

Corr. 1944-45



Nisei

AFFAIRS

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PROFIT AND LOSS STATEMENT: EXPRESSION OF THE PEOPLE

Considering the important political and legal events in the offing, it may be slightly premature to issue a profit and loss statement at this date. However, a review and evaluation of our progress in the deportation matter is required to understand our present position and to get some indication of our course in the future. This is the first requirement in the formulating of a workable policy.

This issue, which is of utmost, finds its birth in the attempt of the Mackenzie King Government, under pressure from some members of the Cabinet and certain isolated sections of the House of Commons and general public, to deport forcibly some thousands of Canadian residents of Japanese ancestry.

On the profit side of our ledger:- the public outcry against this attempt has been phenomenal. Across the country, all informed sections of the public have voiced their strong condemnation.

Support for this campaign, spearheaded by the Toronto Co-operative Committee on Japanese Canadians and similar representative central organizations in other cities in different provinces, has come from all strata of Canadian society. The progressive, the conservative, urban and rural, employers, trade unions, religious organizations, political groups, the young and the old; in fact, all the diverse elements which make up the Canadian community. All informed, respected and responsible sections of the press have taken the forefront in the dissemination of the true facts and have brought out the real issues involved. All these groups and individuals are facing squarely without hedging, this

matter as a violation and threat to our long-established and customary civil rights.

On the loss side of our balance sheet is the statement of the Hon. Humphrey Mitchell, Minister of Labor, the minister responsible for the present impasse. The Government seems determined to deny its coercive policy in the face of incontrovertible evidence to the contrary. It is not the intention of the Government to honour, "voluntarily", the notifications of cancellation tendered by persons who were faced with the difficult alternatives of signing a declaration of intention to be repatriated, or to face the uncertainties of dismissal from work and removal from the province. When contemplating recourse to the courts, a real question is: will the Government place itself above the law; and continue its deportation program regardless of the undetermined legal position, until a judgment is rendered? This would be an unconventional act, but it finds precedent in the sale of property by the Custodian.

To sum up: legal answers to matters with moral content are not satisfactory. Should this matter come before the courts, due regard should be given to the human and social issues involved, by both parties. No legal circumvention should be attempted by the Government, as it is likely to do. To the public, the central issue of the case is moral, and if the Government will not face it as such and acknowledge its error and change its policy, the confidence of the people is lost. The courts too will, necessarily, follow their usual cannons of interpretation, but if the decision is not
(cont'd on page 10)

Nisei AFFAIRS

A Journal of Opinion
published by the

JAPANESE CANADIAN COMMITTEE
FOR DEMOCRACY

84 Gerrard St., E. Toronto 2, Ont.
December 15, 1945

Kinzie Tanaka.....Chairman
Irene Uchida.....Managing Editor

"...RELIEF FROM UNNECESSARY ANXIETY..."

On March 31, 1945, T. B. Pickersgill, Commissioner of Japanese Placement, sent out a circular letter which contained the following paragraph:

"This assured assistance from the Government, ... will mean to many who desire repatriation, relief from unnecessary anxiety and it will allow them to plan for their future, and that of their children, along economic, social, and cultural lines which they fear may be denied them were they to remain in Canada."

In the latter part of October a young man, in Toronto, barely out of his teens, received a telegram from his sister in Tashme stating that his mother was critically ill in Vancouver. He was able to secure a travel permit from the Commissioner of Japanese Placement which allowed him an absence of thirty days. His mother's illness required him to be in the "protected area" of the British Columbia coast.

At the end of the thirty days his mother was still critically ill, so he was able to get an extension of seven days. However, at the end of the week, the mother's condition had not improved, and was worse if anything; but the lad had to leave. He was not allowed any more time, nor could he, since he had elected to remain in Canada and had not signed the "voluntary" repatriation form, and go to Tashme which was not more than a hundred miles distance and await the passing of his mother. He was ordered back to Toronto.

Two days after his return, he received another telegram stating that his mother had passed away.

We are now convinced that if our Government is to maintain the confidence and respect of the people of Canada, and if there is to be assurance that democratic principles are no longer to be subverted, their leadership must be directed to relieve unnecessary anxiety and restore the trust of these people in their government.

THE "SUN" ALSO RISES

An editorial in the November 15th issue of the Vancouver Sun charges that "pro-Japanese propaganda, directed from Toronto and other cities which have had no personal experience with the Jap problem has degenerated into a smear attack on British Columbians". It claims that the people of the province who are trying to settle a contentious national issue with justice to everyone, are being misrepresented.

We now find the editor of the Sun in a penitent mood and devoid of all his former racist flare; a result, no doubt, of the unequivocal expression on the part of the common man in British Columbia and across the Dominion that he will have no truck with fascist racist practices.

For example he writes, "British Columbia has merely said that it refused to retain within its borders any proportion of Canadian Japs than our population justifies." And speaks about "the Japs who do return here".

This is a far cry from the voice of Roy W. Brown, editor of the Vancouver Sun, as expressed in a contribution to the Toronto Globe and Mail of December 22, 1943. Mr. Brown wrote, "British Columbia's coastal areas where the Japanese dug themselves in during a very busy period of 45 years, is rid of them and never will willingly take them back." He stated that he thought 99 per cent of the people of British Columbia wanted all people of Japanese blood "repatriated" at the end of the war. Many thousands of these people were born in Canada and are citizens, he stated, "but just the same R.C. people believe it better to face the issue now, at the end of the war, and send them all home."

NISEI AFFAIRS is pleased to see the marked change in the Vancouver Sun. This, no doubt, is a direct result of what the Sun chooses to call "pro-Japanese propaganda".

and "drivel", but which we, and thousands of other Canadians in British Columbia and all provinces of Canada who are alarmed by the spread of racial discrimination, call a fight against incipient fascism on the home front. In simple language, this is the issue. It is not to be confused as an attack or smear on British Columbians. That NISEI AFFAIRS has never done: but on race-baiters wherever they are. It is highly insulting to the people of British Columbia to have the Sun lump them all in that category and purport to speak in their defense.

We, who have followed international events, know that racial discrimination has been prelude to and an integral part of the Nazi system. We saw it in Germany, in Italy, Hungary, Roumania, Poland and the other countries under the Axis. We see domestic fascists behind the race-riots in the United States and we have seen the results of arrogant Japanese militarists in China, Formosa and Korea, as well as in Japan proper. It is people who are aware of these matters, who write for journals like NISEI AFFAIRS and others of more polished calibre. They are the people who picket skating rinks which bar coloured children and industrial plants where elementary industrial democracy is denied. In short, they are the common people of this country who are determined to see Canada remain a democratic nation and an active participant in the building of a freedom loving world.

"CANADA AND THE JAPS" (Excerpt from the Hamilton Spectator)

The only thing that approaches the statute (to distribute racial minorities) is a little trick now being practised to save the hides of some British Columbian politicians. This is a bit of unpublicized pressure on Canadian Japs who are being told that it would be better for them either to go back to Japan or "distribute" themselves around the country.

The only place in Canada where they want to go is British Columbia, where they had their homes and made their living before. The Federal Government knows this, yet doubts that British Columbia has its full right in saying it won't allow them to return, because to the West Coasters they represent a minority that deserves a classification apart from any other.

But it would at least relieve us of the stigma of a ludicrous hypocrisy if this were admitted and treated openly, and if it were also allowed that the real pressure behind the Japanese Canadian "distribution" is for benefit for people like Ian Mackenzie, Minister of Veterans Affairs, the Vancouver politician who told the people of his province - without reference to any law or ruling - that there would never again be a Jap west of the Rockies.

The way this pre-election pledge is being lived up to is effective - and typical.

A C K N O W L E D G M E N T S

NISEI AFFAIRS extends its thanks to the following people for their kind donations.

Nisei Co-Operative Residence.....Toronto
Mrs. David Priestman.....Duncan, B. C.
Rev. K. Shimizu.....Toronto
Sets Kuwabara.....Toronto
Kazuko Kagawa.....London
Thomas Kanna.....Winnipeg

LETTERS TO THE EDITOR

Nisei Weekender,
606 W. 115 St.,
New York 25, N.Y.

Iron Springs, Alta.,
November 12, 1945.

Dear Sir:

Editor, Nisei Affairs,
84 Gerrard St., E.
Toronto 2, Ont.

Sir:

Your journal is of great interest to those of us here on the East Coast of the United States, for it is the only publication which furnishes us with information concerning Japanese Canadians. There is much curiosity about your doings on the part of Nisei here, so that we hope you will soon grow into a weekly.

We wish to inform you that a group of Nisei journalists and writers here in N.Y. City have decided to issue a weekly Nisei paper, starting from the Xmas week. We feel that there is a great need for such a weekly inasmuch as there is none published in the East Coast. The paper will have no organizational ties, and will mainly emphasize news of Nisei in the various communities on the Atlantic Coast. In addition it will give wide publicity to the emerging democratic movements in the Far East, especially Japan. Being published in New York City, it will stress articles on the different arts of particular interest to Nisei.

But our main purpose is to tell our readers the activities of Nisei in New York City, Washington D.C., Philadelphia, Boston, Detroit, Chicago, Newark, and other centers of Nisei concentration. For the New Year's issue a special supplement is being prepared, in which one of the departments will carry articles about Nisei in Canada, in Hawaii, and in Brazil. The members of our staff do not know enough about the Nisei in Canada to be able to write about their problems competently.

We would appreciate it very much if you can do such an article for our big issue.

Fraternally yours,

Signed H. Oshima

Last week when I was in Lethbridge, I ran into a Nisei soldier. I did not know him but being a soldier once, I introduced myself without hesitation. After a few words I found him to be a Raymond boy by the name of Joe Takahashi who was the first Nisei to join up from Southern Alberta in 1940 with the Calgary Highlanders and was also noted to have been on the air from Calgary Radio Station with that distinction. He has a brother Shig who is still overseas with the Engineers and is expected home about Christmas. Joe spent about 4 years overseas in England and had been promoted to a full Corporal. Right now he tells me he's getting into Civics and has acquired his discharge and plans to buy a farm under the Veterans' Land Act.

At the Employment Office in Lethbridge, several servicemen were given forms and insurance books but were told that no work was available. As for taking some training and education it doesn't look rosy because of the large number of ex-servicemen and after a year or so there will be too many after the same jobs.

I learned from Joe also that Spr. "Scotty" Oshiro of Raymond has secured his discharge and is back in Civics again. He wanted to go into some kind of business.

This late date still finds me with my re-establishment credits to be considered. I visited Mr. Aikens of the Veterans' Welfare Department and discussed my problems. He approved my decision to utilize those credits for my correspondence course in which I enrolled in 1939. I really think the Nisei Veterans can re-establish themselves quite well if good judgement is used. As for me I've improved my vocation through my service training. I hope to leave this week for Winnipeg to take up my trade with "Universal Signs Ltd."

You'll be hearing from me in Winnipeg. Until then, continued success.

Sincerely,
Thomas Kanna

THE PORTENTS OF OUR DAYS

By T.M.K.

Ever since the Wall Street Crash in 1929, which burst the bubble of our false security, and after which we slid rapidly into the abyss of war, I have read or heard the warnings of the prophets of our times: warnings to heed the portents of our days. Prophets have no hearing until they take their place in history. We are in the midst of another economic upheaval, yet the issue is not confined to wage increase at all. The signs are now clear for all to see, that the hard-won restoration of our natural rights is being threatened again.

Strikes are but the expression of a deeper unrest that pervades the world. This is 1945. Back in 1830, when the industrial revolution was gaining momentum in Europe, the worker was demanding the restoration of his natural rights. For centuries he had lain helpless under serfdom to landed aristocracy. Serfdom was shifting from land to mills which devoured the wretched people. A mechanical age was looming over the horizon, making mass production cheaper, and as distances grew shorter, communications became easier, the horrible inequalities became plainer to the eye. Those rights which the worker then gained in theory are still not in practice, else there would be no agitation for them.

Thomas Paine, recently elected to the American Hall of Fame after 150 years of obscurity, "nourished liberty with his breath and sweat". He it was who wrote the very words we hear so often on the lips of our statemen, politicians and orators. He wrote on COMMON SENSE, the RIGHTS OF MAN, among other pamphlets through which he campaigned ceaselessly for Liberty. He was continually crying against tyranny, trying to free his fellow-men from all the bonds that denied them Liberty. Down through the decades his voice remained in the ears of all who love Liberty, and who, sometimes, don't know that it was Tom Paine who first expressed it.

Here is what he said about equality, about rights:

"The equality of man, so far from being a modern doctrine, is the oldest on record".

because the Creation of Man, if we take the Bible historically, specified "male and female" but made no other distinction. There was neither high nor low, royal or vulgar.

"Man did not enter into society to become worse than he was before, nor to have fewer rights than he had before, but to have those rights better secured. His natural rights are the foundation of all his civil rights.

A child born in a hovel, or one born in a mansion, have the same natural rights, and it is only the prescription of governments who set one above the other, the social artificialities that make the one seem better than the other.

Then Tom Paine goes on to say: "No one man is capable, without the aid of society, of supplying his own wants."

Since man is dependent on man, the health of the whole depend on the health of the individual.

Just look around and list all the dissatisfactions that disrupt our society today! Strikes are only the active demand for the correction of some of the wrongs. There are other wrongs which we grumble about but remain more or less passive about: housing, the high cost of education, the cost of medical care, general deficiencies in physical health, the scarcity of proper recreation for those who need it most, the exclusiveness of material conveniences.... right on down the line. Then we could list some of the corruptions in the abstract, but nonetheless, important part of our life....the biggest items being politics and religion. Related to both is race hate. In fact, what is there to be wholly satisfied about except our belief in our right?

Well, satisfaction is one of the things we ever strive for but never quite achieve. Contentment is the best we can look forward to, but even contentment is denied us, then it is time to do something about it.

"Teach governments humanity!" said Tom

Paine.

In ~~the world~~ money makes money, and no-
money makes misery, despite all the sanc-
tioned utterances about the "root of
evil". As one minister put it: "Bread is
our life, all our life, if our whole life
must be spent in the pursuit of Bread.
Only those who have an abundance of Bread
can afford the frills, can afford to say
"Man lives not by bread alone!" When the
assurance of a steady supply of Bread (and
I don't refer only to the 24-ounce loaf so
scarce because of the present strike) is
insecure, our very life is insecure. And
security is our right.

Bread, which is life; housing, which is
shelter; health, which is welfare; educa-
tion which is civilization.....these are
our rights. Any threat to these rights
ignites the fires of our protest, to smoul-
der long and steadily until one day it
flames into action. The result could look
like destruction, and yet may be the clear-
ance of decadence, to prepare the ground
for a new start. In France, in Russia, in
China, bloodshed followed the flames. In
England, it was called the bloodless revo-
lution. In 1848 the social and economic
upheavals spotlighted the centuries of the
degradation of man by man. In the 97 years
following we realized a mechanical age of
material comforts, and we have also seen
the insidious growth of a new kind of ty-
ranny, where a few men controlled the life
and destinies of the rest of the world
through industry and trade, not by title
and area of land control, but through pro-
duction and distribution control of mater-
ials. We are now serfs of the pay enve-
lope.

There are experts who can tell you more
about the details, the technical and so-
ciological terms of production, profits,
dividends, consumer demand, unions, closed
shops, the under-nourished, under-privi-
leged, low income brackets, etc., etc.,
but I speak of portents.

The portents are many. They are glaring
at us. We can ease their threat through
co-operation. We must realize that each
portent is not the whole, but only a part
of the whole; that economic insecurity in-
flames race hate, race hate begets blood-
shed, bloodshed invites retaliation, reta-
liation brings revenge...round and round...

the vicious circle. You cannot demand
freedom if you refrain from supporting it.

Listen again to Tom Paine:

"Those who expect to reap the blessings of
freedom, must, like men, undergo the fa-
tigue of supporting it."

"Men who are sincere in defending their
freedom, will always feel concern at every
circumstance which seems to make against
them."

"We fight not to enslave, but to set a
country free, and to make room upon the
earth for honest men to live in."

Philadelphia, Sept. 12, 1777

In the last 100 years the so-called "com-
mon man" has fought for and achieved those
"civil rights" that are but the expression
of his "natural rights"; we have deflated
the privileged power of kings, of titles,
of the so-called "upper classes", but we
have yet to prick the bubble of the "aris-
tocracy" of wealth, of political power,
which are prostituted to Self rather than
being used to benefit the All.

For nigh onto 6 years we bent under the
yoke of war, because we felt our very life
was in danger; we sublimated our material
selfishness so that the burden of war would
be equalized for all. Now we must share
in Reconstruction. The question is: is
the whole to benefit, or only the few? Is
the new burden to be shifted onto the
shoulders of those who suffered the greater
proportion of the damages of war. Is there
dissension among the workers? Are there
two standards of Liberty? Is there a
class distinction in the term "worker"?
Why should there be? Whatever our mode or
equipment for working, we all work. "Any
burden which falls equally on all men, and
from which every man is to receive equal
benefit, is consistent with the most per-
fect ideas of Liberty!

Governments are the executive board of our
society, so let us teach them humanity by
electing those who are humane, by not being
wrapped around the persuasive tongue of a
demagogue, by an ever vigilant watch over
the safety and well-being of people.

Let us heed the portents of our days!



J.L.S.-S20
Ambleside Camp
Hollyburn, P.O.

Ambleside is Ambleside I guess and it'll never be home. But I can say one thing even if they don't want us Jap. boys out here and that is the scenery from this particular point is one of the most impressive I've ever seen anywhere.

From my window where my bed and table are, I can see Stanley Park, Siwash Rock, the boats at the mouth of the Fraser and man's supreme effort and wonder of science, the First Narrows Bridge. Behind this camp the mountains of West Van. breath down our backs and the cold air really gives us a rude shock in the early morning. The one day that the skies cleared up behind us, we could look up and see the snow-covered sides. Everyday now we see crowds of skiers on the buses and ferries. If only we could call a halt to studies for a few hours, days or weeks.

Ambleside also has a sandy beach and it is only a few hundred yards away, in fact the whole sea forms one side of our camp. We also have a large playing field right in front of the camp so it seems a Utopian paradise. It actually would be except for one thing - the neighbourhood harbours are vicious pro-Nazis. At present the only place out of bounds for us is the theatre and we've all got our fingers crossed. People young and old have come to give us the once-over and apparently have found out for the first time that Japs are all black-haired. One of our blonde students was asked whether he was a Jap or not.

It looks like I've seen my share of Van. and the sights around town. Now we go down and talk to the fish and crabs and who knows maybe a mermaid or two. If all else fails we can go in swimming and talk about it for the next 4 weeks or so 'til the break.

We were told that our Christmas leave will be one day earlier than usual so we shall be in Toronto on Christmas Eve and if we get snow-bound somewhere in some god-forsaken prairie and don't get there in time for anything, well, save me a drumstick or two - don't forget.

Stum Shimizu

British Intelligence Depot
Fotherham, Wentworth
Yorkshire

I must say England is a very cold place. I have been shivering ever since I got here. It is not the climate, but the poor heating system they have here and the plumbing, accommodation, food, but I suppose six years of hard war does bring a strain on the country's economy.

We finally left Liverpool where a dock strike held up everything and we were anchored inside the harbour for several days. We journeyed to Aldershot on a very crowded train. The Aldershot people remembered the Nisei boys who went through early in the year and Frank Moritsugu's article in the "Maple Leaf" (Canadian army newspaper) has aroused interest in us.

We are flying out to Bombay soon so our address will be British Army, Base Post Office, Bombay, India.

Sgt. Roy Ito

M. E. 25, Ceylon,
November 21, 1945.

I flew to Columbo where I was attached to Psychological Warfare Division. Three brightbeasts a day over the shortwave everyday, kept us out of mischief but not overworked. We were on the H.Q. Pacific S.E.A.C. and our section held the most important position over the other language units. Perhaps our energies were wasted in the

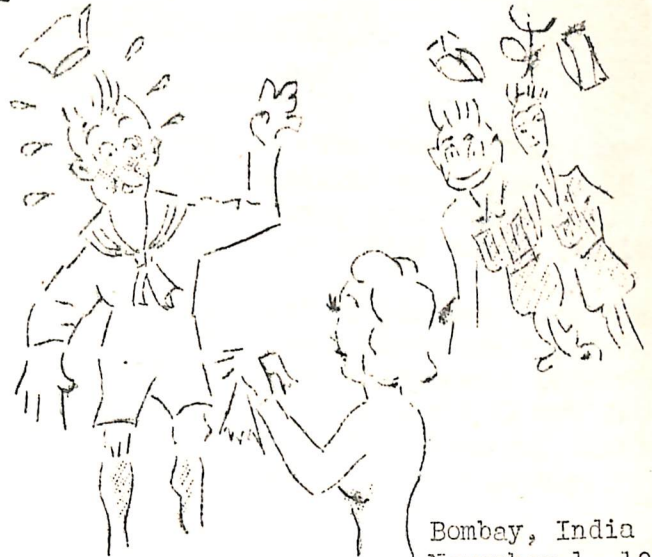
work, but I had the satisfaction that we did at least one job. That was broadcasting for the Supreme Lord Louis, on announcement of surrender, trying to make contact with enemy H.Q. Viscount Terauchi. The thrill of the moment was the first 24 hours when we broadcasted hourly and monitored for reply, but the whole week in August was exciting. That job alone made me feel that all this time wasted was worth it.

After Buck joined me, we had four on the air in turns and I, in addition, translated scripts. But all that petered out and we were sort of left flat. I was recommended for commission but the War ended too quickly. I missed the thrills of occupation parties. Now when I look back, I feel as though we might just as well have sat back in our office and forgotten all about it. I was glad of that August 15th or 14th affair though. Fred and Jin went to Rangoon for a similar job.

There was a mention in the local papers of a Canadian Nisei Sergeant Major among the spectators when the surrender party arrived in Rangoon (must be R.S.M. Kato). George Suzuki, Sid Sakamoto, Kenie Oikawa, Harold Hirose, and Kume Yoshida are the boys, I think, who had the breaks. Undoubtedly due to the Canadian Officers who went with them. You can see a world of difference between Canadian and British Officers. We're all for the Canuks.

The boys with some other had further training in India and went with the landing party to Kuala Lumpur. Edgar Iwamoto made his debut in Saigon with Lieut. Ripley (Canadian). Another went to Batavia with a Canadian Officer and a similar party to Hongkong. Moritsugu, I understand, was scheduled for Tokyo but evidently it didn't work out. The Malay groups are reported last to be in Singapore where we had hoped to go. Now we're scheduled for Delhi but it may be repeat as all Canadians are being called back. The worst break was for the majority of the 2nd group and 3 of our boys who were at Simla Language School but joined the others when the war ended. They weren't given a chance. Their hopes now are for home as fast as they can go. I hope I'm for home too.

Sgt. Albert Takimoto



Bombay, India
November 1, 1945

Walking along the jostling, noisy, filthy streets of India is always an experience. There are peddlers of all kinds squatting on the sidewalks with everything from underpants to pocket watches (most likely "hot" stuff) to confront you with. Little boys try to interest you in buttons, bobby pins and combs, or other little urchins poke you with a shoe brush, "Shine, Sahib?", beggars of all descriptions, thinkable and unthinkable, accost you. Blind, maimed, deformed women with little suckling babies pleadingly motion to you; little kids naked but for a string around their distended bellies run along the filthy walls.

Horse-drawn gharries creak past with their drivers swearing in Hindustani, beating skinny ribby nags; taxicabs wildly careen around unharried, unwary, stupid pedestrians.

Women pass in different costumes - natty uniforms of the women's services; young girls in close-fitting Western dress, women in saris, the female native costume of the richer class - a very subtle and graceful dress, and coolie women and beggars with caste marks on their brows, in dingy filthy clothes that have a bare midriff but does not have any glamour at all.

Uniforms and spotless whites are predominant among the males - army and air force both wear khaki. The navy go by in white with ducky shorts and white knee-length stockings. The girls all look at the navy - we all look at the girls.

Sgt. Frank Moritsugu

LABOUR MINISTER HUMPHREY MITCHELL'S STATEMENT

TO THE HOUSE OF COMMONS, NOVEMBER 21, 1945

The Japanese Division of the Department of Labour has been engaged during the past year in the supervision of approximately 24,000 Japanese across Canada, of whom 75 per cent are Canadian citizens and 61 per cent are born in Canada.

We have had to provide maintenance for 5,900 unfit people and education for 4,000 children. A royal commission last year, and various inspectors since that time have described our welfare and educational facilities as reasonable and adequate.

Of the Japanese in Canada, 61 per cent are living in British Columbia, 21 per cent on the prairies, and 18 per cent in eastern Canada. We have continued to use adult Japanese in various forms of labour, on fruit and sugar beet farms and in lumber camps. We have at the present time 9,000 Japanese in useful occupations.

On August 4, 1944, the Prime Minister spoke at considerable length in this house, outlining the policy which was to be followed respecting people of Japanese origin living in this country. This is on the record and does not need repetition by me. I should like, however, to summarize briefly the main features of this policy and then to review the steps which have been taken to give it effect.

First, the Prime Minister expressed recognition of the concern felt by British Columbia at the possibility of again having concentrated within its borders virtually the entire population of people of Japanese origin in Canada. As he stated, in the past this has led to so much bitterness and strife that it must be avoided in the future. This should be done, not only in the interests of the people of British Columbia, but also of the people of Japanese origin themselves.

Second, for the future protection of people of Japanese origin who have remained loyal to Canada during the war, as well as to eliminate those who have shown that their true allegiance is not to Canada but to Japan, a basic feature of the policy was that those who have shown disloyalty to this country during the war should not have the privilege of remaining here.

Third, that in the years after the war without any declaration which would be binding indefinitely into the future, Japanese immigration should not be permitted.

Finally, and most important, even though problems of assimilation are extremely difficult, people of Japanese origin who have been guilty of no disloyal act or who have not displayed any disloyal intent, must be treated fairly and justly. As stated by the Prime Minister:

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.

The Prime Minister then outlined tentative measures for carrying out the policy. He said it would be necessary to establish a quasi-judicial commission to examine into the background, loyalties and attitudes of all persons of the Japanese race in Canada to ascertain those who should not be allowed to remain here. The government's intention was to have these persons, whether Japanese nationals, British subjects by naturalization or by birth, deported to Japan as soon as physically possible. He said also that there may be some who voluntarily indicate a desire to proceed to Japan. For these, he said, no further examination would be required and whatever their national status they would be allowed and encouraged to go as soon as could be arranged. Then he stated that the remainder, if properly admitted to this country and wishing to remain here, should be allowed to do so, but added for the reasons cited:

They should not be allowed once more to concentrate in British Columbia.

My purpose in reviewing the main features of the policy is to make it clear that the repatriation policy on which I now wish to make a statement is part of the general policy as announced by the Prime Minister and represents no departure from it.

At various times during the war, groups of persons of the Japanese race have indicated that it was their desire to go to Japan during the war or as soon thereafter as possible.

In the early part of 1945, a survey was made to ascertain how many there were who desired to be repatriated to Japan. All persons of the Japanese race who could readily be located were requested to indicate voluntarily their wish in this respect. No coercion or force or any pressure of any nature was used.

There is a total of 10,347 involved in the voluntary requests made for repatriation. Of this number, 6,844 actually signed requests - the remainder are dependent children under sixteen years of age of those who signed. Those signing included 2,923 Japanese nationals, 1,461 naturalized Canadians and 2,460 Canadian-born. Of the 10,347 involved in the requests, more than 70 per cent were residing in British Columbia when the survey was undertaken.

Up to September 2, 1945, the date of the signing of the Japanese surrender, only a very insignificant number had applied to revoke these requests. Since September 2, 1945, applications for revocation have reached us in considerable numbers.

As the first step in the repatriation of this group, the government decided that it was necessary to obtain the advice of General MacArthur, the supreme allied commander in Japan, as to when he would be prepared to receive these repatriates and we have been advised that he is prepared to accept them whenever shipping arrangements can be completed for the transportation of these people to Japan.

The government is of the opinion that, in general, all Japanese nationals who have requested repatriation, should be repatriated because it is quite clear that their loyalty is to Japan rather than to Canada.

On the other hand, the government is of the opinion that where any Canadian citizen of the Japanese race who applied for repatriation has subsequently submitted in writing prior to the Japanese surrender on September 2, 1945, an application to cancel his repatriation request, such cancellation should be permitted.

It is also proposed to review those cases of Canadian-born persons of the Japanese race who may have applied, subsequently to the Japanese surrender, to revoke their request to be sent to Japan.

(continued from Page 1)

in harmony with the morality of the people confidence in the justice of the courts will be injured. Should this come about, it will be the source for new legislation.

We end with a plea. The treatment of persons of Japanese ancestry by the Government since the bombing of Pearl Harbour by the navy of Japan may be likened to the plot of William Shakespeare's tragedy, "Macbeth". The Government has the role of Macbeth. The dramatic significance of the play is built up by one crime making necessary the perpetuation of the next, under the guiding of Lady Macbeth, until the inevitable nemesis is reached in heightened climax. Macbeth with his faith in the supposedly protective charms, shattered as a hoax, is killed and receives the castigation, "this bloody butcher and his fiend-like queen".

It is not too late for the Government to accept wise counsel and change its policy. Court action should not be required if the Government is willing to face the moral issues involved and which are found acceptable and central in the lives of all people in Canada and throughout all lands where democratic principles are respected. This would be one step ahead in the establishing of unity in Canada, and a body blow to those few persons who seek petty advantage in national disruption.

The genius of Shakespeare with its insight into human destiny is not to be disregarded and ignored, otherwise a political end similar to that of Macbeth and his queen is inexorable.

In a democracy the moral sense of the people must be maintained by expression, and must be heeded when expressed. It is stronger and more powerful than the charms of legal powers which ministers of the Crown may possess, and in which they place faith.

Our observations during the war years, and the response given to this campaign to stop forcible deportation, has convinced us that Canadians do not hesitate to take their turn at tramping out the vintage from the grapes of wrath, as expressed in the important battle hymn of the American Civil War.

AN OPEN LETTER TO THE NISEI:

IMPRESSIONS OF AN AMERICAN SOLDIER

Tokyo, September 29, 1945

As a Chinese who has experienced eight years of war, who lived only fifteen miles from the battle lines, whose home was completely destroyed and whose family broken up, I am most enlightened to find on this side of the earth a group of peace-loving friends. I feel at least we have one thing in common -- the same sympathy, the same understanding, and the same hatred against aggression, oppression, and prejudices. I am sure if the Chinese students knew that I am here writing to you many of them would ask me to present their warmest greetings: they have so often expressed the wish to meet Japanese people who were not in Japanese uniform.

This long struggle has very much yeared our young people. Physically most of them have suffered a great deal. And yet it is amazing how well the majority have stood the rough and uncertain life. Crowded quarters seem to have brought them ever closer together. Provincial barriers have been entirely broken down as refugee students from all provinces gathered together in schools and universities. A real and sincere brotherhood has grown among the students in China since this war.

In spite of the day and night bombings students have worked all the harder. I remember many, many times we had two or three hours of air raids at night. Next morning the professors "quizzed" us just as if we had a normal night's sleep. The students did not seem to complain because our normal nights were really scarce indeed!

This war has given the Chinese students a great challenge. They have learned to face life -- a life of reality. They have struggled and they have suffered; they have cried and they have laughed; they have lost and they have gained. All has been for Peace -- the everlasting Peace that is yet to come.

Shu Feng Cheh

Ed's Note: Shu Feng Cheh who is doing post-graduate work at the University of Toronto arrived in Canada this summer aboard the Gripsholm.

Yesterday, through what I would call sheer luck and what Dr. Vories (the head of the famous Oni Mission) insists is guidance, I met him at the Radio Station JOAK. I had started out with two officers to try to find traces of all those we knew before. When we stopped in en route at the radio station, Dr. Vories walked in with the former secretary to Prince Konoye.

We had a grand reunion there and I learned that all the friends we had in Tokyo had evacuated to Karuizawa. Dr. Vories was in as a sort of unofficial liason contact man. We fed Dr. Vories at the mess where he helped himself to two helpings of chili beans and potatoes and carrots and peas. He said that it was the first time that he had eaten his fill in a long time. He was thinner and looked a bit older.

We had a grand talk there and I learned of what had happened to the various people. Kagawa has been appointed advisor to Prince Higashikuni and for the first time has complete freedom to do what he wishes to do without interference from the police. He is one of the few Japanese who will probably be trusted implicitly by the Americans. He is a friend of General Sellers, personal secretary to General MacArthur.

I found my uncle is safely in Yokohama, living comfortably and a little better than some friends in Tokyo. All of the houses were wrecked. I let Sumi off at a forlorn devastated area in Aoyama from where he walked to the home or remains of a home of a friend. We visited the old house where I used to go and saw the chimney, all that remains of his new house in Aoyama.

Dr. Vories emphatically stated that 90% or more of the people were definitely happy to see the end of the war and the Allies in, especially Americans. He says that he has spoken to people from all classes and they state that instead of being defeated, they have been liberated. To me, this was an astounding statement. Yet, in a country of continued repressions, it may be that people are finally expressing what they truly feel without fear of the military assassins.

(Continued from Page 11)

The military themselves have lost all standing and except for a few die-hards that are lurking in the background hoping to rescue the remnants, they are definitely out. And as far as the majority of the people are concerned, they can stay out. There is a popular feeling against the military who are being blamed for everything. Some are sincere and others are using them as scapegoats. Also, the feeling of the people with their government is that of impatience and people are beginning to openly criticize the members of the government and asking why they are still there.

No doubt, the visit of the Emperor to MacArthur has smashed headlines in the papers at home. They have certainly played it up here. The Emperor is credited by local papers with making the visit for the sake of peace. The move was unprecedented. My personal opinion is that the Emperor himself is a man who is liberal and we can count on him for co-operation to the limit.

Dr. Vories also passed on a story that he heard from members of the cabinet. The Emperor read in the newspapers of the fact that only one building in the Palace grounds had been damaged. The Emperor could not help knowing that actually all but one had been damaged. This falsification of facts led him to make an investigation of the city of Tokyo. The slight of the damaged areas appalled him. He returned and made arrangements for an Imperial Rescript ending the war to be broadcasted by him personally. With foresight, he had recordings made of his readings. As he suspected the military tried to prevent him from making the broadcast but the recordings were played over the radio and the message got through to the people.

With the defeat of the militarists, the Emperor seems to be assuming more leadership. He states what he wishes and usually gets it. I am sure that this visit to MacArthur was his idea and there should be some results in a little while of the visit. On the other hand, one of the officers here states that in his opinion it was political manipulations on both sides. to satisfy on the one hand, the criticisms of home papers concerning the retaining of the Emperor on the throne, and on the Japanese side, certain concessions from us.

Thus, it would show that the Emperor considered himself subject to MacArthur's commands and MacArthur could make certain concessions in permitting State property to remain untouched, at least to some degree. That remains to be seen.

Education, one of the most important phases of the occupation seems to have gotten off to a flying start. The Japanese educators are anxiously coming forward to do all they can. They are the foremost liberals of the country and see their opportunity. Major Henderson in charge of Education here, is a Columbia University classmate of Mr. Mayeda, Japanese Minister of Education. They are working together like a smooth machine.

This country is fantastic. I wish that I could remain here and at the same time I am anxious to go home. I am waiting to see just where I will end up. I would not be averse to getting into Information and Education, myself. However, I shall end up by getting home as soon as my time is up.

The encouraging aspect of Japan is that liberal elements are not backwards about coming forward. If they will dispense--the whole government and nation--with the roundabout way of doing things, and become straightforward and come directly to the point, things will begin to pick up here fast. The Japanese people themselves are becoming quite impatient with the circumspect, roundabout, bushwacking method of doing business here. There is much talking of this and that before they reach the point. The small man on the street is quite happy with the straightforwardness of the Americans and sincerely wish that their leaders would also adopt the direct manner of approaching different problems.

With this defeat, possibly, the face complex will be eradicated. Fear of making errors and losing face, has cost this country dear. The only solution to mistakes has been covering it up in some manner, quite often with outright falsehoods as in the recent war when military and naval leaders covered their mistakes with outright lies.

The country is going to have a thorough housecleaning and the people of the country are looking forward to this with great hopes.

Trying to keep track of the soldiers is making us feel like the old woman who lived in the shoe. We receive so many conflicting reports that we don't know what to do. After comparing notes and letters we've managed to draw up the following report on their doings.

There is a group of almost 20 boys in Calcutta trying to thumb a ride home. It'll be a nip and tuck race to beat St. Nick to their doorsteps, so they say, "No more letters please, because we'll be on the way." When they do get home they'll be entitled to a 20-day leave. A/Sgt. Jim Kagawa will be in charge of the group on its homeward journey. Albert Takimoto and Buck Suzuki may also join this group for home. Tomi Nishio who is pawing the ground impatiently waiting to get back to London just received a box of what appeared to be biscuits which was sent to him when he was in Debert many months past and which had only just caught up with him. "Little Joe" Takashima must be having a trying time attempting to retain his identity amongst a battalion of Chinese Canadian soldiers in England. It looks like he'll be the first home.

Fred Kagawa and Jin Ide are now in Delhi, awaiting further instructions. George Obokata and Fred Nogami are in Poona while Frank Moritsugu is awaiting orders in Bombay. Harold Hirose on his way to Singapore found himself very popular with the pretty Chinese lassies on the Malay Peninsula. George Suzuki, Kumi Yoshida, Ernie Oikawa, Sid Sakanishi, and Jack Nishizaki are all in Singapore. Sgt. Yoshida is in charge of the printing of a weekly Japanese news sheet for the P.O. W.'s and internees in that area. Edgar Iwamoto is still posted in Saigon.

To show how confusing are the ways of the Army we print the following excerpts. From the Captain of the Canadian Intelligence corps in Calcutta: "As Oikawa has since left India en route to Canada and with the consent of the remaining Canadian-born Japanese under my command, I opened your parcel and it was shared by all present. There is no need to comment on the pleasure the "real" Canadian Chocolate bars gave to the boys." From Sgt. Oikawa in Singapore: "My application for demobilization was accepted (so I thought) but upon arriving in Poona I

found out differently. We had an interview with the officer in charge of our force and evidently our services are still needed in the far east. The fact that we have signed for the duration and 1 year is a stumbling block which prevents us from protesting.

The third group of 5 sergeants, graduates of Vancouver's S-20 should be in Bombay by this time. They were held up in England because of inoculations. Sgt. Roy Matsui is posted in Canada.

On the home front we find that a few boys who were in training at Niagara are now in Brantford and should be discharged next month. One lone soldier, Masayuki Murakami, is stationed in the Exhibition Grounds in Toronto and all the boys who were stationed in Vernon have been discharged. The majority of the Nisei in uniform are at Ambleside Park in West Vancouver but not for long. Apparently a politician's word carries more weight than the Canadian Army so S-20 will pack its kits again and move to Vernon or Kingston.

AUTUMN SCENE of LEMON CREEK
by Kuniko Morishita, Grade 8.

(From Lemon Creek School "Scholastic")

The majestic mountains of the Selkirk range beginning to be dotted with bright colours of red, orange and yellow. This is the sign of autumn. Bright coloured trees appearing amidst the evergreen make the mountains surrounding Lemon Creek very beautiful. The ground is covered with assorted coloured leaves which look a carpet spread on the ground. Here and there the squirrels and chipmunks are chatting away. Some are gathering nuts for the winter.

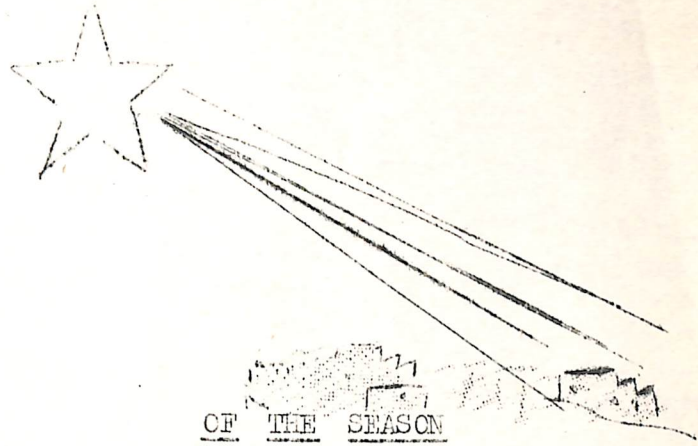
The deep blue Slokan river rushes on its way while some leaves float gracefully along its ripples. It is very lonesome now because nobody swims in there.

The vegetables are beginning to wither. The many houses all lined up in neat rows are covered with sparkling frost in the chilly mornings. Some snow-capped mountains surround us. But what is it that is hiding our short autumn? Snow! It is falling gently to the earth and now our beautiful scenery has turned all white. It seems queer to have snow now, but I guess winter must be coming very early this year.

November 21, 1945
MR. MacINNIS (CCF, Vancouver East): These people are treated as enemy aliens. A case was brought to my attention, a few days before I left home, of a German who was a naturalized Canadian. His naturalization was revoked, and he would like to have his Canadian citizenship restored. I took the matter up with the Secretary of State and asked him for a report. He very kindly showed me the whole file on this man. Here was a man who was definitely proven to be a nazi agent. But he was free and so far as I know he could go anywhere he liked in Canada. One man could move wherever he liked although he was proven to be a nazi agent.

Early in August I had a letter from a lawyer in Toronto asking me to try to do something to enable a Canadian of Japanese origin, a man born in British Columbia, to return home to one of the relocation centres to see his father who was dying. The father sent for his son who was in Toronto. This man could not travel without a police permit, although he was a Canadian, born in Canada. He had committed no crime and no crime was charged against him; yet he could not go to see his dying father without a permit. I took up the matter with the commissioner in Vancouver, and although it was Saturday afternoon and the office was closed, he immediately took steps to get in touch with the Royal Canadian Mounted Police, and instructed them to issue a permit for this man to travel. He got his permit, but before he reached there his father had died.

November 22, 1945
MR CRUICKSHANK: (Liberal, Fraser Valley): I almost wept last night when the honourable member for Vancouver East told us about the old Japanese father. I am not trying in any way to poke fun at this poor old Japanese father, because I admire any father, of any race, who expresses a wish to see his son before he dies. But, as I say, I almost wept when the honourable gentleman told us of this dear old Japanese in British Columbia who before his death was so anxious to have his son visit him.. ..Well, I thought of some of the daughters in my own riding who today have not yet got their sons back from Hong Kong because those boys are in hospitals. I thought of mothers in my own riding whose sons will never return, and then I did not weep so much.



Christmas Shopping

Crowds jostling, harrassed clerks,
Toyland, Santa Clause, children's voices
Shrill. Glean of silver,
Glitter of tinsel. The snow outside
Muddied and sloshing.
Can't find cards to suit my liking.
Display of gifts so alluring;
For whom did I buy this swish, Swiss lace!

The Festive Board

"Deck the halls with boughs of holly."
Gay is the laughter as friends make merry:
Stuffed turkey, brown gravy,
Red of cranberry, green of jelly,
Coffee served up demi-tasse,
Nuts and fruits and candies passed.
Candle glow on snow-white linen,
Dancing flames in the open hearth.

Christmas Vespers

Clear peal the bells,
Stars blinking, gleaming,
Sweet carolling, "O Holy Night",
Tableau of shepherds, kings and angels
Kneeling, adoring the Holy Child.
Beauty and reverence, hearts
Strangely warning -- O worship
The Saviour born tonight.

The Spirit of Christmas

The Spirit of Christmas moved
Through the streets of the town.
At thresholds harbouring greed,
Bitterness, selfish desire
To suppress, oppress, it paused;
And stood at the door of complacency.
List, for the vaults of heaven ring
With the eternal song the angels sing:
"Glory to God in the highest,
And on earth peace,
Goodwill among men."

August 29th, 1944.

Secretary of State,
Parliament Buildings,
Ottawa, Canada.

Sir:

In view of the policy of the Government of the Dominion of Canada as announced to Parliament by the Honourable the Prime Minister on August 4th in respect to persons of the Japanese race, I have to recommend and request that no further steps be taken by the Custodian of Alien Enemy property to dispose of the assets of Mr. Togo Kosaburo Takahashi or his wife and family, and that no further steps be taken under the liquidation of Togo Cleaners Limited, the shares of which Company were owned in their entirety by this family.

From the newspaper reports concerning the policy of the Government in this respect, I understand that a Commission is to be established to determine the loyalty or disloyalty of each individual according to the merits of the case. These newspaper reports also indicate that loyal Japanese may be permitted to remain in Canada, with safeguards however against concentration in any one Province and that they (the Japanese) shall not congregate as an unassimilable group in British Columbia.

One of the expressions used in the newspaper announcement of the Government Policy as it appeared in the local press is as follows: "Those loyal would be treated justly but would not be allowed to congregate in British Columbia." I quote this expression because, in my opinion, an injustice would be done to the family of Mr. Togo Kosaburo Takahashi (evidence of whose loyalty has, I believe, already been furnished to your Department) if their remaining assets and the assets of their said Company were to be disposed of by the Custodian.

If Mr. Takahashi should return to the Province of British Columbia he would not contribute to a situation which might be considered a menace through congregation in groups. This family has resided for many years past in a section of the City wherein he is the only Japanese resident and in a home which is a credit not only to that section but to the whole City. From my personal knowledge of the family, their standard of living is higher than that of the average Canadian family.

August 29th, 1944.

Two of the sons have been educated at the University of British Columbia and all his children have been brought up in the Christian faith and, of more importance, with Christian principles.

The attainments of this family are entirely the result of thrift and hard work. They have contributed generously to local charities, particularly to The Queen Alexandra Solarium for Crippled Children, and since the outbreak of the present war have also contributed to Canada's War effort. Such matters, however, could well be left to the proposed commission to investigate as there is ample evidence which could be obtained from civic authorities and friends, particularly of the white race, many of whom notwithstanding the public clamour against Japanese would, as I, not hesitate to bear witness to loyalty and good citizenship.

Particularly, however, I would like to stress the fact that it is not necessary or even desirable at this time to dispose of the assets of the family or liquidate the Company under which their business has been operated. In the first instance it seems to me most inappropriate that any proceedings of this nature should be carried on until such time as judgment has been handed down in the case which I understand was recently heard in the Exchequer Court of Canada involving the disposal of property of Japanese in Vancouver. Notwithstanding any decision which might be rendered in that case, there is no need or desirability to proceed with liquidation of assets of the Takahashi family because these assets by judicious and businesslike arrangements made by Mr. Takahashi before his departure from British Columbia, have been so left that the revenue produced is now and will continue to be more than sufficient to maintain them in excellent condition and, in fact, should produce a surplus over expenses including a reasonable charge for the services of the Custodian and his agents in caring for the property. One of these assets has for a number of years past been the family home and, in my opinion, it could not be sold to-day (irrespective of the higher prices being paid for Victoria real estate) and bring what it has cost Mr. Takahashi. My reason for this statement is that the house is situated in an area in which the other homes are not as expensive. Its cost is really out of proportion to the section in which it was built. Nevertheless it has been and is still looked upon as their home and if the family is to be allowed to remain in Canada surely it is more desirable that they be allowed to remain in one home as a family unit until the children have grown old enough to establish themselves elsewhere.

In conclusion I earnestly urge that the subject of disposal of assets of this family be left until it can be thoroughly considered by the proper Commission and at a time when war hysteria and the spirit of reprisals has subsided and when it can be viewed from a calm, sane and just standpoint.

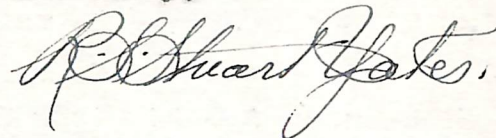
Secretary of State.

-3-

August 29th, 1944.

Would you therefore kindly give the subject your earliest possible consideration and instruct the Custodian to postpone any action towards liquidation of these assets as steps have already been taken towards winding up the Company by vesting orders and appointment of controller. Please let me have a reply to this letter by airmail as Mr. Takahashi wishes to know if it will be necessary for him to institute an action to obtain an injunction to restrain the liquidation and I wish to avoid such action being taken if the liquidation can be discontinued without it.

Yours truly,



RSSY:AEL

December 7, 1945.

M.J. Coldwell, Esq., M.P.,
House of Commons,
Ottawa, Ontario.

Dear M.J.:—

I thought that I would take this opportunity of writing to you about a matter in which I am interested and I know you are, namely the Government plan to deport Canadian citizens of the Japanese race. As you know Mr. Mitchell made a recent statement that those who had signed a form seeking to relinquish their Canadian citizenship and become nationals of Japan and to be sent to Japan, are to be deported if they did not revoke the request before the end of hostilities with Japan unless some "Loyalty Commission" thinks otherwise on a review of their case.

I understand that Bill 15 proposed to give the authority to provide for deportation by Order-in-Council.

Some of the Canadian Japanese here have asked me to institute a test case as to the legality of the proposed deportations. I am strongly of the opinion that there is no legal justification for the deportation of Canadian citizens who have committed no offence, and that the written requests are illegal, as no one can, both by our law and international law, relinquish their nationality in wartime or take on the status of an enemy alien, and there is no reason in law why the request, even if it were valid, cannot be revoked. I am hoping that the test action which we thought wise to take in Ontario rather than in British Columbia where more of those involved are, will get underway in a few days. We hope that the Government will not proceed to act while the legality of their acts are in question as there is ample authority for the proposition that the Executive are as much bound to obey the law as anyone else. In the meantime, I ran across an interesting reference in the November issue of the Canadian Bar Review at Page 756 and 757. It appears that representatives of the United States, France, the United Kingdom and the Soviet Union on August 8th, 1945 signed an agreement setting up the International Military Tribunal, and attached to the agreement was a charter setting out the jurisdiction, general principles, etc. for the trials. The Agreement was open to adherence of other members of the United Nations and it might be interesting to know if the Canadian Government had adhered.

Section 2, articles 6, 7 and 8 provide that the Tribunal has jurisdiction over the following crimes for which there shall be individual responsibility:

J. Coldwell, Esq., M.P.

December 7, 1945.

(c) Crimes against humanity, namely, murderdeportation and other inhumane acts committed against any civilian population before or during the war or persecution on political, racial or religious grounds, whether or not in violation of the domestic law of the country where perpetrated; leaders, organizers, instigators and accomplices participating in the formulation or execution of a common plan to commit any of the foregoing crimes are responsible for all acts performed by any person in the execution of such plan."

By article 7, "the official position of the Defendants, whether as heads of state or responsible officials in Government departments shall not be considered as freeing them from responsibility or mitigating punishment." "The fact that the Defendant acted pursuant to the order of his Government or of a superior shall not free him from responsibility but may be considered in mitigation of punishment."

The article in the Bar Review discusses this matter and points out the innovations in international law involved.

While I am not suggesting that the Government of Canada should be taxed with an international crime, for which they are responsible to the International Military Tribunal, it might be of some interest to point out the inconsistency between prosecuting former enemies for deportation of civilian populations on racial grounds and in effect proposing to do the same thing in Canada. The fact that certain documents requesting deportation were signed does not have very much weight if the documents were themselves illegal and if the parties concerned, as they have a perfect right to do being Canadian citizens, ask that they be revoked. The statement of the Minister seems to make it clear that the proposed action is based on racial grounds and not on any alleged offences or disloyalty on the part of the Canadian citizens concerned. It is certainly contrary even to existing international law that the liberty of a citizen should be interfered with in this way without any suggestion of crime against them and because of their racial origin.

I thought this information might be of some interest to you if the matter comes up in the House.

With best wishes,

Yours sincerely,



FAB/EW

1. PRESENT SITUATION: Hon. Humphrey Mitchell, Minister of Labour outlining the present policy in the House of Commons on November 21, 1945 states:
 - (a) In general, all Japanese nationals, who have requested repatriation, should be repatriated because it is quite clear that their loyalty is to Japan rather than to Canada.
 - (b) Any Canadian citizen who applied for cancellation of his repatriation request prior to the Japanese surrender on September 2, 1945 will be allowed to remain.
 - (c) Canadian - Born who applied for cancellation after September 2, 1945 will have their cases reviewed.

WHAT IS WRONG WITH THIS? While it goes part way towards a satisfactory position it does not go far enough.

- In (a) Signing repatriation forms is no basis for judging disloyalty. The situation was such that people felt themselves compelled to sign. There is no legal basis for deportation. To separate parents from their children is a grave injustice.
- In (b) This, according to Mr. Mitchell's own statement, affects "only a very insignificant number."
- In (c) No mention is made of naturalized Canadian citizens.

The Co-operative Committee has replied to the Labour Minister's statement making the above points and strongly urging the Prime Minister to give consideration to all applications for cancellation, regardless of the date of signing.

2. DEPORTATION: A Canadian Press Despatch of December 2nd states that the first contingent of 900 single men, including nationals and Canadian-born, will leave Vancouver for Japan in January.
3. A TEST CASE: Preparations are under way to test the legality of the deportation order in the courts. We shall all need to support this financially.
4. OPINION AROUSED: 50,000 leaflets "From Citizens to Refugees" have been distributed by national and local organizations. Hundreds of requests for further information have come from all provinces. Several mass meetings and many smaller meetings have been held. An additional 25,000 leaflets are now available.
5. A BIG JOB AHEAD: We must (a) continue to bring the facts to the public; (b) support the test case; (c) prepare communities to accept their responsibility and to co-operate with the government in its plan for resettlement.

The Co-operative Committee is appointing a full-time person to make this possible. We shall ask your help in the finance campaign which begins this month.

6. KEEP AT IT:
 - (a) Write again to your federal representative and to the Prime Minister requesting that all persons who have applied to cancel their repatriation forms shall have their cases considered, regardless of the date of applying.
 - (b) Urge your provincial government to accept its responsibility in the resettlement plan. Saskatchewan is the only province so far, which has declared its willingness to accept its "fair share" of both citizens and nationals.

IN EACH PROVINCE THERE IS NEED FOR A STRONG VOLUNTARY ORGANIZATION TO ASSURE THIS MINORITY GROUP ITS FULL RIGHTS.

Co-operative Committee on Japanese Canadians,
126 Eastbourne Ave.,
Toronto 12, Ontario

c/o Mason, Cameron & Brewin,
372 Bay Street, Toronto,
December 24, 1945.

The Honourable Louis St. Laurent,
Minister of Justice,
Ottawa.

Re Orders-in-Council, P.C. 7355, 7356
and 7357

Dear Mr. St. Laurent -

I have been requested to write to you by a group of citizens who represent some forty organizations and who include Mr. Sandwell, of "Saturday Night", Mr. J. E. Atkinson, of the Toronto Daily Star, Mr. George Ferguson, of the Winnipeg Free Press, Mr. G. J. A. Reany, of the Mutual Life, Hamilton, Colonel David Croll, M.P., Professor George Tatham, President of the Civil Liberties Association of Toronto, and many others who are deeply concerned about the proposals to "deport" certain Canadian citizens of the Japanese race under the provisions of the above Orders-in-Council.

We have secured a legal opinion that the Orders-in-Council are ultra vires the Governor-in-Council. To put the matter briefly, the view expressed is that the War Measures Act, by virtue of the provisions of which the Orders-in-Council were passed, expressly limits the extent of the Governor-in-Council's power under the Act by Section 3 (b), to "deportation", which has been judicially defined as the forcible removal of an alien out of the country and is, on this interpretation, a word wholly inapplicable to the forcible removal of Canadian nationals, to who, I believe, it has never been applied.

A writ has been issued in the Supreme Court of Ontario by one of those affected to test the legality of the Orders-in-Council and we are informed that similar proceedings are to be instituted shortly in other provinces. No doubt when it is sought to enforce deportation orders a series of applications for habeas corpus are likely to ensue.

In these circumstances, and to avoid the multiplicity of actions that might otherwise result, we would request the Government to take the initiative by referring the question of the legality of the Orders-in-Council for the opinion of the Supreme Court of Canada under the provisions of Section 55 of the Supreme Court Act.

In this connection, I venture to draw to your attention the language of the Privy Council in *Eastern Trust vs MacKenzie*, 1915, A.C. 759: "It is the duty of the Crown and of every member of the Executive to abide by and obey the law and if there is any difficulty in ascertaining it, the Courts are open to the Crown to sue and it is the duty of the Executive in cases of doubt to ascertain the law in order to obey, not to disregard it"; and again, in the *Eshigbay Eleko* case, 1931, A.C. 670, per Lord Atkin: "In accordance with British jurisprudence, no member of the Executive can interfere with the liberty and property of a British subject except on condition that he can support the legality of the action before a Court of Justice".

We would be very much obliged if you could meet Mr. Sandwell, Professor Tatham, Colonel Croll and the writer in the near future to hear our views more fully on the matter. The subject is one of grave importance as it may well affect our future relations with Oriental nations, concerns the rights and privileges of Canadian citizens and, in so far as the proposed "deportations" of citizens on the grounds of race is concerned, constitutes a new departure in civilised countries expressly disapproved by recent developments in the field of international law.

The matter is also urgent as the proposed "deportations" are to start next month. We therefore request that if at all possible you should give us an interview during the latter part of next week. Friday, the 4th of January would be convenient for us if it were for you. May we request an early reply so that the necessary travelling arrangements may be made.

Yours sincerely and respectfully,

F. Andrew Brewin.



CANADIAN PACIFIC TELEGRAPHS

World Wide Communications

W.D. NEIL, GENERAL MANAGER OF COMMUNICATIONS, MONTREAL

C.D. 1R

VRB123 38 NL

VANNOUVER BC 26

1945 DEC 26 PM 4 50

ANDREW BRETT ROOM 702 STERLING TOWERS

BARRISTER TORONTO ONT **2136**

PLEASE SEND COPY OF PROCEEDINGS RE JAPANESE AIR MAIL SO PROCEEDINGS
MAY BE UNIFORM HAVE NOT HAD OPPORTUNITY TO LOOK UP REFERENCES YET
BUT NOTICE ORDER IN COUNCIL RECEIVED TODAY GIVES DEFINITION OF
DEPORTATION PLEASE WRITE FULL DETAILS

CAMPBELL BRAZIER FISHER AND MCMASTER

2135

MEMORANDUM

Friday, Dec. 28, 1945.

Telephoned Lister at Japanese Division of the Department of Labour at or about 10 a.m. Explained that Mr. Norris and I had been unable to attend at Tashme last week and would like permits to go in tomorrow. He assured me he would fix up the permits and advised that I could pick them up later. I then phoned the Commercial Hotel at Hope and made reservations for tonight.

I asked Miss Gage, my stenographer, to pick up the permits at Mr. Lister's office at her lunch hour. About two o'clock she advised me that she had called and had been refused the permits and was told that Mr. Pickersgill would call me. I waited for a call until sometime after three and not having heard from him I called Lister again. He advised me that Mr. Pickersgill wished to speak to me but that he was on the telephone at the time. About fifteen minutes later Mr. Pickersgill telephoned. He said that he had held up the permits as in view of the Newspaper reports today he felt that he required authority from Ottawa before granting them. I pointed out to him that Mr. Norris and myself had already delayed our trip into Tashme and were anxious to attend our clients there and that we had made arrangements to attend tomorrow. He suggested that we might delay until next week. I pointed out that I had a trial on next week and expected to be very busy and that I knew Mr. Norris was also very busy. He asked whether our consultation had anything to do with deportation. I advised him that we would be advising our clients with respect to the effect of the recent orders-in-council. He said in those circumstances he definitely could not give permission until he had heard from Ottawa, and he said that if it had been other business he might have been willing to grant permission. He advised me that he had wired Ottawa for instructions and expected to receive a reply in the morning. I suggested that he telephone Ottawa immediately at my expense. He said it was too late to get the office and that while he might get the Departmental Solicitor at his home he might not be conversant with the matter. I then suggested that he telephone the Minister of Labour who is in Victoria today. He said he preferred to deal through the Deputy. I again pointed out to him that we had made plans to go to Hope tonight and into Tashme tomorrow and that the delay was very inconvenient. He suggested word might be received in the morning and we could drive up. I advised him that we neither of had cars. He said that if word was received in the morning before the 10.15 train we could go up on that and he would arrange to have us driven into Tashme. I told him I would communicate with Mr. Norris and telephone back.

I spoke to Mr. Norris. We agreed there was no sense in going up to Hope tonight and agreed to go tomorrow if permission was forthcoming in time. I telephoned Mr. Pickersgill

and urged him to seek an answer by tomorrow morning. He promised to send a further wire tonight urging a prompt reply first thing in the morning, and that if he did not receive a reply first thing in the morning he would telephone Ottawa. He promised to let me hear from him shortly after 9.00 a.m. in the morning.

I wired my clients at Tashme and wired cancelling the reservations and retransportation.

Saturday, Dec. 29, 1945

At 9.25 a.m. Mr. Pickersgill telephoned me and advised me that he had not heard from Ottawa. I asked him whether he had telephoned to Ottawa. He said no, that he had not as he knew that Mr. Brown would reply as soon as he could give an answer and he didn't feel like bothering him. He asked whether I could not put my trip off. I told him no, I was anxious to get into Tashme today and that it appeared that the only thing I could do was to make a statement to the Press. I told him that Mr. Norris had wanted me to make such a statement yesterday, but that I had wanted to give him a chance to clear with Ottawa. He asked if it was one individual I wanted to see and I said no, a number of individuals, possibly a half a dozen. He asked whether I knew their names. I advised him I only knew the name of one, with whom I had been dealing. He then asked whether the situation was that I wanted to go to Tashme to discuss matters with prospective clients. I told him that this was not the case as they had been in touch with me before and I had been definitely retained by them. I again indicated that it appeared the only thing I could do was to make a statement to the Press. He then assured me he would immediately put a phone call through to Ottawa. I told him he had better hurry up as we would have to catch the 10.30 train.

At approximately 10.20 I received a phone call from Mr. Pickersgill. He advised me that he had been in touch with Ottawa and that they had instructed him that he must not prevent the Japanese from consulting Counsel, but the same must be done in an orderly fashion. He said that his instructions were that he must require a letter in writing naming the clients desired to be consulted, and submitting evidence that these clients wanted to retain legal counsel. I suggested to him in view of the fact that Mr. Lister had already agreed verbally to give us permission to go into Tashme, and as I had only eight minutes left in which to catch the train he might in the circumstances dispense with writing. He took the position that while Lister may have consented, he himself had not consented and that he must require a letter for permission could be granted. I immediately phoned Norris and found that he was tied up and could not get away. I then dictated the letter to my stenographer to Mr. Pickersgill asking for permission and instructed her to telephone him and tell him that I was trying to catch the train and that she would deliver to him the letter which I had dictated and would he be good enough to arrange for my transportation into Tashme as he had promised

the night before. I immediately rushed out to catch the train and missed it by two minutes. I thereupon telephoned to a friend to meet me and took a taxi out to Fraser Ave. and Kingsway and from that point my friend drove me to Port Coquitlam about 25 miles from Vancouver in an endeavour to catch the train there, but arrived too late. In the afternoon I made arrangements with Pickersgill to obtain permission to go in on Sunday. I am advised that in the meantime he had telephoned my office to inform them that he was unable to arrange transportation for me from Hope to Tashme. By going on Sunday it was necessary to hire a taxi to take me from Hope to Tashme, wait for me there and bring me back to Hope.



CANADIAN PACIFIC TELEGRAPHS

World Wide Communications

W.D. NEIL, GENERAL MANAGER OF COMMUNICATIONS, MONTREAL

C.D. 1R

WNA78 34/32 DL **TELEPHONED**

FP WINNIPEG MAN 28 1025A

ANDREW BREWIN

4110

Art 391

1945 DEC 28 AM 11:41

372 BAY ST TORONTO

ARNOLD CAMPBELL BARRISTER 603 PARIS BLDG HERE HAS CONSENTED
TO TAKE UP JAPANESE CASE AND WOULD BE GREATLY OBLIGED IF YOU WOULD
SEND HIM IMMEDIATELY COPY OF YOUR STATEMENT OF CLAIM REGARDS

G V FERGUSON

TELEPHONED

At By

TO BE

DELIVERED
MAILED
FILED

C.D. 1R

December 28, 1945.

Arnold M. Campbell, Esq., K.C.,
603 Paris Building,
Winnipeg, Manitoba.

Dear Sir:

I have received a wire from Mr. Ferguson stating that you are taking up the case of the Canadian Japanese.

I am enclosing a rough draft of our Statement of Claim together with a memorandum on the legal aspects of the case which I have prepared.

We have issued the Writ asking for the following relief:

The Plaintiffs' claim is for a declaration that Order-in-Council P.C. 7355 dated 15th day of December, 1945, Order-in-Council P.C. 7356 passed on the 15th day of December, 1945, and Order-in-Council P.C. 7357 passed on the 15th day of December, 1945 are ultra vires, illegal and void and for a declaration that the Plaintiffs are not subject to the provisions of the said Orders or liable to be deported or deprived of their status as British subjects or Canadian nationals under the provisions thereof.

We would be glad to have any comments or suggestions that you may make and an account of how you are progressing in the action.

Yours sincerely,

FAB/EW
Encl.

FAB

December 29, 1945.

Mr. Aime Geoffrion, K.C.,
112 St. James Street West,
Montreal, P.Q.

Dear Mr. Geoffrion:

I may introduce myself as a partner of Chief Justice McRuer until he was appointed to the Bench.

I have been retained by a group of people who are interested in the problem of the Canadian-Japanese and I desire to consult you about this matter and if we are successful in persuading the Government to refer the validity of the Orders-in-Council in question to the Supreme Court of Canada, to retain your services there if you are available.

The Orders-in-Council in question are P.C. 7355, 7356, 7357. I enclose a memorandum which I prepared somewhat hurriedly in regard to the matter. The novelty of the Orders-in-Council appears to be that they provided for the deportation under certain conditions of both Canadian-born and naturalized Canadian citizens of the Japanese race.

If you are free to act for us in this matter, I would like to arrange to see you in Montreal about it and get your opinion and arrange if the reference proceeds, to have you act in the Supreme Court.

The matter may be of some urgency as the first group of Japanese Canadians to be deported is supposed to leave in the middle of January.

We have sought an interview with the Minister of Justice at the end of next week in order to present the advisability of the Government directing the reference rather than have the matter raised by a whole series of applications for habeas corpus in the various provinces.

I understand that the Minister of Justice will be away at the Assembly of U.N.O. but no doubt we will have the opportunity of talking the matter over with the acting Minister. If it were possible to see you on Thursday of next week, it would be convenient for me.

Yours very truly,

FVP

FAB/EW

C
O
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Y

December 27, 1945.

The Honourable
Mr. Humphrey Mitchell
Hotel Vancouver
Vancouver, B.C.

Dear Sir:

RE: Deportation of Japanese.

We have been consulted by certain Japanese Nationals and others who are desirous of knowing the effect of the recent orders-in-council P.C. 7355 - 7 upon them. Upon reading all three orders it is not entirely clear to us as to the intention of the Government in giving effect thereto. We believe that it is desirable in the interests of receiving the maximum co-operation from the persons affected by these orders that they should be free from apprehension. Accordingly we undertook to seek your advice on their behalf with reference to the following questions:

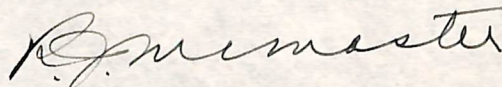
1. Are all Japanese who are to be deported to be first referred to the loyalty commission before deportation?
2. Will persons referred to the loyalty commission be entitled to be represented before the same.

We understand that you are going to Victoria tonight, and were most desirous of having a reply by Friday. Accordingly we are sending it by special messenger and would greatly appreciate your reply being delivered in same manner collect.

Respectfully

CAMPBELL, BRAZIER, FISHER & McMASTER

Per



RJM/M

December 28, 1945.

Messrs. Campbell, Brazier, Fisher & McMaster,
Barristers, &c.,
675 Hastings Street West,
Vancouver, B.C.

Attention: Mr. R.J. McMaster

Dear Mr. McMaster:

The action which we have instituted is in the name of two Plaintiffs, one a Canadian-born Japanese and the other a naturalized Canadian of Japanese race. The Defendant is the Attorney-General of Canada and the endorsement on the Writ reads as follows:

"The Plaintiffs' claim is for a declaration that Order-in-Council P.C. 7355 dated the 15th day of December, 1945, Order-in-Council P.C. 7356 passed on the 15th day of December, 1945, and Order-in-Council P.C. 7357 passed on the 15th day of December, 1945, are ultra vires, illegal and void and for a declaration that the Plaintiffs are not subject to the provisions of the said Orders or liable to be deported or deprived of their status as British subjects or Canadian nationals under the provisions thereof".

I enclose copy of the memorandum which I prepared in this matter. I have not yet delivered a Statement of Claim. I will send you a copy when I have done so. As you say in your wire, the Order-in-Council gives a definition of deportation but this definition obviously cannot extend the powers conferred by the War Measures Act on the Governor-in-Council.

With best wishes,

Yours sincerely,

FAB

FAB/EW
Encl.

Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

A. T. R. CAMPBELL
C. W. BRAZIER

A. W. FISHER
R. J. McMASTER

C. G. ROBSON

RECEIVED

ROYAL BANK BUILDING
675 WEST HASTINGS STREET

DEC 31 1945 VANCOUVER, B.C.

MASON,
CAMERON & BREWIN

December 29, 1945.

OUR FILE NO.

Messrs. Mason, Cameron & Brewin,
Barristers and Solicitors,
Sterling Tower Building,
Toronto, Ontario.

Att'n: Mr. Brewin.

Dear Sirs:

Re: Japanese Deportation Orders.

We have been instructed to write to you on behalf of the Consultative Council of Vancouver with reference to the above matter. They view with approval the action which you have commenced and heartily endorse the proposed attendance upon the Minister of Justice with a view to having these Orders-in-Council referred to the Supreme Court of Canada to test their validity.

Rather than have a multiplicity of actions in the Provincial Courts it is their opinion and ours that a reference to the Supreme Court of Canada would be much wiser. We shall therefore await the results of your interview with the Minister with expectation. We would ask you to kindly add the urgent pleas of our clients that this reference be made to that of your own clients in your discussions with the Department of Justice.

Yours truly,

CAMPBELL, BRAZIER, FISHER & McMASTER

Per *R. J. McMaster*

RJM/M