eastward from B.C. Let us welcome them and help them re-settle.

Leave to appeal to the Privy Council in London re. the legality of the deportation orders has been granted by that body. It is expected the hearing will take place during the summer. We are happy to announce that Sir Walter Monckton, K.C. a distinguished British Commonwealth authority on constitutional law has been retained as our legal counsel. "Civil liberties in England," said Sir Walter in Canada in August 1942, "are guarded by a zealous Parliament and people." Mr. Andrew Brewin of Toronto, our committee's legal counsel in Canada, will also attend the Privy Council hearing.

The Canadian people who so liberally supported the appeal to the Supreme Court early this year and the work of this Committee, have already begun to send contributions to the fund for the Privy Council appeal. The Committee expresses thanks for this splendid assistance. With confidence we await gifts from other contributors toward this new objective. A brief financial statement is included herewith.

<u>RECEIPTS</u> from all sources to date (April 30, 1946)		\$14,893.04
<u>EXPENDITURES-</u>		
Co-operative Committee expenses to date	\$ 2,894.27	
Supreme Court legal fees and expenses	3,800.00	
Advance, Privy Council legal fees	5,000.00	
Balance on hand	3,198.77	\$14,893.04
<u>BUDGET ESTIMATE, NEXT SIX MONTHS</u>		
Co-operative Committee expenses (6 months)	\$ 2,000.00	
Privy Council legal fees and expenses, estimated total \$10,500 less \$5000 advance	\$ 5,500.00	\$ 7,500.00
Already on hand		3,198.77
Amount still required		\$ 4,301.23

Please send contributions to the Treasurer, Miss Constance Chappell, 299 Queen St.W., Toronto.

Yours sincerely,
James M. Finlay,
Chairman.
Hugh MacMillan,
Secretary.

CO-OPERATIVE COMMITTEE ON JAPANESE CANADIANS: NEWS BULLETINS 1946-1948 (5)

NEWS BULLETIN #6 came to you before the Summer season—before the season's many widely representative Canadian gatherings and Conferences; also before the Privy Council hearing in London.

We can now report that the concern felt by Canadians over this question, and so forcefully expressed in letters and telegrams of protest to the Government during the early part of the year continued throughout the summer. In a score of important gatherings the question was discussed. Requests for literature took 25,000 copies of our leaflet "OUR JAPANESE CANADIANS; CITIZENS, NOT EXILES."

The Privy Council hearing occupied four days in mid July. Mr. Andrew Brewin was our Canadian counsel. Two able London lawyers were also present. These were Mr. Christopher Shawcross, M.P., brother of the British Attorney General, and Mr. Geoffrey Wilson, till recently associated with Sir. Stafford Cripps. Lord Simon stated in concluding the hearings that "This was one of the most important cases that has ever come before us."

MEANWHILE the Government's policy of dispersal is being progressively implemented. Mr. Humphrey Mitchell, Minister of Labour, reported on August 31st in the House of Commons that 12,469 persons of Japanese racial origin are now dispersed throughout Canada outside British Columbia.

In B.C. there are 3,080 under the Department of Labour Settlement, and 5,572 elsewhere in the province. Self supporting communities are being developed in the interior.

Mr. Mitchell also reported, in line with the Government policy to return to Japan those who have voluntarily agreed to go, 3,152 have gone. "Approximately only 600 others have so far asked to be returned. Shipping is now awaited to take them," the Minister stated.

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600

IT MUST BE REMEMBERED, however, that of those who have left our shores it is estimated that about one-half are Canadian born. These accompanied parents or relatives for family reasons or as supporters of aged or infirm persons. The parents of many of them lost their homes in Canada, built up in a life time. They despaired of being able to re-settle here. These Canadian born are foreigners in a strange land. They are Canadian by birth and up-bringing. We owe to them protection of their citizenship and the right to return to the land of their birth at the earliest opportunity.

OUTSTANDING HONOUR has come to Dr. Yachiyo Yoneyama, first woman to graduate from the faculty of dentistry at the University of Alberta. Dr. Yoneyama has been offered a Guggenheim Fellowship to do research work in New York.

NEWS OF FINANCIAL CONTRIBUTIONS

Many people in all parts of Canada have contributed toward the budget. Among these the Japanese Canadians have given a large part. The thanks of the Committee goes to all. The faith placed in this Committee in our taking on a big task without visible resources is deeply appreciated. A financial statement is attached. It speaks for itself.

FINANCIAL STATEMENT SEPT. 13th, 1946

<u>RECEIPTS</u> May 1945 to Sept. 13 1946	total.....	\$17,362.30
<u>EXPENDITURES</u> May 1945 to Sept. 13 1946		
Salaries.....	\$1,750.00	
Travel.....	271.85	
Literature and office expenses..	1,824.74	
Legal expenses; Supreme Court of Canada and Privy Council, London	11,608.09	<u>15,454.68</u>
Balance on hand		<u>\$1,907.62</u>

The books, however, are by no means closed. Much work remains to be done. The job of rehabilitation has been little more than begun. Nor is the struggle for justice at an end. Further contributions are needed, and may be sent to the Treasurer, Miss Constance Chappell, 299 Queen St. W., Toronto.

James M. Finlay, Chairman
Hugh MacMillan, Secretary
126 Eastbourne Ave.
Toronto 12, Canada

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CO-OPERATIVE COMMITTEE ON JAPANESE CANADIANS

67 Riverdale Ave.,
Toronto 6, Ont.,
December 10th, 1948.

BULLETIN #12

New Address

Since issuing our last Bulletin, the Co-operative Committee's address has changed. Please make note that it is now 67 Riverdale Ave., Toronto 6, Ontario (HA. 3432).

Progress Report

Some weeks ago it was decided to report on the progress of claims hearings, which entered the final stage in October. Reprints of an informative historical review prepared recently by our legal counsel, Mr. F. A. Brewin, are now available and a copy is included with this bulletin, since it outlines in some detail the tremendous task involved in the co-operative presentation of approximately one thousand claims.

Financial Situation

A copy of the Claims Fund Statement to August 31st, 1948 is also enclosed. Of the \$31,028.87 remitted in retainer fees to that date, \$19,675.13 was expended, while expenses during the past three months have eaten away most of the \$11,350.74 balance indicated at that time.

Faced with the necessity of retaining our legal and valuation staff for possibly six months longer, in order to adequately complete the presentation of claims, the Committee is now asking all claimants to make a further advance of one percent against the expenses involved, believing all will agree that a total advance payment of two percent still represents a great saving over what would have been possible without the Committee's co-operation. It is our hope that the response will be such that adequate presentation of evidence during the remaining months of the final hearings will be assured.

Publications

Our Editorial Committee reports that three publications are in the course of preparation:

- (1) A collection of evacuation stories
- (2) A popular reading pamphlet outlining this Committee's work
- (3) A documented outline of its work for historical purposes.

Although work has begun on all three, it is still uncertain just when they will be available for distribution. However, as soon as there is any definite information, it will be released.

Margaret K. Boos

SECRETARY.

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THE COOPERATIVE COMMITTEE ON JAPANESE CANADIANS
126 Eastbourne Ave. Toronto 12, Ont.

NEWS BULLETIN #8 Feb. 10, 1947

DEPORTATION ORDERS REPEALED

On January 24th Prime Minister MacKenzie King announced that the government had decided to repeal orders in council permitting deportation from Canada of persons of Japanese origin (Orders-in-Council P.C. 7355, 7356, 7357). This announcement came less than two months after the Privy Council had decided that, in the emergency of war, the government had the legal power to exile Canadian citizens for such reasons as seemed good to it, and that the orders were valid in peace time under the extension of the War Measures Act. However, the judgment read: "If it be clear that an emergency has not arisen or no longer exists there can be no justification for the exercise or continued exercise of such exceptional powers."

PUBLIC OPINION BROUGHT IT ABOUT

The repeal of these orders-in-council is a signal triumph for the forces of decency and justice which fought against the government's policy of forcible removal from Canada of thousands of innocent people. The orders authorizing deportation (passed in December 1945) provoked a spontaneous reaction across Canada. There was widespread and representative opposition resulting in a wave of correspondence to government offices and Members of Parliament.

All the churches, both their leadership and their rank and file, played a part consistent with the principles and values they represent in society. Groups of university students, other youth groups, young men and women in the services, and returned veterans played a part that gives us reason to be encouraged about the future of Canada. The trade union movement and its members showed once again that they are on the side of humanity and justice. A large part of the press and those Members of the House of Commons and the Senate who joined the fight against the orders deserve credit for their assistance. We also wish to express appreciation to the thousands of persons from all parts of the country who contributed money to pay the legal expenses of appeals, first to the Supreme Court and later, to the Privy Council.

We are glad to be able to give credit to the government for changing its mind and rescinding the orders. Thus a course of action that would have been a lasting cause for shame to Canada has been abandoned, and it has been abandoned because the sound judgment and the sense of decency of the people of Canada would not stand for it.

POINTS THAT NEED CONSIDERATION

The Cooperative Committee wishes to call attention to the following points in the Prime Minister's statement of January 24:

1. "Nearly 4,000 persons of Japanese origin have left Canada and returned to Japan. Among these were the Japanese whose deportation would have been necessary had they not gone voluntarily."
2. "The Order-in-Council (P.C. 7356) respecting the revocation of the Canadian status of naturalized persons of Japanese origin who leave Canada also has been repealed. This repeal will not of course, restore the Canadian status of persons who have already lost that status."

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Do you get these?

THE CO-OPERATIVE COMMITTEE ON JAPANESE CANADIANS 126 Eastbourne, Toronto, 12
March 30th, 1946.

NEWS BULLETIN #5

IN THE PRIME MINISTER'S ROOM, OTTAWA. From 11.30 a. m. till nearly 1 p. m. March 26th, a group of representatives of the Co-operative Committee had a conference with Prime Minister Mackenzie King and several of his leading Cabinet Ministers. These included the Minister of Justice, the Secretary of State, the Minister of Labour, the Minister of Defence, the Minister of Welfare, and the Minister of Veterans Affairs. The deputation consisted of E. J. Tarr, K.C. of Winnipeg; Colonel Croll, a liberal M. P.; M. J. Coldwell, leader of the C.C.F. in Parliament; Charles Millard, a member of the Canadian Congress of Labour; Andrew Brewin, legal adviser for the Committee, and Hugh MacMillan, secretary. Owing to insufficient time, after notice of the interview was received, B. K. Sandwell of the "Saturday Night" and a representative of the Canadian Council of Churches were unable to attend.

THE CONFERENCE: Members of the deputation expressed satisfaction with the frank and friendly manner in which the discussions were carried on. The deputation felt that the wide-spread expression of public opinion on the Japanese-Canadian question had favourably affected the government. The Prime Minister assured them that serious consideration would be given their representations. The conference was evidence of the way democracy functions in a struggle for the rights of citizens.

DISCUSSION ON THE ORDERS-IN-COUNCIL: It was pointed out that these ORDERS,

1. provide for the exile of Canadian citizens--a most serious matter.
2. give power to the Government that the U.S. Congress does not have, nor has Britain assumed such power even in the gravest emergency.
3. constitute a violation of International law.
4. put the value of Canadian citizenship into contempt.
5. in a wholesale manner cancel naturalization without reason.
6. are based on racial discrimination, now defined as a crime against humanity by the International Military Tribunal.
7. are not now related to the war emergency.
8. purport to be based on alleged requests to be sent to Japan. (A mass of evidence indicates serious doubt about the exercise of free will in making these requests)
9. threaten the security of every minority in Canada--land of minorities.
10. will cause lasting hostility to Canada's International relationships.
11. are in direct contradiction of the language and spirit of the United Nations Charter.
12. cannot be enforced without grave injustice and inhumanity to innocent persons.

DISPERSAL POLICY.

The deputation pointed out that more than one-third of the Japanese-Canadians are already dispersed throughout the Prairie Provinces and Eastern Canada, thus greatly relieving the problem formerly felt by B.C. It was urged that the restrictions on purchase of property and freedom of movement be removed immediately so as to enable those who have re-settled to become established in normal life. This would also result in increased numbers leaving the relocation centres.

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Sept. 14th, 1946

A CALL TO ACTION

Within a few weeks the Privy Council will hand down its decision on the legality of the Orders-in-Council for the deportation of Japanese Canadians.

Immediately upon the announcement of the decision the Co-operative Committee will attend upon Prime Minister MacKenzie King and the Cabinet to renew their request that the Government abandon its plans of deportation and review its whole policy in respect to Japanese Canadians.

The Privy Council decision can only deal with the legal and constitutional power of the Government to deport Japanese Canadians. Responsibility for policy rests upon the Government of Canada and in a democracy, where Governments are subject to Parliamentary control and to the influence of public opinion, responsibility also rests upon Parliament and people.

We must renew our urgent representations that the deportation of Canadian citizens on the ground of racial origin is morally indefensible and degrades our country. We must urge that the Government recognize the entirely changed situation since the Orders-in-Council were passed. The War Emergency upon which they were supposed to be based, has passed. The Japanese Canadians are no longer concentrated in one part of Canada. Their presence, dispersed throughout Canada, cannot possibly be considered a menace to the security of the State. All restrictions should be removed and they should be permitted to return to normal living. Messages from Japan tell of chaos and hardship and re-emphasize the inhumanity of forcible deportation to that country. The announcement of the Privy Council's decision should be the signal for a vigorous expression of opinion which will leave no doubt in the minds of the Government that the Canadian people as a whole are utterly opposed to any attempt to employ the Orders in Council, even if they are legal, to deport Canadian citizens.

THE FOLLOWING POINTS SHOULD BE STRESSED

1. Policy of wholesale deportation should be abandoned.
2. In August, 1944, the Prime Minister said in the House of Commons that "It has not, at any stage of the war, been shown that the presence of a few thousand persons of Japanese race who have been guilty of no act of sabotage and who have manifested no disloyalty even during periods of utmost trial, constitutes a menace to a nation of almost twelve million people." We believe that this statement is true to-day. If the Government now says there are any cases which justify deportation, then each individual concerned is entitled to a judicial hearing before being deported.
3. Present restrictions on Japanese Canadians should be entirely removed;
4. Full civil rights of Japanese Canadians should be restored and all discrimination against them abandoned;
5. Full restoration should be made for loss of property;
6. Adequate assistance should be given to complete the re-settlement and rehabilitation of the Japanese Canadians who are our "displaced persons."
7. It should be made clear that Canadian citizens who have voluntarily gone to Japan for family reasons should be free to return.

It will be noted that many of these matters will still remain to be dealt with by the Government even if the Privy Council decided against the power to deport. Even a victory in the Court will not end our task or make it unnecessary to continue our battle for full justice to our fellow Canadians.

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