B-2027 Iwasaki, Torazo v. The Queen

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PROVINCE OF BRITISH COLUMBIA

R14188

vol. 2619

day of February, A.D. 1968.

'J.R. MacLeod'
Counsel for the Suppliant.

The Suppliant prays for a statement of defence on behalf of Her Majesty the Queen within 4 weeks after the date of service hereof, or otherwise that the petition may be taken as confessed.

THIS AMENDED PETITION OF RIGHT is filed by Mr. J. Raymond MacLeod, of the firm of Messrs. MacLeod & Small, Counsel for the Suppliant, whose place of business and address for service is 201 - 535 Thurlow Street, Vancouver, B.C.

Catalogue No.	Civic Address	Lot	Block	D. L. or Sec.	Tp.	Map or Plan	Improvements	Agent	Custodian File No.
COMOX ASSESSMENT DISTRICT—NELSON Land District									
533.	R.R. No. 1, Cumberland, B. C.	A		pt. 32	11	3031	Dwelling & out-buildings	Leo P. Anderton, Courtenay, B. C.	12176
		A	(D.D. 961-N)	pt. SE¼32	11	551			
		B	(D.D. 6723-N)	pt. SE¼32, Tp. 11, Ex.pt.P.3031		551			
COMOX ASSESSMENT DISTRICT—NEWCASTLE Land District									
534.	Bowser, B. C.	6, 7		85		2018	Dwelling	Comox Valley Lands, Courtenay, B. C.	13457
COMOX ASSESSMENT DISTRICT—RUPERT Land District									
535.	Cormorant Island	A	(D.D. 67863-I)	C/68 (0.611 ac. m/l)		2990	Dwelling	H. Baxendale, Alert Bay, B. C.	1604
536.	Alert Bay	C	(D.D. 32444-I)	S½16, Tp. 1 (15 ac. m/l)			Dwelling, boathouse, farm equip. & furn.	H. Baxendale, Alert Bay, B. C.	1370
537.	Alert Bay	2		53		4192	Vacant land	H. Baxendale, Alert Bay, B. C.	7386
COMOX ASSESSMENT DISTRICT—SAYWARD Land District									
538.	Quathiaski Cove, Quadra Is. Pt. 1		(Sk. 129-R)	180	(0.85 ac. m/l)	2456	Boat building shed	B. Eastland, Quathiaski Cove, B. C.	4994
539.	Quathiaski Cove, Quadra Is.	2		180		4405	Dwelling, furn. & fishing equipment	B. Eastland, Quathiaski Cove, B. C.	1630
540.	Quathiaski Cove, Quadra Is.	3		180		4405	Dwelling, furn. & fishing equipment	B. Eastland, Quathiaski Cove, B. C.	1546
541.	Quathiaski Cove, Quadra Is.	4		180		4405	Vacant land	B. Eastland, Quathiaski Cove, B. C.	1618
542.	Cortez Island		N½ of NW¼ & pt. NE¼4	(111 ac. m/l)			Dwel'ng & outbldgs.	W. E. Guthrie, Manson's Landing, B. C.	1358
543.	Rendezvous Island	1050	Upper Rendezvous Is.	(168 ac. m/l)			2 dwellings, furn. & net house	Sam Brendeland, Redonda Bay, B. C.	1568
545.	Valdez Island	20	Ex. A (D.D. 83285-I)	8		2122	2 dwel'ngs & furn.	B. Eastland, Quathiaski Cove, B. C.	1668
COURTENAY—Corporation of City of									
546.	Isabel Street	2	Ex. "A" (Sk. 3331)	61	Comox Dist.	3169	Store with liv'g qrtrs.	Leo P. Anderton, Courtenay, B. C.	6637
COWICHAN ASSESSMENT DISTRICT—HELMCKEN Land District									
547.	Cowichan, B. C.		227 Helmcken District				Wild land	Thos. H. Carey, Cumberland, B. C.	11901
COWICHAN ASSESSMENT DISTRICT—MAYNE ISLAND Land District									
548.	Mayne Island, B. C.		SE¼ Sec. 7, S½ of SW¼ Sec. 8		Cowichan District		2 dwel'ngs, greenhses.	Gavin C. Mouat, Ganges, B. C.	4977
549.	Mayne Island, B. C.	B	(D.D. 77189-I)	NW¼13	(28.2 ac. m/l)		Vacant land	Gavin C. Mouat, Ganges, B. C.	5143
550.	Mayne Island, B. C.			NW¼11	Cowichan Dist.		Greenhouses	Gavin C. Mouat, Ganges, B. C.	5166
COWICHAN ASSESSMENT DISTRICT—SALT SPRING ISLAND Land District									
551.	Ganges, B. C.	3		2	R2E	2495	Dwelling & outbldgs.	Gavin C. Mouat, Ganges, B. C.	2141
552.	Salt Spring Island, B. C.	3, pt. 4	incl. "A" (D.D. 58307-I)				Dwelling & outbldgs.	Gavin C. Mouat, Ganges, B. C.	3271
553.	R.R. No. 1, Ganges, B. C.	2		2	R1E	4329	Vacant land	Gavin C. Mouat, Ganges, B. C.	1598

Catalogue No.	Civic Address	Lot	Block	D. L. or Sec.	Tp.	Map or Plan	Improvements	Agent	Custodian File No.
CRANBROOK—City of									
554.	Fronting on Van Horne St., Louis St. and Clark Ave.		"C"			669	Store bldg. (with rms.), store fixtures & equipment	Beale & Elwell, Cranbrook, B. C.	11495/ 11493/11494
						669	Frame & metal gar.	Beale & Elwell	11493/11494/11495
555	Clark Avenue	4,5S½	92			669	Vacant Land	Beale & Elwell	13698
556	Clark Avenue	9	36			669	Private garage	Beale & Elwell	13698
557	108 Clark Avenue	2	92			669	Dwelling	Beale & Elwell	13698
558	204 Clark Avenue	16	36			669	Rooming house	Beale & Elwell	13698
559	109 Durick Avenue	E½11	92			669	Dwelling	Beale & Elwell	13698
560	201 Clark Avenue	19	35						
CUMBERLAND—CORPORATION OF CITY OF									
561.	Dunsmuir Ave.,	W½7Ex.E.19',8	2	21	Nelson Dist.	522	Dwelling	Thos. H. Carey, Cumberland, B. C.	5152
562.	Dunsmuir Ave.,	W20'4	3	21	Nelson Dist.	522	Shop, living quarters	Thos. H. Carey, Cumberland, B. C.	4000
563.	Cor. 3rd & Dunsmuir,	6	6	21	Nelson Dist.	522	4 two storey buildings	Thos. H. Carey, Cumberland, B. C.	4022
564.	End Second St.,	7	31	24	Nelson Dist.	3268	Dwelling	Thos. H. Carey, Cumberland, B. C.	4950
DELTA—Municipality of									
565.	Ladner, B. C.	U	106 (Sk. 4693)		G. 2		Dwelling	Information regarding properties in Delta and Dewdney may be obtained from the Vancouver office of the Custodian.	9832
566.	Gibson Road	102	SE¼36		4	1133	Chicken farm		8635
DEWDNEY—District of									2863
567.	Stave Lake Road		SW¼2		18		Dwelling, outbuildgs.		
568.	Hatzic Island	16	(10ac.m/1) pt. 36		17	2677	Dwelling		5420
DUNCAN—City of									
569.	Duncan, B. C.	1-5	6	18		6	798	Truck gardens	J. H. Whittome & Co. Ltd., Duncan, B.C. 5452/5511
570.	2nd Street,	6,7	6	18		6	798	Dwel'ng, hall, gym. and outbuildings	J. H. Whittome & Co. Ltd. " 5452/8206
						6	1546	Truck gardens	J. H. Whittome & Co. Ltd. " 5452/5511
571.	3rd Street,	1-4		18		6	798	Vacant Land	J. H. Whittome & Co. Ltd. " 8205/8206
572.	2nd Street,	9	6	18		6	1546	Dwelling, outbldgs.	J. H. Whittome & Co. Ltd. " 8205
573.	2nd Street,	16		18		6	1546	Dwelling, outbldgs.	J. H. Whittome & Co. Ltd. " 5131
574.	3rd Street,	5-15		18		6	798-A	Outbuildings	J. H. Whittome & Co. Ltd. " 5131
575.	3rd Street (Ex. pt. subd. P1546)	9		18		6	798	Dwelling, garage	J. H. Whittome & Co. Ltd. " 5359
576.	2nd Avenue,	14,15	4	18		6	2070	Dwelling	J. H. Whittome & Co. Ltd. " 8001
577.	263 Ingram Street,	5	16	17		6	798	Garage	J. H. Whittome & Co. Ltd. " 8002
578.	247—2nd Ave.	Amd. 10	(D.D.126384-I) Blk 4 Sec 18			6	2070	Dwelling, garage	Duncan & Christmas Ltd. " 8202
579.	Evans St.	12	18	17		6	789	Dwelling	J. H. Whittome & Co. Ltd., Duncan, B.C. 8204
580.	2nd Street,	Amd. 11	(D.D.126383-I) Blk 4, Sec. 18			6	798	Dwelling	J. H. Whittome & Co. Ltd., Duncan, B. C. 8254
581.	2nd Street,	4	5	18		6	798	Dwelling, outbldgs.	J. H. Whittome & Co. Ltd., Duncan, B. C. 8207
582.	Duncan, B. C.	5	4	18					

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MAPLE RIDGE—Municipality of									
583.	15th Road	2	(S.&E. Sk. 3041) SW¼ Sec. 16		12	2996	Dwelling, greenhses. & equipment	Information regarding properties in the Municipalities of Maple Ridge, Matsqui and Mission may be obtained from the Vancouver Office of the Custodian.	6665
584.	15th Avenue		S. Pt. SE¼ Sec. 15, (S.&E. Sk. 6979 & 6452 & E. Creek)		12		Large dwelling, 15 greenhouses & equipment		7005
585.	22nd Avenue	14		399	G. 1	1112	Dwelling, greenhses., outbldgs. & equip.		8694
586.	8th Avenue	10, 11		W½20	12	1161	Large dwel'ng, sheds, greenhse. & equip.		8717
587.	8th Avenue	12		W½20	12	1161	Orchard		8313
588.	15th Avenue	11		NW¼10	12	809	Dwel'ng, 13 greenh's, sheds & equipment		7003
589.	Cor. Lorne & Dartford St's.	697		278	G. 1	114	Garage, small dwel'g.		6931
590.	Dewdney Trunk Rd. nr. 8th Ave.	5		pt. 398	G. 1	3206	Warehouse		7368
591.	Cor. 8th Ave. & Dewdney Trunk	2	E	398	G. 1	4076	Store with liv'g qrtrs.		11404
592.	45—21st Avenue	1	C	NE¼15	12	6060	Dwel'ng & outbldgs.		6985
593.	20th Avenue	3	C	NE¼15	12	6060	Dwel'ng & outbldgs.		2281
594.	Lane off 6th Road	S. pt. 29	(Sk. 2686)	432	G. 1	1208	2 dwellings, barn & outbuildings		11297
595.	32nd Road, Ruskin	13		SW¼9	15	1118	Bushland		9379
596.	14th Ave. & Lougheed H'way		Pts. 403, 404 (Sk. 3041) Group 1, and Pt. 403 & pt. SW¼ Sec. 16, (Sk. 7912) Tp. 12				Vacant land		8714
597.	2601 Dewney Trunk Rd.	1/16	2	245	G. 1	3785	Large dwel'g, garage		8714
598.	Dewdney Trunk Rd.	2, 3/16	2	245	G. 1	3785	Lumber warehse. & service station		8714
599.	2433 Lougheed Highway	2	D	222	G. 1	5437	Small dwel'g & shed		4222
600.	12th Road, Ruskin, B. C.		NE¼ (S. & E. W15ch.) Sec. 9		15 (100 ac. m/l)		Dwelling, barn & outbuildings		9416/I. 1414
MATSQUI—Municipality of									
601.	Rose Road (Dennison)	A	(pt. 27.048 ac. m/l) NE¼10		13	Sk. 2049-B	Shack, 2 sheds		1742
602.	Dennison Station		(pt. 1.03 ac. m/l) SE¼10		14	Sk. 7314	Dwelling		14041
MISSION—Municipality of									
603.	Lougheed Highway	10	16/A	165	G. 3	2632	Vacant land		9364
604.	Cherry Street	1		Pt. SE¼28	17	5727	Shed		2883
605.	480 Hyde Road	1-14	1	S½SW¼28	17	2522	Dwel'ng & outbldgs.		5575
		1-36	2	S½SW¼28	17	2522			
		1-26	3	S½SW¼28	17	2522			
		1-13	4	S½SW¼28	17	2522			
		32-36	3	S½SW¼28	17	2522			
606.	Cor. Silverdale & Hurd Road		9 NE pt. (40'x60') SW¼20		17	905	Old dwelling		5576

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MISSION—Village of									
607	Horne Avenue	2	48	411	G. 1	594	Dwelling (store front)	Information regarding properties in the Village of Mission may be obtained from the Vancouver Office of the Custodian.	6625
608.	Silverdale Road		Blk. 156, pt. Sec. 21, Tp. 17 and pt. Lot 4, G. 3			955	Small shed		5420
609.	207 Silverdale Road	Pts. A	(Sk. 3127)				2 dwl'ngs & outbldgs.		5420
		B	(Sk. 3125)						
		C	(SK. 4383)	NW¼21	17				
610.	Harbor Avenue	21-24	56	411	G. 1	594	Warehouse, dwelling & shed		9840
NANAIMO ASSESSMENT DISTRICT—NANAIMO Land District									
611.	1130, 1136, 1140—1150 Stewart Avenue	1, 2	113	1	Newcastle	366	3 dwel'ngs (1 duplex)	Rudd, Mitchell & Co. Ltd., Nanaimo	13671/ 1584/6679
612.	238 Chelsea Street	9, 10	115	1	Newcastle	366	Dwelling	Rudd, Mitchell & Co. Ltd., Nanaimo	745
613.	980 Stewart Ave.	33 Ex. N31.9′		96-B		2039	Vacant land	Rudd, Mitchell & Co. Ltd., Nanaimo	1696
614.	1010 Stewart Avenue	33 N31.9′		96-B		2039	Vacant land	Rudd, Mitchell & Co. Ltd., Nanaimo	1712
615.	1227 Stewart Avenue	A/7	(D.D. 18403-N) Blk. 114, D.L. 1			366	Dwel'ng, outbldg.	Rudd, Mitchell & Co. Ltd., Nanaimo	1672
616.	1228 Stewart Avenue	2, 3		1	Newcastle	3892	3 dwellings	Rudd, Mitchell & Co. Ltd., Nanaimo	1404
617.	Nanaimo, B. C.	2	(Ex. pt. P. 3892) Blk. 114		Newcastle	366	Vacant land	Rudd, Mitchell & Co. Ltd., Nanaimo	1404
618.	Nanaimo, B. C.	3	112	1	Newcastle	366	Hall.	Rudd, Mitchell & Co. Ltd., Nanaimo	1694/1404/1450
619.	Nanaimo, B. C.	Pts. 5-7, Ex. A	114	1	Newcastle	366	Dwelling	Rudd, Mitchell & Co. Ltd., Nanaimo	1450
620.	Nanaimo, B. C.	1		1	Newcastle	3892	Dwelling and shed	Rudd, Mitchell & Co. Ltd., Nanaimo	1544/1748
621.	104 George Street	7	112	1	Newcastle	366	Dwelling	Rudd, Mitchell & Co. Ltd., Nanaimo	1670
622.	Nanaimo, B. C.	17 (D.D. 9043N)	Wellington Dist., (Double Is.) 3 ac. m/l				Old dwelling	Rudd, Mitchell & Co. Ltd., Nanaimo	3927
623.	Stewart Ave.	Pts. 5 & 6	114	1	Newcastle	366	Small old dwelling	Rudd, Mitchell & Co. Ltd., Nanaimo	1741
NANAIMO ASSESSMENT DISTRICT—NANOOSE Land District									
624.	Parksville, B. C.	6	126		Composite Plan 2397		Wild land	Rudd, Mitchell & Co. Ltd., Nanaimo, B.C.	5129
NELSON AND FORT STEELE ASSESSMENT DISTRICTS—KOOTENAY Land District									
625.	Near Salmo, B. C.		20	273	Kootenay District		Shack	Terence D. Rosling, Nelson, B. C.	14084
626.	Near Canyon, B. C.	116		812		730-C	Dwel'ng, outbldgs. & equipment	Creston Agencies, Creston, B. C.	13998
627.	Near Cranbrook, B. C.	49,50,51		5247		1088	Dwelling, outbldgs.	Beale & Elwell, Cranbrook, B. C.	12548
628.	Near Cranbrook, B. C.		70	30		887	Vacant Land	Beale & Elwell, Cranbrook, B. C.	13698
629.	Lumberton Road, Cranbrook.	1-11	72	30		1099	Dwelling	Beale & Elwell, Cranbrook, B. C.	13698

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NEW WESTMINSTER,—Corporation of City of									
630.	1011 Auckland St.	W33′SE¼ 16	36			2620	Dwelling	Coulthard, Sutherland Co. Ltd.	3321
631.	1015 Auckland St.	Pt. SW¼ 16	36			2620	Dwelling	Alfred W. McLeod, Ltd.	3316/3342
632.	1019, 1021 Auckland St.	Pt.SE¼17	36			2620	2 Dwellings	Coulthard, Sutherland Co. Ltd.	6907
633.	1023, 1025 Auckland St.	Pt.SW¼ 17	36			2620	2 Dwellings	A. N. MacIntosh Ltd.	7837
634.	256 Boyne Street	7	23		757	2620	Duplex Dwelling	Westminster Trust Co.	8211
635.	200 Blk. Boyne Street	9	23		757	2620	Vacant Land	Westminster Trust Co.	6774
636.	257-259 Boyne Street, and 616 Ewen Avenue	8	23		757	2620	Dwelling (store front) 2 Duplex Dwellings	Westminster Trust Co.	8210
637.	311 Boyne Street	60	27		757	2620	Dwelling	Westminster Trust Co.	8210
638.	300 Blk. Boyne Street	65	27		757	2620	Vacant Land	Alfred W. McLeod Ltd.	4228
639.	312 Boyne Street	66, 67	27		757	2620	Dwel'ng, chick. house	Alfred W. McLeod Ltd.	4232
640.	300 Blk. Boyne Street	107, 108	27		757	2620	Vacant Land	Alfred W. McLeod Ltd.	4228
641.	318 Boyne Street	68	27		757	2620	Hall	Westminster Trust Co.	5406/5447/7716
642.	300 Blk. Boyne Street	69, 70	27		757	2620	Vacant Land	Westminster Trust Co.	5406/5447/7716
643.	321 Boyne Street	53, 54, 55	27		757	2620	Dwelling	A. N. MacIntosh Ltd.	1690
644.	333 Boyne Street	49	27		757	2620	Dwelling	Alfred W. McLeod Ltd.	1754
645.	348 Boyne Street	82	27		757	2620	Dwelling	A. N. MacIntosh Ltd.	1716
646.	415 Brunette Street	1	11/13		S.B. 1	2620	Dwelling (store front)	Westminster Trust Co.	11945
647.	139 E. Columbia Street	1	5 S. pt.		S.B. 3	2620	Store and dwelling Fixtures, equipment	Coulthard, Sutherland Co. Ltd.	1350
648.	148 E. Columbia Street	1	1		S.B. 2	2620	Dwelling	Coulthard, Sutherland Co. Ltd.	7838
649.	837-39-41-43 Columbia Street,	16	11			2620	Stores with rooms and warehouse	Westminster Trust Co.	10197/10198/10201
650.	221-223 Ewen Avenue	1	32/A		757	2671	Duplex Dwelling	K. K. Reid Ltd.	5963
651.	233 Ewen Avenue	1	31/A		757	2904	Shack	K. K. Reid Ltd.	5963
652.	307 Ewen Avenue	W½2	29/A	pt.	757	2620	Dwelling	A. N. MacIntosh, Ltd.	7716
653.	313 Ewen Avenue	1, 2	28/A		757	3692	Dwelling	A. N. MacIntosh, Ltd.	1558
654.	300 Blk. Ewen Avenue	W½1	25/A		757	2620	Vacant Land	A. N. MacIntosh, Ltd.	1648
655.	337 Ewen Avenue	E½2	25/A		757	2620	Dwelling	Westminster Trust Co.	3421
656.	339 Ewen Avenue	W½2	25/A		757	2620	Rooming house	A. N. MacIntosh, Ltd.	7715
657.	501 Ewen Avenue	6	1/NE½26		757	2594	Dwelling	Coulthard, Sutherland & Co. Ltd.	12523
658.	536 Ewen Avenue	5	N½24		757	2562	Dwelling	Coulthard, Sutherland & Co. Ltd.	5406
659.	540 Ewen Avenue	4	N½24		757	2562	Dwelling	Coulthard, Sutherland & Co. Ltd.	5406
660.	542 Ewen Avenue	2	N½24		757	2562	Dwelling	K. K. Reid Ltd.	5963
661.	546 Ewen Avenue	1	N½24		757	2562	Store and rooms	Coulthard, Sutherland & Co. Ltd.	5406
662.	609 Ewen Avenue	12	27		757	2620	Dwelling	Westminster Trust Co.	3933
663.	720 Ewen Avenue (Sk. 531)	Pt. A	1/NE¼26		757	2594	Dwelling, gr'nhouses and outbuildings	Westminster Trust Co.	10253
664.	806 Ewen Avenue	1, 2	N½ of E½21		757	2620	Dwelling	Coulthard, Sutherland & Co. Ltd.	3343
665.	1026 Ewen Avenue	7	Pt. W½19		757	2778	2 dwellings	K. K. Reid Ltd.	5963
666.	Cor. Fenton and Ewen Ave.	1	W½26		757	2366	Dwelling	Alfred W. McLeod Ltd.	7718
667.	Fenton Street	32, 33, 34	W½26		757	2366	Vacant Land	Alfred W. McLeod Ltd.	8557
668.	Fenton Street	35, 37	W½26		757	2366	Greenhse, barn, gar.	Alfred W. McLeod Ltd.	7718
669.	Fenton Street	36	W½26		757	2366	Barn	Alfred W. McLeod Ltd.	7718

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NEW WESTMINSTER—Corporation of City of (Continued)									
670.	Fenton Street	N½38	W½26	757		2366	Dwelling and shed	Alfred W. McLeod Ltd.	7718
671.	Fenton Street	Pt.S½38,pt.N½39	26	757		2366	Shed	Alfred W. McLeod Ltd.	7718
672.	314 Fenton Street	PT.S½39	Pt. 26	757		2366	Rooming house	Alfred W. McLeod Ltd.	7718
673.	Cor. Ewen Ave. and Hume St.	4	17/A	757, 758		2620	Small shack	Coulthard, Sutherland & Co. Ltd.	5406
674.	Cor. Ewen Ave and Johnston	25	(SE pts. Sk. 2241, 7930)	D.L. 757		2620	Packing shed	Alfred W. McLeod Ltd.	8557
675.	425 Garrett Street	17	5/13	S. B. 2		2620	Dwelling	Westminster Trust Co.	4238
676.	Cor. Howe and Salter	13		757		2620	net house, barn	Westminster Trust Co.	3295
677.	Ft. of Jardine Street	14	(12 ac.m/l)	757		2620	Boat works building & 5 small sheds	Coulthard, Sutherland & Co. Ltd.	455
678.	322 Johnston Street	N½2	3 & 4/N½26	757		2056	Dwelling	Coulthard, Sutherland & Co. Ltd.	1416
679.	336 Lawrence Street	12	E½29	757		2620	Dwelling, outbldgs.	Westminster Trust Co.	9768
680.	306 Mercer Street	1	29/A	757		2620	Dwelling	Coulthard, Sutherland & Co. Ltd.	7710
681.	312 Mercer St. S½3 (Sk. 19790F)		29/A	757		2620	Dwelling	A. N. MacIntosh Ltd.	7713
682.	314 Mercer Street	N½3	29/A	757		2620	Dwelling	A. N. MacIntosh Ltd.	2316
683.	300 Blk. Mercer Street	S½4	29/A	757		2620	Vacant Land	A. N. MacIntosh Ltd.	2316
684.	326 Mercer Street	9	22/A	757		2461	Dwelling	A. N. MacIntosh Ltd.	7750
685.	220 Pembina Street	27	23	757		2620	Dwelling	Alfred W. McLeod Ltd.	1760
686.	361 Pembina Street	18	W½26	757		2366	Dwelling	A. N. MacIntosh Ltd.	3317
687.	1027 Quebec St.	11	(S&E pt. sk. 8628)	Blk. 36		2620	2 Dwellings	Coulthard, Sutherland & Co. Ltd.	1592
688.	1020 Queens Avenue	NE¼17	36			2620	Dwelling	Westminster Trust Co.	4037
689.	1026 Queens Avenue	NW¼17	36			2620	Dwelling	Westminster Trust Co.	7835
690.	828 Royal Avenue	N½8	28			2620	Dwelling	Coulthard, Sutherland & Co. Ltd.	10195
691.	1013 and 1015 Royal Ave. and 1013 and 1015 Quebec St.	4	6/36			2853	4 dwellings	J. M. Streight, Official Administrator	11929
692.	1031 Royal Avenue	E33′7	36			2620	Dwelling (store front)	Coulthard, Sutherland & Co. Ltd.	2316
693.	757 Salter Street		W. pt. 15	757		2620	Dwelling, outbldgs.	Coulthard, Sutherland & Co. Ltd.	7712
694.	300 Blk. Stanley Street	N31′3	25/A	757		2620	Vacant Land	A. N. MacIntosh Ltd.	1652
695.	300 Blk. Stanley Street	S31′3	25/A	757		2620	Vacant Land	A. N. MacIntosh Ltd.	1652
696.	315 Stanley Street	N½4	25/A	757		2620	Shack	A. N. MacIntosh Ltd.	1652
697.	321 Stanley Street	S½4	25/A	757		2620	Rooming house	A. N. MacIntosh Ltd.	7716
698.	129—10th Street	N.67′ SE¼14	(Sk. 52689F)	Block 36		2620	Dwelling	Westminster Trust Co.	7836/3344/2377/3315
699.	328—11th Street	8, 12	25	S. B. 6		2620	Dwelling	Westminster Trust Co.	12819
700.	518—13th St. Pt. 22 (Sk. 27965F)		18	S.B. 10		2620	Dwelling	Coulthard, Sutherland & Co. Ltd.	10203
NORTH COWICHAN—Corporation of the District of									
701.	Chemainus, B. C.	3-5	2	1	11	739	Vacant Land	J. H. Whittome & Co. Ltd., Duncan, B. C.	5368
702.	Chemainus, B. C.	8	2	1	11	739	Dwelling	J. H. Whittome & Co. Ltd., Duncan, B. C.	5368
703.	Chemainus, B. C.	26		18	5	303	Dwelling	J. H. Whittome & Co. Ltd., Duncan, B. C.	6668
704.	Chemainus, B. C.	21-23, 27-29		18	5	303	20 buildings	J. H. Whittome & Co. Ltd., Duncan, B. C.	1746
705.	Chemainus, B. C.	Ex. W60′ 39&40		18	5	303	2 dwellings	J. H. Whittome & Co. Ltd., Duncan, B. C.	673
706.	Chemainus, B. C.	W.60′ 39 & 40		18	5	303	1 store with living quarters, dwelling	J. H. Whittome & Co. Ltd., Duncan, B. C.	11886
707.	Chemainus, B. C.	47		18	5	303	3 dwellings	J. H. Whittome & Co. Ltd., Duncan, B. C.	5410

Catalogue No.	Civic Address	Lot	Block	D. L. or Sec.	Tp.	Map or Plan	Improvements	Agent	Custodian File No.
PORT ALBERNI—Corporation of the City of									
708.	112 Kingsway	18	103	1		197	Rooming hse., equip.	Turner Bros. Ltd.	1692
709.	2nd Avenue, South	8	66	1		197-B	Large Dwelling	Port Alberni Shipping Co. Ltd.	1700
710.	Port Alberni	1	50	1		197-B	Small Dwelling	Turner Bros. Ltd.	10871
711.	Port Alberni	5	92	1		197-B	Dwelling	Turner Bros. Ltd.	1490/1492
712.	Port Alberni	11, 12	66	1		197-B	Vacant Land	Turner Bros. Ltd.	1494
713.	Port Alberni	20, 21	92	1		197-B	Dwelling	Turner Bros. Ltd.	1634
714.	504—4th Ave. N.	12	45	1		197-B	Small Dwelling	Turner Bros. Ltd.	1708
715.	4th Avenue	13	45	1		197-B	Vacant land	Turner Bros. Ltd.	7032
716.	Port Alberni	A		1		3260	Dwelling	Turner Bros. Ltd.	3614
PORT MOODY—City of									
717.	St. Johns Street	3	10	201		72	Building (2 stores)	Coulthard, Sutherland & Co. Ltd.	10524
718.	Maude Road	7, 8	53	347		2720	Dwelling	" " New Westminster, B. C.	3443
719.	Cor. Grant & Henry Streets	7	23	201		72	Dwelling	" " New Westminster, B. C.	10525
720.	Clarke Street	39, 40W3′	3	202		55	Dwelling	" " New Westminster, B. C.	487
721.	Albert Street	7, 8	9	202		55	Dwelling, outbldgs.	" " New Westminster, B. C.	1524
PRINCE RUPERT—City of									
722.	252, 254 West 6th Avenue	33	9	5		923	2 Dwellings	H. G. Helgerson Ltd.	1336
723.	719 Third Street	7, 8	32	1		923	Stores with rooms, barber & store equip.	H. G. Helgerson Ltd.	1354
724.	Prince Rupert	35	17	1		923	Dwelling	H. G. Helgerson Ltd.	1354
725.	Prince Rupert	59	7	1		923	2 Dwellings	H. G. Helgerson Ltd.	12518/1356
726.	225 First Avenue	32	17	1		923	Large Dwelling	H. G. Helgerson Ltd.	1372
727.	291 Third Avenue	16	35	1		923	2 Dwellings	H. G. Helgerson Ltd.	1498
728.	311 First Avenue	9, 10	12	1		923	40-rm. Hotel	M. M. Stephens & Co.	1502
729.	714 Fraser Street	17	32	1		923	45-rm. rooming house and equipment	H. G. Helgerson Ltd.	1528
730.	Immanuel Street	60, 61, 62	38	8		923	Small dwelling	H. G. Helgerson Ltd.	1528
731.	Prince Rupert	23	19	7		923	Vacant land	H. G. Helgerson Ltd.	2300
732.	714 West Third Avenue	16	23	1		923	Stores with rooms, furniture, fixtures	G. P. Tinker Co. Ltd.	8894
733.	720-722 Fraser Street	18	32	1		923	2 Dwellings	H. G. Helgerson Ltd.	8894
734.	815 Third Avenue	12	31	1		923	Store, living qtrs.	H. G. Helgerson Ltd.	9085
735.	318 Fifth Street	11, 12	33	1		923	Store and dwelling	Collart & McCaffery Ltd.	1342
736.	1734 Sixth Avenue	9, 10	22	7		923	Dwelling	H. G. Helgerson Ltd.	10382

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PRINCE RUPERT ASSESSMENT DISTRICT—PRINCE RUPERT Land District									
737.	Nr. Prince Rupert	Asgd. 1	(D.D. 8762-I)		Blk. 1393 (44 ac. m/l) R.5, Coast Dist.	1167	Vacant land	H. G. Helgerson Ltd., Prince Rupert, B. C.	1454
738.	Port Essington	10W40′	1		Pt. Ess.	537	Dwelling, furniture	H. J. Brown, Port Essington, B. C.	1398
740.	Port Essington	12W33′	1		Pt. Ess.	537	Restaurant with rms. equipment and furn.	H. J. Brown	1398
741.	Port Essington	13W22′	1		Pt. Ess.	537	Wooden bldg., furn.	H. J. Brown	639/1348
742.	Port Essington	S½1 & 2	2		Pt. Ess.	537	Small Dwelling	H. J. Brown	1348
743.	Port Essington	Asgd. A of 3	2		Pt. Ess.	537	Store with liv'g qtrs. stock, fixtures, furn.	H. J. Brown	1348
744.	Port Essington	7, 8	2		Pt. Ess.	537	Store and Dwelling	H. J. Brown	1582
745.	Port Essington	6	3		Pt. Ess.	537	Store & dwel'ng, stock, fixtures, furn.	H. J. Brown	1382/1678
746.	Port Essington	7	21		Pt. Ess.	537	S. Dwel. boat shop, lbr. shed, furn. equip.	H. J. Brown	639
747.	Port Essington	304	(125 ac. m/l)		R.5, Coast District			H. J. Brown	598/2398
748.	Osland, Smith Island	6	28		Subd. 529, R.5, Coast D.,	1094	Dwelling, furniture	H. G. Helgerson Ltd., Prince Rupert, B. C.	1522
749.	Osland, Smith Island		29	4415	R.5, Coast D.,	1092	Dwelling, furniture	H. G. Helgerson Ltd.	1448
750.	Haysport	30, 31	14		Haysport Townsite	949	Dwelling	H. G. Helgerson Ltd.	1526
751.	Port Essington	1	6		Port Essington Townsite	537	Dwelling, furniture	H. J. Brown	1488
PRINCE RUPERT ASSESSMENT DISTRICT—QUEEN CHARLOTTE Land District									
754.	Sandspit (near Queen Charlotte City)	Asgd. A		159		1817	Log Cabin	Mrs. G. H. Jolliffe, Qn. Charlotte City	1536
RICHMOND—Municipality of (including STEVESTON Townsite)									
755.	East end of Dyke	2		1	B4N/4W	4193	Dwelling	Information regarding properties in Mun. Richmond and Steveston Townsite may be obtained from either the Steveston or Vancouver offices of the Custodian.	11929
756.	674 Railway Ave.	5		1	B3N/7W	940	Dwelling and barn		1396
757.	7th Avenue	1, 2	16	3	B3N/7W	249	Dwelling		5146
758.	35 Chatham Street	1	17	3	B3N/7W	249	Dwelling		6749
759.	Chatham nr. 6th Ave.	2	17	3	B3N/7W	249	Dwelling		4120
760.	31 Chatham Street	3	17	3	B3N/7W	249	Dwelling		4947
761.	29 Chatham Street	4	17	3	B3N/7W	249	Dwelling		10250
762.	27 Chatham Street	5, 6	17	3	B3N/7W	249	Dwelling		3827
763.	25 Chatham Street	7-9	17	3	B3N/7W	249	3 dwellings		1753/14034/709
764.	Broadway nr. 7th Ave.	10-12	17	3	B3N/7W	249	Vacant Land		693
765.	Broadway bet. 6th and 7th	13-15	17	3	B3N/7W	249	Vacant Land		3437
766.	Broadway bet. 6th and 7th	16-18	17	3	B3N/7W	249	Vacant Land		8965
767.	Chatham St. nr. 5th Ave.	1-3	18	3	B3N/7W	249	Dwelling		6654/6655
768.	Broadway bet. 5th and 6th	10,11	18	3	B3N/7W	249	Dwelling (unfinish'd)		5550
769.	Broadway bet. 5th and 6th	12-14	18	3	B3N/7W	249	Vacant Land		4985
770.	Broadway nr 5th	15-18	18	3	B3N/7W	249	Vacant Land		12916
771.	4th Ave. and Chatham St.	4-8 9-13	19	3	B3N/7W	249	Dwelling		3353

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RICHMOND—Municipality of (including STEVESTON Townsite)—(Continued)									
772.	Broadway bet. 4th and 5th	14-18	19	3 & 10	B3N/7W	249	Vacant Land	Information regarding properties in Mun. Richmond and Steveston Townsite may be obtained from either the Steveston or Vancouver offices of the Custodian.	5364
773.	47 Chatham Street	1-4	20	3	B3N/7W	249	Dwelling, 2 shacks		10619
774.	678—4th Avenue	10,S½11	20	3	B3N/7W	249	Small Dwelling		739
775.	4th and Broadway	12,N½11	20	3	B3N/7W	249	Vacant Land		6650
776.	Chatham nr. 2nd	4-6	21	3	B3N/7W	249	Barn		6652/5365
777.	Chatham near 3rd	7-9	21	3	B3N/7W	249	Dwelling		11491
778.	683—2nd Ave.	16-18	21	3	B3N/7W	249	Dwelling, 2 sheds		3350
779.	Chatham St. and Broadway St.	1, 2, 5-7							
		10-18	22	3	B3N/7W	249	Dwelling		13293
780.	89 Chatham Street	3, 4	22	3	B3N/7W	249	Small dwelling, gar.		3624
781.	Between Richmond and Broadway and 1st and 2nd Ave	1-18	25	3	B3N/7W	249	Shack		1636
782.	670—4th Ave.	1	A/27	3	B3N/7W	4760	Dwelling		4205
783.	672—4th Ave.	2	A/27	3	B3N/7W	4760	Dwelling		1747
784.	4th Ave.	3	A/27	3	B3N/7W	4760	Vacant Land		3385
785.	674—4th Ave.	4	A/27	3	B3N/7W	4760	Dwelling		677
786.	4th Ave.	5	A/27	3	B3N/7W	4760	Vacant Land		1668
787.	Broadway St.	3, 4	27	3	B3N/7W	249	Vacant Land		4989
788.	676—4th Ave.	5, 6	27	3	B3N/7W	249	Dwelling		6653
789.	21 Broadway St.	1, 2	30	3	B3N/7W	249	Dwelling		5572
790.	19 Broadway St.	3, 4	30	3	B3N/7W	249	Dwelling		5056
791.	17 Broadway St.	5-7	30	3	B3N/7W	249	Dwelling		4584
792.	15 Broadway St. and Richmond St.	8, 9							
		10, 11	30	3	B3N/7W	249	Dwel'ng, 2 sheds		4585
793.	Richmond & 6th Ave.	16-18	30	3	B3N/7W	249	Chicken house		12459
794.	47 Richmond St.	1-4	36	3	B3N/7W	249	Small dwelling		2489
795.	79 Richmond St.	1-5	38	3	B3N/7W	249	Dwelling		1727
796.	Garry Street	17	38	3	B3N/7W	249	Vacant land		13728
797.	Cor. Garry St. & 1st	18	38	3	B3N/7W	249	Small dwelling		5415/5872
798.	Georgia nr. 2nd Ave.	10, 11	41	3	B3N/7W	249	Vacant land		3915
799.	Georgia St. (1-5) 4th Ave. (6-12) Pleasant St. (13-16)	1-16	52	3	B3N/7W	249	Dwelling		701
800.	57 Georgia St.	4-6	53	3	B3N/7W	249	Dwelling		4596
801.	Pleasant between 1st & 2nd	1-9	57	3	B3N/7W	249	Large dwelling		9609/9608
802.	Regent St. & Hunt St.	1-18	70	3	B3N/7W	249	Dwelling		667
803.	Hunt St.	1-9	73	3	B3N/7W	249	Small dwelling		3433
804.	Hunt St. & 7th Ave.	7-9	78	3	B3N/7W	249	Vacant land		5052
805.	West of end of Chatham St.	Lot B. of a 3 ac. pt. of Sec. 4			B3N/7W	3756	Dwel'ng, shacks, mach. shop, boat bldg. shed & machinery		8965/4829
806.	Bayview St. (S.&E. W24. 965′)	12, 13	1	10	B3N/7W	249	Boat bldg. shed		5363/11973
807	No. 1 Road	3	2	10	B3N/7W	249	Community hall		9617
808.	707 No. 1 Road	N½6	2	10	B3N/7W	249	Store with liv'g qtrs.		4995

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RICHMOND—Municipality of (including STEVESTON Townsite)—(Continued)									
809.	705 No. 1 Road	S½7	2	10	B3N/7W	249	Store, liv. quarters & shack	Information regarding properties in Mun. Richmond and Steveston Townsite may be obtained from either the Steveston or Vancouver offices of the Custodian.	9999
810.	703 No. 1 Road	N½7	2	10	B3N/7W	249	Store with liv'g qtrs.		10797
811.	88, 90, 92, 98 Moncton St.	8	2	Pt. 10	B3N/7W	249	4 stores (2 with living quarters)		6658
812.	86 Moncton St.	9	2	10	B3N/7W	249	Large store with liv. qrtrs, gar. & shed		1380
813.	84 Moncton St.	E½10	2	10	B3N/7W	249	Store & living qrtrs.		1755
814.	82 Moncton St.	W½10	2	10	B3N/7W	249	Store & living qrtrs.		3334
815.	80 Moncton St.	E½11	2	10	B3N/7W	249	Store & living qrtrs.		9863/12416
816.	78 Moncton St.	W½11	2	10	B3N/7W	249	Store & living qrtrs.		4225
817.	1st Ave. near Moncton	13	2	10	B3N/7W	249	Small dwelling		3431
818.	1st Avenue	14	2	10	B3N/7W	249	Vacant land		5570
819.	99 Moncton St.	E½1	3	10	B3N/7W	249	Store & living qrtrs.		11927
820.	93—95 Moncton St.	2	3	pt. 10	B3N/7W	249	Double store		1552
821.	89 Moncton St.	3	3	10	B3N/7W	249	Store with liv. qrtrs.		5366/5355
822.	No. 1 Road	4	3	10	B3N/7W	249	Dwelling		6648
823.	1st Avenue	14, 15	3	10	B3N/7W	249	Vacant land		3324
824.	83 Moncton St.	16 Ex. E15′, 17	3	10	B3N/7W	249	Store		3871
825.	85 Moncton St.	E15′, 16	3	10	B3N/7W	249	Store with living quarters, 2 shacks		637
826.	77 Moncton St.	18	3	10	B3N/7W	249	Store with liv. qrtrs.		3624
827.	67 Moncton St.	E½2	4	10	B3N/7W	249	Store		4932
828.	1st Avenue	4A, 4B	4	10	B3N/7W	249	Vacant land		12966
829.	92 Chatham St.	5A, 5B, 6A, 6B, 7-9	4	10	B3N/7W	249	Dwelling		3435/3913
830.	86 Chatham St.	10	4	10	B3N/7W	249	Small dwelling & 2 sheds		663
831.	Chatham St.	11, 12	4	10	B3N/7W	249	Vacant land		1753
832.	2nd Ave. nr. Chatham St.	13	4	10	B3N/7W	249	Dwelling		3439
833.	2nd Avenue	14, 15B	4	10	B3N/7W	249	Vacant land		10595/4609
834.	47 Moncton St.	17, 18	4	10	B3N/7W	249	Service Station, 3 stores & sm. dwel'g		1761
835.	1st Avenue	3, 4	5	10	B3N/7W	249	Rooming house		12966
836.	76 Moncton St.	6, 7	5	10	B3N/7W	249	Store		14179/13086
837.	2nd Avenue	12	5	10	B3N/7W	249	Dwelling		5054
838.	710—2nd Avenue	15 Ex. S15′	5	10	B3N/7W	249	Small dwelling		6651
839.	38 Moncton St.	W½5	6	pt. 10	B3N/7W	249	Store & liv. qrtrs.		6649
840.	36 Moncton St.	E½6	6	10	B3N/7W	249	Store & liv. qrtrs.		4987
841.	34 Moncton St.	W½6	6	10	B3N/7W	249	Store & shack		13141
842.	2nd Avenue	S44′ A	7	10	B3N/7W	6015	Dwelling		705
843.	2nd Avenue	N88′ A	7	10	B3N/7W	6015	Wooden building		1764
844.	45 Moncton Street	1	7	pt. 10	B3N/7W	249	Store with liv. qrtrs.		12500
845.	39 Moncton St.	2	7	10	B3N/7W	249	Store with liv. qrtrs.		1764

AMENDED STATEMENT OF DEFENCE

Filed this 10th day of October, A.D. 1967.

The Deputy Attorney General of Canada on behalf of Her Majesty in answer to the Petition of Right says as follows:

1. With regard to the Petition of Right as a whole he says:

(a) at all material times prior to the making of Order in Council P.C. 2483 dated the 27th day of March, 1942, hereinafter referred to, the Suppliant was the owner of the lands described in paragraph 2 of the Petition of Right, which said lands are situated in an area that had been declared by the Minister of National Defence, pursuant to the provisions of the Defence of Canada Regulations, to be a protected area;

(b) the Suppliant is a person of the Japanese Race and as such was, on the said 26th day of February, 1942, ordered by the Minister of Justice, pursuant to the said Defence of Canada Regulations, to leave the said protected area, and the Suppliant was evacuated therefrom;

(c) by virtue of the said Order in Council P.C. 2483 dated the 27th day of March, 1942, made pursuant to the War Measures Act, the said lands became vested in and subject to the control and management of the Custodian as defined in the Regulations Respecting Trading with the Enemy (1939);

(d) on or about the 1st day of March, 1945, the said Custodian, pursuant to Order in Council P.C. 469 dated January 19, 1943, made pursuant to the War Measures Act, conveyed the said

Catalogue No.	Civic Address	Lot	Block	D. L. or Sec.	Tp.	Map or Plan	Improvements	Agent	Custodian File No.
RICHMOND—Municipality of (including STEVESTON Townsite)—(Continued)									
846.	2nd Avenue	4	7	10	B3N/7W	249	2 small dwellings	Information regarding properties in Mun. Richmond and Steveston Townsite may be obtained from either the Steveston or Vancouver offices of the Custodian.	10527
847.	693—2nd Ave.	5	7	pt. 10	B3N/7W	249	Dwelling & shed		683
848.	2nd Avenue	6	7	10	B3N/7W	249	Dwelling		11222
849.	72 Chatham Street	11	7	10	B3N/7W	249	Small dwelling		685
850.	3rd Avenue	14	7	10	B3N/7W	249	Vacant land		9575
851.	694—3rd Avenue	15	7	10	B3N/7W	249	Dwelling		687
852.	29 Moncton Street	16	7	10	B3N/7W	249	Store with liv. qrtrs.		9343
853.	Moncton Street	17	7	10	B3N/7W	249	Vacant land		15097
854.	Chatham St. & 3rd Ave.	8	8	10	B3N/7W	249	Dwelling		9086
855.	60 Chatham Street	9	8	10	B3N/7W	249	Dwelling		691/11497
856.	44 Chatham Street	7-9	12	pt. 10	B3N/7W	249	Dwel'ng, shed & gar.		9343
857.	Chatham Street	10, 11	14	10	B3N/7W	249	Vacant land		1446
858.	Cor. Dyke & 7th Ave.	12	14	10	B3N/7W	249	Vacant land		4223
859.	7th near Dyke	13A, 13B	14	10	B3N/7W	249	Vacant land		4221
860.	7th Ave. near Dyke	14B	14	10	B3N/7W	249	Dwelling		1751
861.	7th Ave. near Dyke	14A, 15B	14	10	B3N/7W	249	Dwelling & shed		2292
862.	7th Ave. near Dyke	15A	14	10	B3N/7W	249	Shack		5034
863.	7th Ave. near Chatham	2A, 2B	15	10	B3N/7W	249	Vacant land		9081
864.	7th Ave. near Dyke	3A, 3B	15	10	B3N/7W	249	Vacant land		5050
865.	7th Avenue	4A	15	10	B3N/7W	249	Dwelling		11988
866.	7th Ave. near Dyke	5A, 5B	15	10	B3N/7W	249	2 dwellings		1756
867.	7th Ave. near Dyke	6B	15	10	B3N/7W	249	Vacant land		3306
868.	Moncton St. nr. No. 1 Rd.	4/E	8	11	B3N/7W	4550	Vacant land		4227
869.	108 Moncton Street	5, 6	E	11	B3N/7W	4550	Dwelling		6666
870.	102—104 Moncton St.	1, 2	E	11	B3N/7W	4550	Store with liv. qrtrs.		4984
871.	209 No. 3 Road	12, 13, 14	75	21, 22	B5N/6W	1555	Dwelling		13761
872.	Shannon Road			(0.75 ac. m/l), Sec. 27	B5N/7W	Sk. 7773	Large frame building and dwelling		7602/7601/5409
873.	Shannon Road			(1.60 ac. m/l), Sec. 27	B5N/7W	Sk. 8510	Vacant land		5409/7601
874.	No. 1 Rd. N. of Steveston Highway	7-11, 49-58	A	34	B4N/7W	710	2 shacks		5956
875.	Half Mi. S. W. Lulu Is. Bridge	1 Ex. N.66′		28	B5N/6W	3404	3 small dwellings		1758/1786
SAANICH—Corporation of District of									
876.	Blenkinsop Rd.	7-9, 14		(18.75 ac. m/l) Sec. 32					
877.	Carey & Raymond Rd.	9, 10	B	50					
878.	3443 Whittier Ave., Saanich	6		7					
879.	Saanich, B. C.	15 & 16 Ex.N80′	3	35					

907	Small dwelling, shed	Hagar & Swayne Ltd., Victoria	2308
1257	Vacant land	Wise & Co. Ltd., Victoria	485/495
344	Dwelling	Hagar & Swayne Ltd., Victoria	1644
1372	Vacant Land	Wise & Co. Ltd., Victoria	15406

Catalogue No.	Civic Address	Lot	Block	D. L. or Sec.	Tp.	Map or Plan	Improvements	Agent	Custodian File No.
SURREY—Municipality of									
880.	Sandell Rd. R.R. No. 4, New Westminster	3	(16.41 ac. m/l)	SW¼ Sec. 32	2	3270	Dwelling, 4 sheds	Information regarding this property may be obtained from the Vancouver Office of the Custodian.	3893
TOFINO—Corporation of the Village of									
881.	Storm Bay, Tofino	A		115	Clayoquot Dist.	3590	Small dwel'ng, furn.	W. Armitage, Tofino, B. C.	1530
882.	Storm Bay, Tofino	B		115	Clayoquot Dist.	3590	Dwelling, furniture	W. Armitage, Tofino, B. C.	13229
883.	Storm Bay, Tofino	C		115	Clayoquot Dist.	3590	Dwel'ng, furn., fish'g equip.	W. Armitage, Tofino, B. C.	1600/1440/I.933
884.	Storm Bay, Tofino,	D		115	Clayoquot Dist.	3590	2 dwellings, furn.	W. Armitage, Tofino, B. C.	1428/1442/13948
885.	Storm Bay, Tofino	E		115	Clayoquot Dist.	3590	Small dwel'ng, furn.	W. Armitage, Tofino, B. C.	1574
886.	Main St., Tofino,	9	3	114	Clayoquot Dist.	717	Small dwel'ng, furn.	W. Armitage, Tofino, B. C.	1614
887.	Storm Bay, Tofino Pt. 1 (P.473-R)		(0.25 ac. m/l)	D.L. 115, Clayoquot Dist.		948	Dwelling, furniture	W. Armitage, Tofino, B. C.	1440
VANCOUVER ASSESSMENT DISTRICT—New Westminster Land District									
888.	Howe Sound Beach	6	6	692	1	3633	Vacant Land	Chas. P. Smith, Gibson's Landing, B. C.	3441
CITY OF VICTORIA—Corporation of									
889.	929 Caledonia Ave.	7-A		S. L. 7		Comp. P. 2551	2 Dwellings	Elsie B. Richards	483
890.	938 Caledonia Ave.	9		S. L. 7		23	Dwell., greenhouse	Swinerton & Co. Ltd.	469
891.	937 Caledonia Ave.	9		S. L. 7		Comp. P. 2551	Dwelling	The City Brokerage	481
892.	973 Caledonia Ave.	10		S. L. 12			Dwelling	Wise & Co. Ltd.	1476
893.	1808 Blanchard St.	N55′	720	Victoria City			Dwelling	Mara, Bate & Co. Ltd.	1710
894.	733 Discovery St.	E½	747	Victoria City			Dwelling	Ker & Stephenson Ltd.	1580
895.	721 Discovery St.	W32′	748	Victoria City			Dwelling	R. S. Stuart Yates	1564
896.	618 Francis Avenue	16		4	Victoria Dist.	358	Large dwell., barn	Wise & Co. Ltd.	479
897.	2547 Government St.	21		4	Victoria Dist.	162	Dwelling	E. E. Heath	497
898.	540 Dunedin St.	13	2	5	Victoria Dist.	282	Dwelling	Wise & Co. Ltd.	477
899.	3084 Albina St.	5	B	12	Victoria Dist.	860	Dwelling	Henley, Hepburn & Co. Ltd.	1688
900.	27 Simcoe St.	19		29 (Beckley Farm)		71	Small dwelling	B. C. Land & Investment Agency Ltd.	499
901.	1322 Denman Street	62		75	Victoria Dist.	433	Dwelling	Wise & Co. Ltd.	5361
902.	42 Gorge Rd. 12 Ex. pt.(P. 132 BL)		3	10	Victoria Dist.	1262	L. brk. dwel. gr'nhse.	Pemberton & Son Ltd.	475
VICTORIA ASSESSMENT DISTRICT—NORTH SAANICH Land District									
903.	1062—4th St., Sidney, B. C.	14	2	11		R4E	381	Dwelling	Don Sparling, Sidney, B. C.	13748
904.	Sidney, B. C.	1-3	D	13, 14		R4E	1197-A	Dwelling	Don Sparling, Sidney, B. C.	1704

E + 45

I HEREBY CERTIFY the attached sheets (each impressed with The Land Registry Office, Victoria Land Registration District Seal) to be a true copy by Xerox process of a Letter

on deposit in the Land Registry Office at Victoria, British Columbia, under No. 150953-I

DATED this 27 day of September 1967

H. Kennedy

Registrar of the Victoria
Land Registration District

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 3271.

Catalogue No. 552.

D.D. 150953 I

TO THE REGISTRAR

LAND REGISTRY OFFICE VICTORIA

WHEREAS under or by virtue of Order-in-Council No. P.C. 1665 of 1942 and amendments thereto including P.C. 2483 of 1942 and P.C. 469 of 1943 and of the applicable provisions of the Revised Regulations Respecting Trading With The Enemy (1943) the property of TORAZO IWASAKI has become vested in and made subject to the control of the Secretary of State of Canada acting in his capacity as Custodian.

AND WHEREAS under or by virtue of the said Orders-in-Council and Regulations a certificate, dated the 31st day of March, 1943, stating that the interest of the said TORAZO IWASAKI in Lots Three (3) and Four (4), North Salt Spring Island, COWICHAN DISTRICT, including Parcel "A" (D.D.58307-I) thereof, EXCEPT that part of said Lot Four (4) lying South of said Parcel "A" and South of the South boundary of said Lot Three (3) and its production East to intersection with said Parcel "A", is vested in the Custodian, was registered in the Land Registry Office at Victoria, in the Province of British Columbia, on the 11th day of May, A.D. 1943, under No.50930.

NOW THEREFORE, the Secretary of State of Canada acting in his capacity as Custodian under or by virtue of the Orders-in-Council aforesaid and the Revised Regulations Respecting Trading With The Enemy (1943) by his duly authorized and lawful Deputy, hereby requests that the title of the said land or interest therein be transferred into the name of "The Secretary of State of Canada acting in his capacity as Custodian under the Revised Regulations Respecting Trading With The Enemy (1943)"

DATED at OTTAWA, Ontario, this 1st day of March A.D. 1945.

A.F. Mathieu

Assistant Deputy Custodian

E+46

I HEREBY CERTIFY the attached four (4) sheets (each impressed with The Land Registry Office, Victoria Land Registration District Seal) to be a true copy by Xerox process of a Deed

on deposit in the Land Registry Office at Victoria, British Columbia, under No. 150954-I

DATED this 27 day of September 19 67

H H Kennedy

Registrar of the Victoria
Land Registration District.

3271/552.

150954

This Indenture

Made the 1st day of March in the year of our Lord one thousand nine hundred and forty-five.

In Pursuance of the "Short form of Deeds Act"

Between

THE HONOURABLE THE SECRETARY OF STATE OF CANADA
Acting in his capacity as Custodian under the Revised Regulations Respecting Trading with the Enemy (1943)

(hereinafter called the "Grantor")

AND

SALT SPRING LANDS, LIMITED, a company duly incorporated under the laws of the Province of British Columbia.
of Ganges, in the Province of British Columbia.

(hereinafter called the "Grantee")

WITNESSETH, that, in consideration of Five Thousand Two Hundred and Fifty ------ ($5,250.00) ----------

Dollars of the lawful money of Canada now paid by the said Grantee to the said Grantor (the receipt whereof is hereby by him acknowledged) he, the said Grantor, **DOTH GRANT** unto the said Grantee, his heirs and assigns FOREVER:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Province of British Columbia, and known and described as Lots Three (3) and Four (4), North Salt Spring Island, COWICHAN DISTRICT, including Parcel "A" (D.D.58307-I) thereof, EXCEPT that part of said Lot Four (4) lying South of said Parcel "A" and South of the South boundary of said Lot Three (3) and its production East to intersection with said Parcel "A".

NO. 150954
REGISTERED THE 9 DAY OF April 45
IN IND BOOK, VOL 590 FOLIO — ON
APPLICATION DATED THE 6 DAY OF 4
1945 AT THE HOUR OF 10.15 AM

W J Crane
REGISTRAR

TOGETHER with all buildings, fixtures, commons, ways, profits, privileges, rights, easements and appurtenances to the said hereditaments belonging, or with the same or any part thereof, held or enjoyed, or appurtenant thereto; and the estate, right, title, interest, property, claim and demand of him, the said Grantor, in, to, or upon the said premises.

TO HAVE AND TO HOLD unto the said Grantee, his heirs and assigns, to and for his and their sole and only use forever; **Subject nevertheless** to the reservations, limitations, provisos and conditions expressed in the original grant thereof from the Crown, and subject to all taxes, rates and local improvement assessments whether already or hereafter assessed.and subject to 97585-G. Reservations of coal, petroleum and natural gas, in favour of Helen S. Pottinger.
97535-G. Timber agreement as to Parcel "A" of Lots 3 and 4, dated 11.12.40 up to 31.12.45, in favour of Glen Lake Logging Company Limited from Torazo Iwasaki.

AND the said Grantor releases to the said Grantee all his claims upon the said lands **PROVIDED** there shall be no personal liability upon the Grantor on any covenant express or implied.

WHEREVER the singular or masculine is used throughout this Indenture, the same shall be construed as meaning the plural or the feminine or body corporate or politic where the context or the parties hereto so require.

IN WITNESS WHEREOF the said Grantor acting in his capacity as Custodian under the Revised Regulations Respecting Trading With the Enemy (1943) has executed these presents by his Assistant Deputy on the day and year as above written.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

Signature of Witness } F. Carroll

Street Address Dept. Secretary of State

City or Town Ottawa

Occupation of Witness Secretary

A. H. Mathieu
Assistant Deputy Custodian.

FOR MAKER

I HEREBY CERTIFY that on the day of , A.D. 194 , at the City of Ottawa, in the Province of Ontario, Ephraim Herbert Coleman, deputy of the Secretary of State of Canada acting in his capacity as Custodian under the Revised Regulations Respecting Trading With the Enemy (1943) who is personally known to me, appeared before me and acknowledged to me that he is the person mentioned in the annexed instrument as the Deputy of the Secretary of State of Canada acting in his capacity as Custodian under the Revised Regulations Respecting Trading With the Enemy (1943), the Maker thereof, and whose name is subscribed thereto as a party and that he knows the contents thereof, and that he executed the same voluntarily and is of the full age of twenty-one years.

IN TESTIMONY WHEREOF I have hereunto set my Hand and Seal of Office at Ottawa, in the Province of Ontario, this day of , in the year of our Lord One Thousand Nine Hundred and Forty-

A Notary Public in and for the Province of Ontario.

FOR WITNESS

PROVINCE OF ONTARIO }
TO WIT: }

I, Florence Carroll of Ottawa of the city, in the Province of Ontario, make oath and say:

1. I was personally present and did see the within instrument duly signed and executed by A. H. Mathieu ~~the part thereto,~~ for the purposes named therein.
2. The said instrument was executed at Ottawa
3. I know the said party, and that he is of the full age of twenty-one years.
4. I am the subscribing witness to the said instrument and am of the full age of sixteen years.

Sworn before me at Ottawa
in the Province of Ontario, this 1st
day of March 1945

G. G. Bulett
A Notary Public in and for the Province of Ontario.
A Commissioner for taking affidavits within Ontario.

F. Carroll

B-2027 Iwasaki, Torazo v. The Queen 1967-1970 5/7

R14188 Vol. 2621

lands to Salt Spring Lands Limited;

(e) at no time material to the Petition of Right herein was the said Custodian an agent or servant of Her Majesty;

(f) the Petition of Right herein discloses no facts upon which it may be adjudged or declared that as against Her Majesty the Suppliant has any right whatever.

2. In the alternative he says that:

(a) on or about the 28th day of October, 1950, the Suppliant for good and valuable consideration executed a Release in writing thereby releasing His Majesty the King in right of Canada and the said Custodian from all actions, claims and demands whatsoever in respect of, inter alia, the said lands;

(b) by virtue of the facts hereinbefore set forth, the Suppliant is barred by his laches and acquiescence from maintaining any claim that the said sale and conveyance of the said land be declared invalid or that her Majesty account to him further or at all in respect thereof;

(c) the Suppliant's claim is barred by the Statute of Limitations, Revised Statutes of British Columbia, 1960, chapter 370, section 16, and his right and title, if any, to the said land were extinguished by virtue of section 41 of the said Act.

3. Except as herein expressly admitted, he denies the allegations of fact contained in paragraphs 1 to 6 both inclusive of the Petition of Right.

4. He admits the allegations of fact contained in paragraph 7 of the Petition of Right.

On behalf of Her Majesty, the Deputy Attorney General of Canada prays that it be adjudged that the Suppliant is not entitled to the relief sought in his Petition of Right and that Her Majesty is entitled to costs.

DATED at Ottawa this 10th day of October, A.D. 1967.

D.S. MAXWELL
Deputy Attorney General of Canada.

AMENDED REPLY AND JOINDER OF ISSUE

1. The Suppliant joins issue with the Respondent on Sub-paragraphs (b), (c), (e) and (f) of Paragraph 1 of the Amended Statement of Defence filed herein and in particular, with regard to Sub-paragraph (b), says that he was not a person of the Japanese race as alleged.

2. The Suppliant joins issue with the Respondent on Sub-paragraphs (a), (b) and (c) of Paragraph 2 of the Amended Statement of Defence filed herein and in particular, with regard to Sub-paragraph (a), says that the Release referred to therein was presented to the Suppliant as being a document that he was obliged to execute pursuant to the findings of the Japanese Property Claims Commission and the Suppliant says that the said Commission acted without jurisdiction and contrary to the provisions set out in the War Measures Act, Revised Statutes of Canada, 1952 and Amendments thereto, and further says that if he executed a Release, all of which is specifically denied, the Release was executed while the Suppliant was under duress and whilst he was led to believe that if the Release was not executed he would lose the property herein and would not get the return of the property herein nor any compensation whatsoever.

4. And without limiting the generality of the foregoing, the Suppliant in further answer to the Statement of Defence herein says that Orders in Council No. PC2483 referred to in Paragraph 1, sub-paragraphs (a) and (c) and No. PC 469 referred to therein are void ab initio for uncertainty because the said Orders in Council fail to define the term "Japanese Race" contained therein and further fail to stipulate the class or classes of individuals referred to thereby. And the term "Japanese Race" is a misnomer and is meaningless in law without further definition, and such definition is absent in the Orders in Council aforesaid.

DATED at the City of Vancouver, in the Province of British Columbia, this 18th day of September, A.D. 1968.

'J.R. MacLeod'
Solicitor for the Suppliant.

TO: The Respondent

AND TO: D.S. Maxwell,
Deputy Attorney General
of Canada,
Solicitor for the Respondent.

THIS AMENDED REPLY AND JOINDER OF ISSUE is filed by Mr. J. Raymond MacLeod, of the firm of Messrs. MacLeod & Small, Solicitor for the Suppliant, whose place of business and address for service is 201 - 535 Thurlow Street, Vancouver 5, B.C.

Ex 1

I HEREBY CERTIFY the attached four (4) sheets (each impressed with The Land Registry Office, Victoria Land Registration District Seal) to be a true copy by Xerox process of a Deed

on deposit in the Land Registry Office at Victoria, British Columbia, under No. 122796-I

DATED this 27 day of September 19 67

H Kennedy

Registrar of the Victoria
Land Registration District

Form No. 22 Deed of Land (Conveyance) Victoria Printing & Pub. Co., 521 Yates St., Victoria, B.C.

This Indenture, made the

Tenth day of December

in the year of Our Lord one thousand nine hundred and forty in pursuance of the "Short Form of Deeds Act,"

Between

HELEN S. POTTINGER, of the Municipality of Saanich, in the Province of British Columbia, widow,

(hereinafter called "the said Grantor") of the one part

And

TORAZO IWASAKI, of Salt Spring Island, in the said Province,

(hereinafter called "the said Grantee") of the other part

Witnesseth, that in consideration of the sum of One ----------

---------- Dollars ($ 1.00)

of lawful money of Canada now paid by the said Grantee to the said Grantor (the receipt whereof is hereby by him acknowledged), the said Grantor **Doth Grant** unto the said Grantee, his heirs and assigns FOREVER :

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Assessment District of Salt Spring Island, and Province of British Columbia, more particularly known and described as Lots Three (3) and Four (4), North Salt Spring Island, Cowichan District, including Parcel "A" thereof (D.D.58307-I) EXCEPT that part of said Lot Four (4) lying South of said Parcel "A" and South of the South boundary of said Lot Three (3) and its production East to intersection with said Parcel "A".

NO. 122796 I
REGISTERED THE 17th DAY OF Dec 1940
Indef BOOK VOL. — FOLIO
APPLICATION RECEIVED THE 13th DAY OF Dec
1940 AT THE HOUR OF 10.50 am.
H. J. Crane
per [illegible]

Together with all buildings, fixtures, commons, ways, profits, privileges, rights, easements, and appurtenances to the said hereditaments belonging, or with the same or any part thereof, held or enjoyed, or appurtenant thereto; and all the estate, right, title, interest, property, claim and demand of him the said Grantor in, to, or upon the said premises.

To Have and to Hold unto the said Grantee, his heirs and assigns, to and for his and their sole and only use forever:

Subject Nevertheless to the reservations, limitations, provisios, and conditions expressed in the original grant thereof from the Crown. AND FURTHER PROVIDED that it shall be lawful for the Grantor to enter upon the said lands and to raise and get thereout any coal, petroleum and natural gas which may be thereupon or thereunder situate, paying a reasonable compensation for any damage caused by so entering, raising or getting., the ownership of all such coal, petroleum and natural gas being reserved to the Grantor.

The said Grantor Covenants with the said Grantee that he has the right to convey the said lands to the said Grantee notwithstanding any act of the said Grantor and the said Grantee shall have quiet possession of the said lands, free from all incumbrances.

And the said Grantor Covenants with the said Grantee that he will execute such further assurances of the said lands as may be requisite.

And the said Grantor Covenants with the said Grantee that he has done no acts to encumber the said lands.

And the said Grantor **Releases** to the said Grantee **All His Claims** upon the said lands.

And it is further agreed that the words in this indenture which import the singular number shall be read and construed as applied to each and every Grantor or Grantee, male or female, and to his or her heirs, executors, administrators and assigns, and in the case of a corporation, to such corporation and its successors, and assigns, and that in case of more than one Grantor the said covenants, provisoes conditions and agreements shall be construed and held to be several as well as joint.

In Witness Whereof the said parties hereto have hereunto set their hands and seals.

Signed, Sealed and Delivered
in the presence of

Mr R Moore
Solicitor
Victoria B.C.

Helen S. Pottinger

Affidavit for Witness

To Wit:

I, ..., of the.....

of....., in the Province of British Columbia, make oath and say:—

1. I was personally present and did see the within instrument duly signed and executed by

.....

the part thereto, for the purpose named therein.

2. The said instrument was executed at .....

3. I know the said part , and that.....of the full age of twenty-one years.

4. I am the subscribing witness to the said instrument and am of the full age of sixteen years.

Sworn before me at.....
in the Province of British Columbia, this.....
day of.....19.....

.....
A Notary Public in and for the Province of British Columbia
A Commissioner for taking affidavits within British Columbia

For Maker of a Deed

I HEREBY CERTIFY that, on the 10th day of December, 1940,

at Victoria, in the Province

of British Columbia

HELEN S. POTTINGER [~~whose identity has been~~

~~proved by the evidence on oath of~~

who is] personally known to me, appeared before me and acknowledged to me that she is

the person mentioned in the annexed instrument as the maker thereof, and whose name

is subscribed thereto as party, that she knows the contents thereof, and that

she executed the same voluntarily, and is of the full age of twenty-one years.

IN TESTIMONY whereof I have hereto set my hand ~~and Seal of Office~~ at

Victoria, B.C., this 10th day of

December, in the year of Our Lord one thousand nine hundred

and forty.

H. W. R. Moore

~~A Notary Public in and for the Province of British Columbia~~
A Commissioner for taking affidavits within British Columbia

Note.—Where the person making the acknowledgment is personally known to the officer taking the same, strike out the words in brackets.

No. B 2027

IN THE EXCHEQUER COURT OF CANADA

BETWEEN:

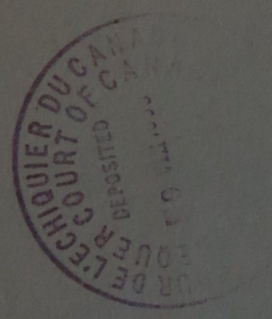
TORAZO IWASAKI

SUPPLIANT

AND:

HER MAJESTY THE QUEEN

RESPONDENT



CERTIFIED RECORD



For Attorney

I Hereby Certify that, on the day of 19 ,
at in the Province of British Columbia
has been proved by the evidence on oath of (whose identity
personally known to me, appeared before me and acknowledged to me that he is the person who subscribed , who is)
the name of
to the annexed instrument as the maker thereof, that the said
is the same person mentioned in the said instrument as the maker thereof, and is still alive to the best of his belief,
and that he, the said , knows the contents of said
instrument, and subscribed the name of the said thereto voluntarily
as the free act and deed of the said under authority of a power of
attorney which has not been revoked.

IN TESTIMONY WHEREOF I have hereunto set my Hand and Seal of Office,
at in the Province of
British Columbia, this day of
in the year of our Lord one thousand nine hundred and

.....
A Notary Public in and for the Province of British Columbia.
A Commissioner for taking affidavits within British Columbia.

122796

Dated DECEMBER, 19..40

FROM

HELEN S. POTTINGER

TO

TORAZO IWASAKI

DEED OF LAND
(CONVEYANCE)

DESCRIPTION

H.A.BECKWITH,
Barrister, etc.,
206 Union Bldg.,
Victoria, B. C.

Victoria Printing & Publishing Co., Victoria, B.C.

Acknowledgment of Officer of Corporation

I HEREBY CERTIFY that, on the day of 194 ,
at in the Province of British Columbia
(whose identity has been proved by the evidence on
oath of , who is) personally known to me,
appeared before me and acknowledged to me that he is the of
who subscribed his name to the annexed Instrument as , and that he is the person
of the said
to the said Instrument; that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal to and affixed the seal of the
the said Instrument, and that such corporation is legally entitled to carry on business in the Province of British
Columbia.

IN TESTIMONY WHEREOF I have hereunto set my Hand and Seal of Office,
at in the Province of
British Columbia, this day of
in the year of our Lord one thousand nine hundred and forty-

.....
A Notary Public in and for the Province of British Columbia.
A Commissioner for taking affidavits within British Columbia.

NOTE.—Where the person making the acknowledgment is personally known to the officer taking the same, strike out the words in brackets.

Rank	Name	Unit
Bty. S.M. (W.O. Cl. II)	C. Rouse	30th Fld. Bty., R.C.A.
C.S.M. (W.O. Cl. II)	J. H. Bate	Q.O.R. of C.
C.S.M. (W.O. Cl. II)	F. J. H. Chapman	Nth N.S. Highrs. (M.G.)
C.S.M. (W.O. Cl. II)	R. M. Agnew	Essex Scot.
A/R.Q.M.S.	R. J. Walton	Elgin R.
Bty. Q.M.S.	J. E. McCausland	30th Fld. Bty., R.C.A.
Sgt.	W. P. Jackson	30th Fld. Bty., R.C.A.
Sgt.	J. A. McDonagh	30th Fld. Bty., R.C.A.
Sgt.	G. W. Bull	Q.O.R. of C.

H.Q. 51-52-4
M.N.D.

By Command:
B. W. BROWNE,
Major-General,
Adjutant-General.

PROCLAMATIONS

ATHLONE
[L.S.]

CANADA

GEORGE THE SIXTH, by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas KING, Defender of the Faith, Emperor of India;

To All To Whom these Presents shall come or whom the same may in anywise concern,

Greeting:

A PROCLAMATION

J. E. MICHAUD, Acting Attorney General, Canada } WHEREAS by and with the advice of Our Privy Council for Canada We have signified our Approval of the issue of a Proclamation in the *Canada Gazette* declaring that a State of War with Roumania, Hungary and Finland exists and has existed in Canada as and from the 7th day of December, 1941.

Now, Therefore, We do hereby declare and proclaim that a State of War with Roumania, Hungary and Finland exists and has existed in Canada as and from the 7th day of December, 1941.

Of All Which Our Loving Subjects and all others whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

In Testimony Whereof We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed. Witness: Our Dear Uncle, Our Right Trusty and Right Well-beloved Cousin and Counsellor, Alexander Augustus Frederick George, Earl of Athlone, Knight of Our Most Noble Order of the Garter, a Member of Our Most Honourable Privy Council, Knight Grand Cross of Our Most Honourable Order of the Bath, Grand Master of Our Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of Our Royal Victorian Order, Companion of Our Distinguished Service Order, Colonel in Our Army (retired), having the Honorary rank of Major-General, one of Our Personal Aides-de-Camp, Governor General and Commander-in-Chief of Our Dominion of Canada.

At Our Government House, in Our City of Ottawa, this seventh day of December, in the year of Our Lord one thousand nine hundred and forty-one and in the fifth year of Our Reign.

By Command,
W. L. MACKENZIE KING,
Prime Minister of Canada.

ATHLONE
[L.S.]

CANADA

GEORGE THE SIXTH, by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas KING, Defender of the Faith, Emperor of India.

To All To Whom these Presents shall come or whom the same may in anywise concern,

Greeting:

A PROCLAMATION

J. E. MICHAUD, Acting Attorney General, Canada. } WHEREAS by and with the advice of Our Privy Council for Canada We have signified our Approval of the issue of a Proclamation in the *Canada Gazette* declaring that a State of War with Japan exists and has existed in Canada as and from the 7th day of December, 1941.

Now, Therefore, We do hereby declare and proclaim that a State of War with Japan exists and has existed in Canada as and from the 7th day of December, 1941.

Of All Which Our Loving Subjects and all others whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

In Testimony Whereof We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed. Witness: Our Dear Uncle, Our Right Trusty and Right Well-beloved Cousin and Counsellor, Alexander Augustus Frederick George, Earl of Athlone, Knight of Our Most Noble Order of the Garter, a Member of Our Most Honourable Privy Council, Knight Grand Cross of Our Most Honourable Order of the Bath, Grand Master of Our Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of Our Royal Victorian Order, Companion of Our Distinguished Service Order, Colonel in Our Army (retired), having the honorary rank of Major-General, one of Our Personal Aides-de-Camp, Governor General and Commander-in-Chief of Our Dominion of Canada.

At Our Government House, in Our City of Ottawa, this eighth day of December, in the year of Our Lord one thousand nine hundred and forty-one and in the fifth year of Our Reign.

By Command,
W. L. MACKENZIE KING,
Prime Minister of Canada.

ORDERS IN COUNCIL

[8495]
AT THE GOVERNMENT HOUSE AT OTTAWA
Saturday, the 1st day of November, 1941.

Present:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL

WHEREAS by Order in Council of the 17th November, 1913, P.C. 2862, provision was made whereby the timber on the Dominion Government Coal Reserve, comprising 5,000 acres near Hosmer, in the Province of British Columbia, could be disposed of under authority of the Dominion Timber Regulations which governed other parts of the said Province;

And Whereas the Minister of Mines and Resources reports that two fire-killed timber berths, the one on the west side of the Block known as Timber Berth No. 5110, comprising 336 acres, and the other

Order in Council authorizing re-registration of persons of Japanese race

Canada Gazette (Extra), 17th December, 1941

P.C. 9760

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 16th day of December, 1941.

PRESENT:

HIS EXCELLENCY
THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Justice reports,—That a Special Committee on Orientals in British Columbia, which was appointed on October 1, 1940, to investigate the position of persons of Japanese and Chinese racial origin, who are resident in British Columbia, and to report upon the problem of Japanese and Chinese in that province from the point of view of national security, with particular reference to the question of military training, made a report on December 2, 1940, recommending *inter alia* that, both for purposes of civil security and in order to deprive persons hostile to the Japanese, of a constant and effective ground for complaint, there should be a re-registration of the Japanese population in British Columbia;

That the Cabinet War Committee considered and approved such recommendation and by Order in Council P.C. 117, dated January 7, 1941, a standing committee was appointed to assist the Government by overseeing the execution of such recommendations of the Special Committee as the Government might from time to time refer to it for action;

That the Commissioner of the Royal Canadian Mounted Police was asked to supervise such re-registration;

That such re-registration has been substantially completed by the Royal Canadian Mounted Police with the voluntary co-operation of most persons of the Japanese race in British Columbia who have completed the form contained in Schedule A hereto and have received a certificate of registration in the form contained in Schedule B hereto;

That, on instructions from the Cabinet War Committee, such re-registration has been extended to all persons of the Japanese race in Canada;

That, in view of the existence of a state of war between Canada and Japan, it is considered advisable that such re-registration, as extended to all persons of the Japanese race in Canada, be made compulsory.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows,—

1. (1) Every person of the Japanese race who resides in Canada, who has attained his sixteenth birthday on or before a day to be fixed by the Commissioner of the Royal Canadian Mounted Police, and who has not heretofore registered with the Royal Canadian Mounted Police by completing the form contained in Schedule A to this order shall so register on or before the day fixed pursuant to this section and the Royal Canadian Mounted Police shall issue to each person so registering a Certificate of Registration in the form contained in Schedule B to this order.

(2) The Commissioner of the Royal Canadian Mounted Police shall publish in the *Canada Gazette* a notice of the day which he fixes pursuant to subsection (1) of this section at least two weeks prior to such day.

(3) Every person of the Japanese race who—

(*a*) attains his sixteenth birthday after the day fixed pursuant to subsection (1) of this section or

(*b*) owing to absence from Canada on or prior to the said date has not so registered

shall within thirty days from his sixteenth birthday or from his entry or re-entry into Canada, as the case may be, register in the manner prescribed in subsection (1) of this section.

(4) Every person who fails to register as required by subsection (1) or subsection (3) of this section on or before the day fixed under subsection (1) of this section shall nevertheless so register after such day but such subsequent registration shall not relieve such person from any penalty incurred by reason of such failure to register as aforesaid.

2. (1) Any person who fails to register as hereinbefore required shall be guilty of an offence and shall be liable on summary conviction or on indictment to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment and to a further penalty not exceeding ten dollars for each day after the day fixed under section 1 of this order during which he continues to be unregistered.

(2) The burden of proving registration under this order shall lie upon the person who alleges it and any person to whom a registration certificate has not been issued shall be deemed to have failed to register.

3. (1) Every person to whom such a registration certificate has been issued either before or after the passing of this order shall at all times carry it upon his person and shall produce it for inspection upon reasonable demand to any peace officer, police officer or constable or to any other person designated for the purpose by the Attorney General of any province, and in particular, without limiting the generality of this section, any such peace officer, police officer or constable or other person may, at any time after the day fixed under section 1 of this order, require any person of the Japanese race who has attained his sixteenth birthday, present or attending at any public assembly, place of public resort or entertainment, ticket or telegraph office, or post office, or being in or upon any car, train or steamboat, to produce such registration certificate upon that occasion; and if any such person so required fails without reasonable excuse, to produce such registration certificate, he shall be guilty of an offence and liable to a fine not exceeding twenty dollars, and may be detained and taken immediately before a justice of the peace to be dealt with according to law.

(2) Any peace officer, police officer or constable or any other person designated for the purpose by the Attorney General of any province may accost any person of the Japanese race who has attained his sixteenth birthday at any time after the day fixed under section 1 of this order and question him as to whether or not he has registered pursuant to the provisions of this order; and any person so accosted shall answer truthfully all relevant questions put to him concerning such registration, and if he answers untruthfully or evasively, or if the officer questioning such person shall have reasonable ground to believe that his answers are untruthful or evasive, such officer may detain such person and take him before a justice of the peace to be dealt with according to law.

4. If any person upon his registration under this order refuses to answer any question on his registration form, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding one hundred dollars.

5. If any person upon his registration under this order wilfully gives a false or misleading answer to any question on his registration form, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

6. If any person having registered with the Royal Canadian Mounted Police in the form contained in Schedule A to this order, so registers again either under the same name or a different name, he shall be guilty of an offence and liable upon summary conviction to a fine not exceeding two hundred dollars and not less than fifty dollars, or to imprisonment for a term not less than three months, or to both such fine and such imprisonment.

7. Every person who falsely represents himself to be a person who has received a registration certificate in the form contained in Schedule B to this order from the Royal Canadian Mounted Police, shall be guilty of an offence and liable upon summary conviction to a fine not exceeding two hundred dollars, and not less than fifty dollars, or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

8. Every person who without lawful reason or excuse, the proof of which shall lie upon him, has in his possession

(*a*) a registration certificate in the form contained in Schedule B to this order or a document purporting to be such a registration certificate, which registration certificate was not lawfully received by him from the Royal Canadian Mounted Police; or

(*b*) a blank form of such a registration certificate or printed paper purporting to be such blank form

shall be guilty of an offence and liable upon summary conviction to imprisonment for any term not exceeding three years and not less than six months.

9. Every person who without lawful authority or excuse, the proof of which shall lie upon him, prints or makes a registration certificate in the form contained in Schedule B to this order or any printed paper purporting to be a blank form of such a registration certificate, shall be guilty of an offence and liable upon summary conviction or upon indictment to imprisonment for any term not exceeding three years and not less than six months.

10. Every person who—

(*a*) sells or offers to sell any registration certificate in the form contained in Schedule B to this order, any document purporting to be such a registration certificate, any blank form of such registration certificate, or any printed paper purporting to be a blank form of such a registration certificate, or

(*b*) without lawful reason or excuse, the proof of which shall lie upon him, parts with the possession of any such registration certificate, any document purporting to be such a registration certificate, any blank form of such registration certificate, or any printed paper purporting to be a blank form of such a registration certificate,

shall be guilty of an offence and liable upon summary conviction to imprisonment for any term not exceeding three years and not less than six months.

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11. Every person who counsels or advises any other person to refuse or omit to comply with any of the provisions of this order shall be guilty of an offence and liable upon summary conviction to a fine not exceeding two hundred dollars, or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

12. Every person registered with the Royal Canadian Mounted Police on the form contained in Schedule A to this order shall answer truthfully in writing, any question which may be submitted to him in print or in writing by or under the direction of the Commissioner of the Royal Canadian Mounted Police touching the answers upon his registration form, or requiring any information concerning any of the matters therein mentioned or referred to, and shall return his answers to any such question to the Commissioner of the Royal Canadian Mounted Police, or to any other officer as may be required, either personally or by registered post, within ten days after the day when he shall have received the questionnaire; and every such person who refuses, fails or neglects without lawful excuse, to return his answers to such questions within the time aforesaid shall be guilty of an offence, and liable upon summary conviction to a fine not exceeding fifty dollars.

13. Any person registered with the Royal Canadian Mounted Police on the form contained in Schedule A to this order who, after such registration, has married or marries or has changed or changes his or her place of residence shall, within fourteen days of the date of this order or of such marriage or change of address, notify the Commissioner of the Royal Canadian Mounted Police at Ottawa of the date of his or her marriage, and of the name and place of residence of the person whom he married, or of the place of residence and post office address to which he has removed, as the case may be, and any such person who fails, without lawful excuse, to comply with the provisions of this section, shall be guilty of an offence and liable upon summary conviction to a fine not exceeding fifty dollars.

14. In this order the expression "person of the Japanese race" shall include a person not wholly of the Japanese race if his father or mother is of the Japanese race and if the Commissioner of the Royal Canadian Mounted Police, by notice in writing, requires him to register.

15. No prosecution under this order shall be commenced without the leave of the Attorney General of Canada or of the province in which the offence is alleged to have been committed.

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

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Order in Council constituting a committee on the disposal of Japanese fishing vessels

Canada Gazette 31st January, 1942

P.C. 288

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 13th January, 1942.

The Committee of the Privy Council have had before them a report, dated 13th January, 1942, from the Minister of Fisheries, representing that the defence and security of Canada has made necessary the immobilization of fishing vessels owned by people of Japanese origin and operated in British Columbia waters;

That some 1,100 boats and their equipment, having a value of between $2,000,000 and $3,000,000, are involved, of which about 950 are impounded near New Westminster and the remainder at Prince Rupert and other ports;

That the owners of these vessels, though being of Japanese origin, are Canadian citizens whose productive power, by virtue of this ownership, contributed significantly to the fishing industry;

That a conference has been held between the Standing Committee on Orientals in British Columbia and the interested government departments, at which it was considered that the war needs of Great Britain and the Allies make it imperative that the production of the British Columbian fishing industry be maintained and increased and that, therefore, a way should be found of putting these vessels back into production in hands other than those of Japan-

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ese origin, and otherwise consistent with the needs of national defence and security, as well as with due regard to the equity of the Japanese Canadian owners;

That it is, therefore, deemed desirable to implement the release of these Japanese Canadian fishing vessels in accordance with the above considerations; and

That such a purpose could best be accomplished by the establishment of a committee to consist of three persons, with a jurist to act as chairman, another to be appointed from the Department of National Defence (Naval Services), and the third to be chosen to represent the Japanese Canadian owners.

The Minister, therefore, with the concurrence of the Minister of National Defence for Naval Services, recommends that, under the authority of the War Measures Act,—

The Honourable Sidney A. Smith,
Puisne Judge of the Supreme Court of British Columbia,
Vancouver, B.C.

Commander B. L. Johnson, R.C.N.R.,
Vancouver, B.C., and

Kishizo Kimura,
Vancouver, B.C.

be hereby constituted a committee on the disposal of Japanese fishing vessels, the duties of the said committee to be:

(1) To make such arrangements as will make it possible for the present owners of detained vessels to freely negotiate for charters, leases, or sales of such vessels as they own to persons other than those of Japanese origin, provided that the committee approve of such charters, leases, or sales, which approval shall be a prerequisite for the use of such vessel under fishing licence.

(2) Where necessary, to arbitrate disagreements on price between owners and intending purchasers with a view to preventing advantage being taken of duress.

(3) To report on claims which may be made on the government for damage to, or deterioration of, the vessels and equipment while under detention.

(4) To report on claims which may be made on the government for the returning of the detained vessels from their present storage place to places where they were picked up.

(5) By consultation with the Department of Fisheries, to determine which of the detained vessels shall first come under the arrangements to be put back into production.

(6) To report on steps that should be taken to dispose of vessels which the present owners are unable to sell, charter, lease or otherwise transfer.

That the committee be authorized to employ stenographic and other assistance and to incur such other expenses as they find necessary to facilitate the fulfilment of their function as outlined above, with actual travelling and living expenses as may be approved by the Minister of Fisheries;

That the committee, which shall act without remuneration, be paid travelling and living expenses while away from their place of residence on the work of the committee where these are not already provided for; and

That the cost of the committee be charged against the War Appropriation.

The Committee concur in the foregoing recommendation and submit the same for approval.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

No. 168 EXTRA Vol. LXXV

THE CANADA GAZETTE
LA GAZETTE DU CANADA

OTTAWA, TUESDAY, JANUARY 27, 1942

ORDER IN COUNCIL

[365]

AT THE GOVERNMENT HOUSE AT OTTAWA
Friday, the 16th day of January, 1942.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL

WHEREAS the Minister of Justice reports that by reason of the development of the war it may become necessary to take special measures within certain areas of Canada;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, and they are hereby amended by rescinding Regulation 4 thereof and substituting therefor the following Regulation:

"4. (1) The Minister of National Defence with the concurrence of the Minister of Justice may, if it appears necessary or expedient so to do in the public interest and for the efficient prosecution of the War make, in respect of any area in Canada, an order declaring that, after such time as may be specified in such order such area shall be a protected area (hereinafter in this regulation referred to as a "protected area") and subject to the provisions of this regulation.

(2) The Minister of Justice may, with respect to a protected area, make orders in relation to any of the following matters:—

(*a*) To require all or any enemy aliens to leave such protected area;

(*b*) To prohibit all or any enemy aliens from entering, leaving or returning to such protected area except as permitted pursuant to such order;

(*c*) To impose upon all or any enemy aliens, ordinarily resident or actually present in such protected area, such restrictions as may be

OTTAWA, MARDI 27 JANVIER 1942

ARRÊTÉ EN CONSEIL

[365]

HÔTEL DU GOUVERNEMENT À OTTAWA
Le vendredi 16 janvier 1942.

PRÉSENT:

SON EXCELLENCE LE GOUVERNEUR GÉNÉRAL EN CONSEIL

ATTENDU que le ministre de la Justice a exposé que l'expansion de la guerre peut nécessiter des mesures spéciales dans certaines zones du Canada:

A CES CAUSES, il plaît à Son Excellence le Gouverneur général en conseil, sur la recommandation du ministre de la Justice, et en vertu de la *Loi des mesures de guerre*, chapitre 206 des Statuts revisés du Canada, 1927, de modifier par les présentes les Règlements concernant la défense du Canada (codification) 1941, en remplaçant l'article 4 desdits Règlements par le suivant:

"4. (1) Avec l'assentiment du ministre de la Justice, le ministre de la Défense nationale peut, si la chose paraît nécessaire ou opportune dans l'intérêt public et en vue de la poursuite effective de la guerre, rendre, à l'égard de toute zone du Canada, un décret déclarant qu'après la date spécifiée dans ledit décret, cette zone doit être une zone protégée (ci-après dénommée au présent article "zone protégée") et assujettie aux prescriptions du présent article.

(2) Le ministre de la Justice peut, à l'égard d'une zone protégée, rendre des décrets sur les matières suivantes:

(*a*) Enjoindre à tous les sujets de pays ennemis, ou à certains d'entre eux, de quitter cette zone protégée;

(*b*) Interdire à tous les sujets de pays ennemis, ou à certains d'entre eux, d'entrer dans cette zone, de la quitter ou d'y retourner, sauf dans la mesure autorisée par le décret;

(*c*) Imposer à tous les sujets de pays ennemis, ou à certains d'entre eux, qui résident ordinairement ou se trouvent réellement dans cette

specified in the order in respect of their employment or business, their movements or places of residence, their associations or communications with other persons, their activities or person acting on behalf of His Majesty aforesaid.

(4) This Regulation shall be administered by the Commissioner of the Royal Canadian Mounted Police.

(5) This Regulation and any order made hereunder shall have full force and effect according to its terms notwithstanding anything contained in any other of these Regulations."

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

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OTTAWA—Printed by EDMOND CLOUTIER, Printer to the King's Most Excellent Majesty.

zone protégée, les restrictions spécifiées au décret, en ce qui concerne leur emploi ou état, leur déplacement ou leur lieu de résidence, leurs relations ou communications avec d'autres personnes, leur activité concernant la dissémination de nouvelles ou la propagation d'opinions, ou en ce qui concerne, à d'autres égards, la conduite de ces sujets de pays ennemis;

(d) Interdire ou restreindre la possession ou l'usage par tous les sujets de pays ennemis, ou certains d'entre eux, qui résident ordinairement ou se trouvent réellement dans cette zone protégée, des objets spécifiés, et exiger que ces sujets de pays ennemis, ou l'un quelconque d'entre eux, remettent à la Royale gendarmerie à cheval du Canada les objets ainsi spécifiés;

(e) Autoriser l'internement, dans l'endroit ou suivant les conditions qu'il peut prescrire, de tous les sujets de pays ennemis, ou de certains d'entre eux, qui résident ordinairement ou se trouvent réellement dans cette zone protégée;

(f) Autoriser l'internement de personnes, autres que des sujets de pays ennemis, qui résident ordinairement ou se trouvent réellement dans cette zone protégée, afin de les empêcher de nuire, de quelque manière que ce soit, à la sécurité publique ou à la sécurité de l'État;

(g) Autoriser l'élargissement, aux conditions qu'il peut spécifier, de toute personne dont il a ordonné l'internement, ou la restitution à cette personne de tout objet par elle remis en conformité du présent article.

(3) Toute personne qui est dans une zone protégée et qui donne, à un agent de la paix ou à quelque autre personne agissant au nom de Sa Majesté, raisonnablement lieu de croire que cette personne enfreint un décret rendu en exécution du présent article, peut, sans préjudice des poursuites auxquelles elle s'expose, être déplacée de la zone protégée ou y être interdite par un agent de la paix ou quelque autre personne agissant au nom de Sa Majesté, comme il est dit ci-dessus.

(4) Le commissaire de la Royale gendarmerie à cheval du Canada est chargé d'appliquer le présent article.

(5) Le présent article et tout décret rendu sous son empire sont pleinement exécutoires suivant leurs termes formels, nonobstant toute autre prescription des présents Règlements."

A.-D.-P. HÉENEY,
Greffier du Conseil privé.

OTTAWA—EDMOND CLOUTIER, Imprimeur de Sa Très Excellente Majesté le Roi.

No. B 2027

IN THE EXCHEQUER COURT OF CANADA

BETWEEN:

TORAZO IWASAKI

SUPPLIANT

AND:

HER MAJESTY THE QUEEN

RESPONDENT

COUNSEL

J. Raymond MacLeod, Esq.	:	Counsel for the Suppliant, Torazo Iwasaki
C.R.O. Munro, Assistant Deputy Attorney General	:	Counsel for the Respondent, Her Majesty The Queen

SOLICITORS

J. Raymond MacLeod, Esq.	:	Solicitor for the Suppliant, Torazo Iwasaki
D.S. Maxwell, Deputy Attorney General	:	Solicitor for the Respondent, Her Majesty The Queen

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CERTIFIED RECORD

Certified a true copy this 9th day of Dec, A.D. 1968.

DEPUTY REGISTRAR

Judge's Fiat

Amended Reply & Joinder of Issue added to Record Sept. 18/68

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No. 174 EXTRA Vol. LXXV

THE CANADA GAZETTE
LA GAZETTE DU CANADA

OTTAWA, MONDAY, FEBRUARY 2, 1942

GOVERNMENT NOTICE

DEPARTMENT OF NATIONAL DEFENCE

To All Whom these Presents shall come or whom the same may in anywise concern,

Greetings:

WHEREAS Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, as amended by Order in Council dated 16th January, 1942 (P.C. 365), provides that the Minister of National Defence with the concurrence of the Minister of Justice may, if it appears necessary or expedient so to do in the public interest and for the efficient prosecution of the War, make, in respect of any area in Canada, an order declaring that, after such time as may be specified in such order, such area shall be a protected area and subject to the provisions of the said Regulation 4.

And Whereas it has been represented to the undersigned, the Minister of National Defence, that in respect of that area hereinafter defined of the Province of British Columbia it is necessary and expedient in the public interest and for the efficient prosecution of the War to make an order declaring the said area a protected area and subject to the provisions of the said Regulation 4.

Now Know You that in pursuance of the power granted as aforesaid and with the concurrence of the Minister of Justice the undersigned, the Minister of National Defence, doth hereby, pursuant to the provisions of the said Regulation 4, as amended, of the Defence of Canada Regulations (Consolidation) 1941, order that after the thirty-first day of January, 1942 that area of the Province of British Columbia, including all islands, west of a line described as hereunder is hereby declared to be a protected area for the purposes of and subject to the

OTTAWA, LUNDI 2 FÉVRIER 1942

AVIS DU GOUVERNEMENT

MINISTÈRE DE LA DÉFENSE NATIONALE

A tous ceux qui les présentes verront ou qu'icelles pourront de quelque manière concerner,—

Salut:

ATTENDU que l'arrêté 4 des règlements concernant la défense du Canada (Codification) 1941, modifié par l'Arrêté en conseil C.P. 365, du 16 janvier 1942, prescrit que le ministre de la Défense nationale peut, si la chose paraît nécessaire ou opportune dans l'intérêt public et en vue de la poursuite effective de la guerre, rendre, à l'égard de toute zone du Canada, un décret déclarant qu'après la date spécifiée dans ledit décret, cette zone doit être une zone protégée et assujettie aux prescriptions dudit article 4.

Et attendu qu'il a été signalé au soussigné, le ministre de la Défense nationale, que, à l'égard de la zone ci-après définie de la province de Colombie-Britannique, il est nécessaire et opportun dans l'intérêt public et en vue de la poursuite effective de la guerre de rendre un décret déclarant ladite zone comme étant zone protégée et assujettie aux prescriptions dudit article 4.

Sachez donc que conformément à l'autorité qui lui a été dévolue ainsi que susdit et avec l'assentiment du ministre de la Justice, le soussigné, ministre de la Défense nationale, en conformité des prescriptions dudit article 4, tel que modifié, des règlements concernant la défense du Canada (Codification) 1941, ordonne par les présentes qu'après le trente et unième jour de janvier 1942, cette zone de la province de Colombie-Britannique, y compris toutes les îles, qui est située à l'ouest de la ligne décrite ci-dessous, soit et qu'elle est par les présen-

provisions of the said Regulation 4, as amended, of the Defence of Canada Regulations (Consolidation) 1941.

Commencing at Boundary Point No. 7 on the International Boundary between the Dominion of Canada and Alaska, thence following the line of the "Cascade Mountains," as defined by paragraph 2 of section 24 of the Interpretation Act of British Columbia; being chapter 1 of the Revised Statutes of 1936, to the northwest corner of Lot 1410, Range 5, Coast Land District, thence due east to a point due north of the northwest corner of Lot 373, Range 5, Coast Land District, thence due south to said northwest corner of Lot 373 being a point on the aforementioned line of the "Cascade Mountains," (being the area surrounding the Village Municipality of Terrace); thence following said line of the "Cascade Mountains" to the western boundary of Township 5, Range 26, west of the sixth Meridian, thence following the northerly, easterly and southerly boundaries of said Township 5, to the southwest corner thereof, being a point on the line of the "Cascade Mountains," (being the area surrounding the Village Municipality of Hope); thence following the "Cascade Mountains" to the southerly Boundary of the Province.

And I Do Hereby Direct that this order be published in the *Canada Gazette* and in two issues within fourteen days of the date hereof of each of two daily newspapers published in the City of Victoria and of each of two daily newspapers published in the City of Vancouver, both places being situate in the said Province of British Columbia.

Dated at the Department of National Defence at the City of Ottawa, this twenty-ninth day of January, in the year of Our Lord one thousand nine hundred and forty-two.

J. L. RALSTON,
Minister of National Defence.

I concur in the making of the foregoing order.

LOUIS S. ST. LAURENT,
Minister of Justice.

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Ottawa: Printed by Edmond Cloutier, Printer to the King's Most Excellent Majesty.

tes déclarée comme étant une zone protégée aux fins et sous réserve des prescriptions dudit article 4, tel que modifié, des règlements concernant la défense du Canada (Codification) 1941.

A partir du point de frontière n° 7, sur la frontière internationale entre le Dominion du Canada et l'Alaska, puis en suivant la ligne des "Montagnes Cascades", tel que défini par le paragraphe 2 de l'Article 24 de la *Loi d'interprétation de Colombie-Britannique*, soit le chapitre 1er des Statuts revisés de 1936, jusqu'à l'angle nord-ouest du lot 1410, rang 5, Coast Land District, et de là franc est jusqu'à un point franc nord de l'angle nord-ouest du lot 373, rang 5, Coast Land District, et de là franc sud audit angle nord-ouest du lot 373, soit un point sur la ligne susmentionnée des "Montagnes Cascades", (qui est le territoire entourant la municipalité du village de Terrace); et de là en suivant ladite ligne des "Montagnes Cascades", jusqu'à la limite ouest du township 5, rang 26, à l'ouest du sixième méridien, et de là en suivant les limites nord, est et sud dudit township 5, jusqu'à l'angle sud-ouest des susdites, soit un point sur la ligne des "Montagnes Cascades" (qui est le territoire entourant la municipalité du village de Hope), et de là en suivant les "Montagnes Cascades", jusqu'à la limite sud de la province.

Et j'ordonne par les présentes que ce décret soit publié dans la *Gazette du Canada*, et, d'ici à quatorze jours de la date de la présente, dans deux éditions de deux journaux quotidiens, publiés dans la cité de Victoria, et de deux journaux quotidiens, publiés dans la cité de Vancouver, ces deux endroits étant situés dans ladite province de Colombie-Britannique.

Daté au ministère de la Défense nationale, en la cité d'Ottawa, le vingt-neuvième jour de janvier en l'an de grâce mil neuf cent quarante-deux.

Le ministre de la Défense nationale,
J.-L. RALSTON.

Je donne mon adhésion au présent décret.

Le ministre de la Justice,
LOUIS S. ST-LAURENT.

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Ottawa—Edmond Cloutier, Imprimeur de Sa Très Excellente Majesté le Roi.

No. 212 EXTRA Vol. LXXV

THE CANADA GAZETTE
LA GAZETTE DU CANADA

OTTAWA, FRIDAY, FEBRUARY 27, 1942

OTTAWA, VENDREDI 27 FÉVRIER 1942

ORDERS IN COUNCIL

[1486]

AT THE GOVERNMENT HOUSE AT OTTAWA

Tuesday, the 24th day of February, 1942.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL

WHEREAS the Minister of Justice reports that by reason of the development of the war it may become necessary to take special measures within certain areas of Canada;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under the authority of The War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, and they are hereby amended by rescinding paragraph 2 of Regulation 4 thereof and substituting therefor the following paragraph:

(2) The Minister of Justice may, with respect to a protected area, make orders in relation to any of the following matters:—

(*a*) To require any or all persons to leave such protected area;

(*b*) To prohibit any or all persons from entering, leaving or returning to such protected area except as permitted pursuant to such order;

(*c*) To impose upon any or all persons ordinarily resident or actually present in such protected area, such restrictions as may be specified in the order in respect of their employment or business, their movements or places of residence, their associations or communications with other persons, their activities in relation to the dissemination of news or the propagation of opinions or otherwise with respect to the conduct of any such persons;

(*d*) To prohibit or restrict the possession or use by any or all persons, ordinarily resident or

ARRÊTÉS EN CONSEIL

[1486]

HÔTEL DU GOUVERNEMENT À OTTAWA

Le mardi 24 février 1942.

PRÉSENT:

SON EXCELLENCE LE GOUVERNEUR GÉNÉRAL EN CONSEIL

ATTENDU que le ministre de la Justice signale que, par suite du développement de la guerre, il peut devenir nécessaire de prendre des mesures spéciales dans certaines zones du Canada.

A CES CAUSES, sur la recommandation du ministre de la Justice et en vertu de la *Loi des mesures de guerre*, chapitre 206 des Statuts revisés du Canada, 1927, il plaît à Son Excellence le Gouverneur général en conseil de modifier, par les présentes, les Règlements concernant la défense du Canada (Codification) 1941, en abrogeant le paragraphe 2 de l'article 4 desdits Règlements et en y substituant le suivant:

(2) Le ministre de la Justice peut, relativement à une zone protégée, rendre des décrets sur les points suivants:

(*a*) Obliger qui que ce soit à quitter cette zone protégée;

(*b*) Défendre à qui que ce soit d'entrer dans la zone protégée, d'en sortir ou d'y retourner, sauf moyennant autorisation donnée conformément à ces décrets;

(*c*) Imposer à toutes personnes résidant habituellement, ou réellement présentes dans cette zone protégée, les restrictions que ces décrets peuvent spécifier en ce qui concerne l'emploi ou les affaires de ces personnes, leurs déplacements ou leurs lieux de résidence, leurs associations ou communications avec d'autres personnes, leurs activités relatives à la dissémination de nouvelles ou à la propagation d'opinions, ou relatives à toute autre chose concernant la conduite de ces personnes;

(*d*) Interdire ou restreindre la possession ou l'usage, par toutes personnes résidant habituelle-

actually present in such protected area, of any specified articles and to require the delivery up by any such persons aforesaid of any such specified articles to the Royal Canadian Mounted Police;

(*e*) To authorize the detention, in such place and under such conditions as he may from time to time direct, of any or all persons ordinarily resident or actually present in such protected area;

(*f*) To authorize the release, upon such conditions as he may specify, of any person ordered to be detained or any article delivered up pursuant to this Regulation.

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

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[1542]

AT THE GOVERNMENT HOUSE AT OTTAWA

Thursday, the 26th day of February, 1942.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL

WHEREAS by Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, as amended by Order in Council P.C. 365 of January 16, 1942, and by Order in Council P.C. 1486 of February 24, 1942, provision is made for the establishment of "protected areas" and the Minister of Justice is authorized to make orders in relation to, amongst other matters, the prohibition or restriction of the possession or use by any or all persons ordinarily resident or actually present in such protected area of any specified articles and is authorized to require the delivery up by any such persons of any such specified articles to the Royal Canadian Mounted Police;

AND WHEREAS the Minister of Justice reports that the Commissioner of the Royal Canadian Mounted Police has advised him that for administrative purposes it might be desirable that the Minister of Justice be authorized to require that such specified articles be delivered up to persons other than members of the Royal Canadian Mounted Police.

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, as amended by Order in Council P.C. 365 of January 16, 1942, and by Order in Council P.C. 1486 of February 24, 1942, and it is hereby amended by striking out sub-paragraph (*d*) of paragraph (2) thereof and substituting therefor the following sub-paragraphs:

"(*d*) to prohibit or restrict the possession or use by any or all persons ordinarily resident or actually present in such protected area of any specified articles and require the delivery up by any such person aforesaid of any such specified articles to any Justice of the Peace, residing in or near the locality where such specified article is had in possession or to an officer or constable of the Police Force of the Province or city in or near such locality or to an officer or constable of the Royal Canadian Mounted Police;

(*dd*) to require any such Justice of the Peace or officer or constable receiving any specified article required to be delivered by any person under sub-paragraph (*d*) of this paragraph to give to the person delivering the same a receipt

ment, ou réellement présentes dans cette zone protégée, de tout objet spécifié, et exiger la remise à la Royale gendarmerie à cheval du Canada, par ces personnes, comme il est dit ci-dessus, de tout objet ainsi spécifié;

(*e*) Autoriser la détention, au lieu et dans les conditions qu'il peut déterminer, de toute personne résidant habituellement, ou réellement présente, dans cette zone protégée;

(*f*) Autoriser la libération, aux conditions qu'il peut spécifier, des personnes dont la détention a été ordonnée, ou la restitution de tout objet remis, conformément au présent article.

A.-D.-P. HEENEY,
Greffier du Conseil privé.

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[1542]

HÔTEL DU GOUVERNMENT À OTTAWA

Le jeudi 26 février 1942.

PRÉSENT:

SON EXCELLENCE LE GOUVERNEUR GÉNÉRAL EN CONSEIL

ATTENDU que l'article 4 des Règlements concernant la défense du Canada (Codification) 1941, modifié par les arrêtés en conseil C.P. 365 du 16 janvier 1942 et C.P. 1486 du 24 février 1942, prescrit l'établissement de "zones protégées" et autorise le ministre de la Justice à rendre des décrets pour, entre autres choses, interdire ou restreindre la possession ou l'usage par toutes personnes résidant ordinairement, ou réellement présentes dans ladite zone protégée, de tout objet spécifié, et à exiger la remise à la Royale gendarmerie à cheval du Canada, par ces personnes, de tout objet ainsi spécifié;

ET ATTENDU que le ministre de la Justice rapporte que le Commissaire de la Royale gendarmerie à cheval du Canada lui a fait part qu'il serait désirable, pour des fins administratives, que le ministre de la Justice fût autorisé à exiger que ces objets spécifiés soient remis à des personnes autres que les membres de la Royale gendarmerie à cheval du Canada;

A CES CAUSES, il plaît à Son Excellence le Gouverneur général en conseil, sur la recommandation du ministre de la Justice, et sous l'autorité de la *Loi des mesures de guerre*, chapitre 206 des Statuts revisés du Canada, 1927, de modifier l'article 4 des Règlements concernant la défense du Canada (Codification) 1941, déjà modifié par les arrêtés en conseil C.P. 365 du 16 janvier 1942 et C.P. 1486 du 24 février 1942, lequel est par les présentes modifié par la radiation de l'alinéa (*d*) du paragraphe (2) et son remplacement par les suivants:

"(*d*) Interdire ou restreindre la possession ou l'usage, par toute personne résidant ordinairement, ou réellement présente dans cette zone protégée, de tout objet spécifié, et en exiger la remise par ladite personne à un juge de paix résidant dans ou près la localité où ledit objet spécifié est possédé, ou à un officier ou constable de la police de la province ou de la cité dans ou près ladite localité, ou à un officier ou un gendarme de la Royale gendarmerie à cheval du Canada;

(*dd*) Obliger ce juge de paix, ou officier ou gendarme qui reçoit un objet spécifié qu'une personne a été requise de remettre sous l'autorité de l'alinéa (*d*) du présent paragraphe, à délivrer à la personne qui remet l'objet un

therefor and to report the fact to the Commissioner of the Royal Canadian Mounted Police;

(*ddd*) to order under whose direction any articles delivered under sub-paragraph (*d*) of this paragraph shall be retained or otherwise disposed of;

(*dddd*) to authorize any peace officer or any officer or constable of the Royal Canadian Mounted Police to search without warrant the premises or any place occupied or believed to be occupied by any person reasonably suspected of having in his possession or upon his premises any articles specified under sub-paragraph (*d*) of this paragraph and to seize any such specified articles found on such premises."

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

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récépissé à cet effet et d'en signaler le fait au Commissaire de la Royale gendarmerie à cheval du Canada;

(*ddd*) Prescrire sur les instructions de qui tout objet remis en vertu de l'alinéa (*d*) du présent paragraphe doit être gardé ou autrement employé;

(*dddd*) Autoriser tout agent de la paix ou tout officier ou gendarme de la Royale gendarmerie à cheval du Canada à perquisitionner sans mandat dans tout local ou endroit occupé ou qu'on croit occupé par une personne soupçonnée légitimement d'avoir en sa possession ou dans ses locaux tout objet spécifié au sens de l'alinéa (*d*) du présent paragraphe et à saisir les objets spécifiés trouvés dans ces locaux.

A.-D.-P. HEENEY,
Greffier du Conseil privé.

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GOVERNMENT NOTICE

Feb. 26/42.

DEPARTMENT OF JUSTICE

WHEREAS pursuant to the provisions of Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, as amended by Order in Council P.C. 365 of January 16, 1942, the Minister of National Defence with the concurrence of the Minister of Justice declared by order published in an Extra of the *Canada Gazette* on February 2, 1942, that an area of the Province of British Columbia, west of a line described in the said order be a protected area for the purposes and subject to the provisions of Regulation 4 aforesaid;

AND WHEREAS by an order dated February 5, 1942, of the Acting Minister of Justice certain measures were taken with regard to enemy aliens in the said protected area;

AND WHEREAS by Order in Council P.C. 1486 of February 24, 1942, Regulation 4 aforesaid was further amended to render it applicable to all persons in the said protected area whether enemy aliens or otherwise;

AND WHEREAS by an order dated February 25, 1942, of the undersigned, the Minister of Justice, certain measures were taken with regard to all persons of the Japanese race in the said protected area, whether enemy aliens or otherwise;

AND WHEREAS by Order in Council P.C. 1542 dated February 26, 1942, Regulation 4 aforesaid was further amended to empower the undersigned, the Minister of Justice, to provide in greater detail for certain matters.

NOW KNOW YE that the undersigned, the Minister of Justice, doth hereby rescind the order made by the undersigned, the Minister of Justice, on February 25, 1942, and pursuant to the provisions of the said Regulation 4 as above amended, doth hereby order that:

1. Every person of the Japanese race, while within the protected area aforesaid, shall hereafter be at his usual place of residence each day before sunset and shall remain therein until sunrise on the following day, and no such person shall go out of his usual place of residence aforesaid upon the streets or otherwise during the hours between sunset and sunrise;

2. No person of the Japanese race shall have in his possession or use in such protected area any motor vehicle, camera, radio transmitter, radio receiving set, firearm, ammunition or explosive;

3. It shall be the duty of every person of the Japanese race having in his possession or upon his premises any article mentioned in the next preceding paragraph, forthwith to cause such article to be delivered up to any Justice of the Peace residing in or near the locality where any such article is had in possession, or to an officer or constable of the Police Force of the Province or city in or near such locality or to an officer or constable of the Royal Canadian Mounted Police;

4. Any Justice of the Peace or officer or constable receiving any article mentioned in paragraph 2 of this order shall give to the person delivering the same a receipt therefor and shall report the fact to the Commissioner of the Royal Canadian Mounted Police, and shall retain or otherwise dispose of any such article as directed by the said Commissioner;

5. Any peace officer or any officer or constable of the Royal Canadian Mounted Police having power to act as such peace officer or officer or constable in the said protected area, is authorized to search without warrant the premises or any place occupied or believed to be occupied by any person of the Japanese race reasonably suspected of having in his possession or upon his premises any article mentioned in paragraph 2 of this order, and to seize any such article found on such premises;

6. Every person of the Japanese race shall leave the protected area aforesaid forthwith;

7. No person of the Japanese race shall enter such protected area except under permit issued by the Royal Canadian Mounted Police;

8. In this order, "person of the Japanese race" means, as well as any person wholly of the Japanese race, a person not wholly of the Japanese race if his father or mother is of the Japanese race and if the Commissioner of the Royal Canadian Mounted Police by notice in writing has required or requires him to register pursuant to Order in Council P.C. 9760 of December 16, 1941.

Dated at Ottawa this 26th day of February, 1942.

LOUIS S. ST. LAURENT,
Minister of Justice.

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OTTAWA: Printed by EDMOND CLOUTIER, Printer to the King's Most Excellent Majesty, 1942.

COPY/GA

Ex 10

Labour

P. C. 1665

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 4th day of MARCH, 1942,

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS in view of the serious situation prevailing in the Province of British Columbia arising out of the war with Japan it is deemed necessary for the security and defence of Canada to take further steps for the evacuation of persons of the Japanese race from the protected areas in that Province;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Right Honourable W.L. Mackenzie King, the Prime Minister, and under and by virtue of the powers conferred by the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to make the following regulations and they are hereby made and established accordingly:

Interpretation

1. (1) In these Regulations unless the context otherwise requires -

(a) "Commission" means the British Columbia Security Commission established under the provisions of this Order.

(b) "Minister" means the Minister of Labour.

(c) Other words and phrases shall have the same meaning as in the Defence of Canada Regulations.

.....

British Columbia Security Commission

2. (1) There shall be a Commission, to be known as the British Columbia Security Commission, which shall consist of three members, a Chairman and two Commissioners, who shall hold office during pleasures.

(2) The members of the Commission shall be appointed by the Governor in Council, on the recommendation of the Minister, and shall be paid such remuneration and allowances as may be fixed by the Governor in Council;

(3) Except as otherwise herein provided any act of the Commission shall require the concurrence of all members of the Commission.

(4) Where for any reason any member of the Commission is unable to act, the Minister may appoint temporarily a substitute member, upon such terms and conditions as he may determine.

(5) The headquarters of the Commission shall be at a place selected by it in the Province of British Columbia, and meeting of the Commission may be held at the headquarters, or at such other place in British Columbia or elsewhere, as the Chairman may decide,

(6) The members of the Commission shall take and subscribe an oath before any Superior Court judge in the Province of British Columbia, which shall be filed in the office of theClerk of the Privy Council, and which shall be in the following form:

"I .....solemnly and sincerely swear that I will faithfully and honestly fulfil the duties which devolve upon me as a member of the British Columbia Security Commission."

.....

3. The Commission may, with the approval of the Minister, make by-laws not inconsistent with the provisions hereof, for the direction, conduct and government of its business.

4. Every document purporting to be or to contain a by-law, order or other instrument of the Commission, and purporting to be signed by the Chairman, shall be evidence of such by-law, order or other instrument.

5. (1) The Commission may, with the approval of the minister, employ such professional technical and other officers, clerks and employees as it may deem necessary for the proper conduct of its affairs, and may, with the approval of the Governor in Council, fix their remuneration.

(2) The Commission may utilize the services of any officer, servant or employee of any department of the Government of Canada loaned by the Minister thereof.

6. (1) The Commission may enter into contracts, and hold property, real or personal, and shall be deemed to have the powers necessary to perform the duties assigned to the Commission, including all powers incidental to the performance of the said duties.

(2) The Commission may sue, and, with the consent of the Attorney General of Canada, be sued in its own name, in respect of its own acts, but such proceedings shall only be taken in the Exchequer Court of Canada.

(3) The Commission shall in all matters, including those relating to the responsibility of the members of the Commission for the acts of any servant or agent of the Commission, be deemed to be an agent of the Crown.

.....

7. (1) No transaction shall be entered into by the Commission involving an expenditure in excess of fifteen thousand dollars, except with the approval of the Governor in Council.

(2) No real property shall be purchased by the Commission except with the approval of the Governor in Council.

8. The Commission may enter into any arrangement with any department of the Government of Canada or of the Government of the Province of British Columbia for the use of or occupation of any Dominion or Provincial Crown Lands.

Advisory Committee

9. (1) There shall be appointed by the Governor in Council an Advisory Committee to the British Columbia Security Commission, to consist of not more that twenty members, to advise the Commission on all matters relating to the duties of the Commission.

(2) Meetings of the said Advisory Committee may be called by the Chairman of the Commission,

(3) Any member of the said Advisory Committee may be paid his actual reasonable disbursements incurred in connection with the performance of the work of the Advisory Committee.

Duties and Powers of Commission

10. (1) It shall be the duty of the Commission to plan, supervise and direct the evacuation from the protected areas of British Columbia of all persons of the Japanese race.

.....

(2) For the purpose of performing the,duties aforesaid the Commission shall determine the time and order of the evacuation of such persons, the mode of transport and all matters relative to the placement of such persons.

(3) The Commission shall provide for the housing feeding care and protection of such persons in so far as the same may be necessary.

(4) A plan or plans for the evacuation and placement aforesaid shall be submitted to the Minister, and shall be put into operation by the Commission when approved by the Minister.

11. (1) The Commission shall have power to require by order any person of the Japanese race, in any protected area in British Columbia, to remain at his place of residence or to leave his place of residence and to proceed to any other place within or,without the protected area at such time and in such manner as the Commission may prescribe in such order, or to order the detention of any such person, and any such order may be enforced by any person nominated by the Commission so to do.

(2) The Commission may make orders respecting the conduct, activities and discipline of any person evacuated under the provisions of these Regulations.

Custody of Japanese Property

12. (1) As a protective measure only, all property situated in any protected area of British Columbia belonging to any person of the Japanese race resident in such area (excepting fishing vessels subject to Order in Council P.C. 288 of the 13th January, 1942, and deposits

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The proceeding is dismissed with costs payable by the Suppliant to the Crown as Respondent

29 October 1968

J. A. Sheppard
Deputy Judge

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Amended Statement of Defence Pursuant to the Order dated the 15th day of February, A.D. 1968

Amended Reply and Joinder of Iss Pursuant to the Order of the Honourable Mr. F.A. Sheppard, p nounced the 30th day of August, 1968

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of money, shares of stock, debentures, bonds or other securities), delivered up to any person by the owner pursuant to the Order of the Minister of Justice dated February 26, 1942, or which is turned over to the Custodian by the owner, or which the owner, on being evacuated, is unable to take with him, shall be vested in and subject to the control and management of the Custodian as defined in the Regulations respecting Trading with the Enemy, 1939; provided, however, that no commission shall be charged by the Custodian in respect of such control and management.

(2) Subject as hereinafter provided, and for the purposes of the control and management of such property, rights and interest by the Custodian, the Regulations respecting Trading with the Enemy, 1939, shall apply mutatis mutandis to the same extent as if such property, rights and interests belonged to any enemy within the meaning of the said Regulations.

(3) The property, rights and interests so vested in and subject to the control and management of the Custodian, or the proceeds thereof, shall be dealthwith in such manner as the Governor in Council may direct.

Departmental Assistance

13. All departments and agencies of the Government of Canada shall assist the Commission by lending to the Commission such personnel and by furnishing such medical aid, hospitalization,food, clothing, transportation, use of land, building, equipment, utilities and other supplies and services as are available, and may be required by the Commission, and in particular, but without restricting the generality of the foregoing, there shall be furnished to the Commission,-

.....

(a) assistance by the Royal Canadian Mounted Police in the compiling of information concerning the persons to be evacuated under these Regulations in the segregation and concentration of such persons and in the maintanance of public security in respect thereof,

(b) assistance by the Department of Transport in the transportation of persons evacuated under these Regulations.

(c) assistance by the Department of National Defence by furnishing personal to advise on and assist in the housing, feeding and clothing of persons evacuated under these Regulations.

(d) assistance by the Department of Munitions and Supply in advising upon and entering into contracts or other arrangements to provide housing, food, supplies and services for such persons.

(e) assistance by the Royal Canadian Mounted Police and/or the Department of National Defence in the protection of persons evacuated under these Regulations and in the maintenance of public security in respect thereof.

(f) assistance by the Department of Labour in establishment of work camps and in providing employment, and in particular in the absorption of evacuated persons in the Canadian Japanese Construction Corps constituted by Order in Council P.C. 1271 of February 17th, 1942, or in the work camps established under Order in Council P.C. 1348 of February 19th, 1942, or in any other activity in which such persons can be employed without prejudice to the public safety or the safety of the state, outside the protected areas in British Columbia.

Provided, however, that notwithstanding the provisions of these Regulations any minister responsible for the administration of any of the departments or agencies of the Government shall have the rights to determine whether or not any item of assistance requested can be made available.

Expenses

14. All expenses or costs incurred by the Commission or by any department or agency of the Government of

.....

Canada in connection with the enforcement or administration of these Regulations shall be payable out of moneys appropriated by Parliament to carry out measures deemed necessary in consequence of the existence of a state of war.

Offences

15. Every person who contravences or fails to comply with any of these Regulations or any order or by-law made under any of these Regulations shall be guilty of an offence, and liable, on summary conviction, to a fine not exceeding five hundred dollars, or to imprisonment for a term not exceeding twelve months, or to both such fine and such imprisonment.

16. Nothing contained herein shall be construed to limit or derogate, from the powers conferred on any authority other than the Commission by the Defence of Canada Regulations or any other statute or law.

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

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P. C. 2483

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 27th day of MARCH, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

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

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

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

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

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

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

2./

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

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

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

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

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

4. Regulation twelve is hereby rescinded and the following substituted therefor:

"12(1) Subject as hereinafter in this Regulation provided, as a protective measure only, all property situated in any protected area of British Columbia belonging to any person of the Japanese race (excepting fishing vessels subject to Order in Council P.C. 288 of January 13th, 1942, and deposits of money, shares of stock, debentures, bonds or other securities) delivered up to any person by the owner pursuant to an order of the Minister of Justice, or which is turned over to the Custodian by or on behalf of the owner, or which the owner, on being evacuated from the protected area, is unable to take with him, shall be vested in and subject to the control and management of the Custodian as defined in the Regulations Respecting Trading with the Enemy, (1939); provided, however, that no commission shall be charged by the Custodian in respect of such control and management.

"(2) The Custodian may, notwithstanding anything contained in this Regulation, order that all or any property whatsoever, situated in any protected area of British Columbia, belonging to any person of the Japanese race shall, for the purpose of protecting the interests of the owner or any other person, be vested in the Custodian, and the Custodian shall have full power to administer such property for the benefit of all such interested persons, and shall release such property upon being satisfied that the interests aforesaid will not be prejudiced thereby.

"(3) For the purposes of the control and management of such property by the Custodian, the Consolidated Regulations Respecting Trading with the Enemy, (1939), shall apply mutatis mutandis to the same extent as if the property belonged to an enemy within the meaning of the said Consolidated Regulations."

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

Ex 17

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131
PLEASE REFER TO
FILE NO. 3271

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

July 29th, 1942.

Mr. Torazo Iwasaki,
Greenwood, B. C.

Dear Sir:

Would you kindly send us by return mail full information regarding your agreement and dealings with Mr. A. Pednault of Salt Spring Island.

Thanking you.

Yours truly,

R. P. Alexander
Manager

GCM:ND

Ganin C. Moust's initial.

30

E-21

COPY

Order in Council revoking P.C. 5523, dated 29th June, 1942 and P.C. 6885, dated 20th July, 1942 - transfer to the Custodian of the property of persons of the Japanese race evacuated from the protected areas of B. C.

P. C. 469

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 19th day of JANUARY, 1943.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL -

WHEREAS by Order in Council dated 29th June, 1942, (P.C. 5523) amended by Order in Council dated 4th August, 1942, (P.C. 6885) Regulations were made imposing certain duties and responsibilities on the Director of Soldier Settlement of Canada in relation to agricultural lands owned by persons of the Japanese race ordinarily resident in the protected areas of British Columbia;

AND WHEREAS the Secretary of State reports that the appraisals of lands contemplated by the said Order in Council as amended have been made and that it is the opinion of the Minister of Mines and Resources, to whom the Director of Soldier Settlement of Canada reports under the said Order in Council as amended, that the said Order in Council as amended, should be revoked:

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

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

That by Orders in Council relating to the property of persons of the Japanese race evacuated from the protected areas of British Columbia, the Custodian has been vested with the responsibility of controlling and managing property belonging to persons of the Japanese race who have been evacuated from the protected areas, except deposits of money, shares of stock, debentures, bonds or other securities or other property which

the owner on being evacuated from the protected areas was able to take with him; and

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

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Secretary of State, concurred in by the Minister of Mines and Resources, the Minister of Pensions and National Health, the Minister of Labour and the Minister of Fisheries, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows:

1. Order in Council, dated 29th June, 1942, (P.C. 5523) and amending Order in Council dated 4th August, 1942, (P.C. 6885) are hereby revoked.

2. Paragraphs numbered 3 and 4 in Order in Council dated 20th July, 1942 (P. C. 6247) are hereby rescinded and the following are substituted therefor:

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

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

Wherever, under Orders in Council under the War Measures Act, Chapter 206 of the Revised Statutes of

Canada/

Canada 1927, the Custodian has been vested with the power and responsibility of controlling and managing any property of persons of the Japanese race evacuated from the protected areas, such power and responsibility shall be deemed to include and to have included from the date of the vesting of such property in the Custodian, the power to liquidate, sell, or otherwise dispose of such property; and for the purpose of such liquidation, sale or other disposition the Consolidated Regulations Respecting Trading with the Enemy (1939) shall apply mutatis mutandis as if the property belonged to an enemy within the meaning of the said Consolidated Regulations.

Certified to be a true copy.

A. D. P. Heeney,

Clerk of the Privy Council.

E-22

EXCHEQUER COURT OF CANADA
No. B 2027
Iwasaki v Queen
EXHIBIT 22
FILED Supp Cases
REG. BK

I HEREBY CERTIFY the attached sheets (each impressed with The Land Registry Office, Victoria Land Registration District Seal) to be a true copy by Xerox process of a Certificate of Vesting on deposit in the Land Registry Office at Victoria, British Columbia, under No. D.F. 50930

DATED this 27 day of September 1967

H Kennedy

Registrar of the Victoria
Land Registration District

****

I N D E X

****

Amended Petition of Right,
Pursuant to the Order of The
Honourable Mr. F.A. Sheppard,
pronounced the 15th day of
February, A.D. 1968 1 - 5

Amended Statement of Defence
Pursuant to the Order dated the
15th day of February, A.D. 1968 6 - 8

Amended Reply and Joinder of Issue,
Pursuant to the Order of the
Honourable Mr. F.A. Sheppard, pro-
nounced the 30th day of August, A.D.
1968 9 - 10

****

122796-I

D.F.
50930

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN
JAPANESE EVACUATION SECTION

12A/578
579

C/E issued
9. 12. 43

CERTIFICATE OF VESTING

I, the undersigned, being duly authorized by the Custodian, hereby certify that the interest of Torazo IWASAKI

Police Registration No. 10123 *in the property described hereafter is vested in the Custodian.*

Description of Property

Lots 3 and 4, North Salt Spring Island, Cowichan District including Parcel A, (D.D. 58307-I) thereof except that part of said Lot 4 lying south of said Parcel A, and south of the south boundary of said Lot 3, and its production east of intersection with the said parcel A.

Together with the interest of any other person of the Japanese race in the property above described.

Dated March 31st, 1943.

F G Shears
(F. G. SHEARS)
Authorized Deputy of the Secretary of State and/or Custodian.

Authorized Deputy of the Custodian.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131
PLEASE REFER TO
FILE NO. 3271

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

E-423

April 20th, 1943

Mr. Torazo IWASAKI,
Registration No. 10123,
Greenwood, B. C.

Dear Sir:-

We have received and credited to your account $7.00, being payment from Mr. Bert Collinson for an anchor. Mr. Collinson says this was arranged last spring and unless we hear from you to the contrary, we shall assume that this transaction is quite in order.

Yours truly,

H. F. Green
Protection Department

HFG:IF

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131
PLEASE REFER TO
FILE NO. G/59

LAND REGISTRY RECEIVED MAY 1 1943 VICTORIA, B.C.
506 ROYAL BANK BLDG., HASTINGS AND GRANVILLE VANCOUVER, B.C.

Ex 24

May 10th, 1943.

The Registrar,
Land Registry Office,
Victoria, B. C.

Dear Sir:-

I enclose Certificates of Vesting covering the lands owned by the persons below listed, which please register, thereupon sending me Certificates of Encumbrance covering the lands affected and showing these registrations:

File No.	Name	Police Reg. No.	Title No.
File 3271	Torazo IWASAKI	10123	122796-I
File 1530	Masazo MORI	11971	73214-I
File 1428,	Tsunekichi YAMADA	12031	17067-N
File 1442 &	Shigeharu NAKAGAWA	11867	"
File 13948	Iwakichi ISOZAKI (deceased)		"

See letter 6063/43

c/E's issued 9.12.43

Yours truly,

Ian Macpherson

Ian Macpherson
Title Examiner.

IM:EB.
Encl:

50930
50931
50932

See letter 6063/43

2121

Dep Reg

C
O
P
Y

E425

May 11, 1943.

Mr. Torazo Iwasaki,
Japanese Registration No. 10123,
Greenwood, B. C.

Dear Sir:

We thank you for your letter of the 4th instant, and in view of the fact that 1943 taxes are now due, we have taken the opportunity of paying these at the same time, the total amount for 1942 and 1943 being $23.84, which will leave you with a credit balance of $249.96.

Yours truly,

P. Douet,
Administration Department.

PD:BT

F-424

COPY

June 10th, 1943.

Mr. Torazo IWASAKI,
Registration No. 10123,
Greenwood, B. C.

Dear Sir:

We are in receipt of your letter of the 8th instant, and as requested therein, we are today paying 1943 taxes on your Salt Spring Island property.

This payment leaves a balance of $132.76, for which amount we enclose our cheque as desired by you.

Yours truly,

R. G. Bell,
Administration Department.

RGB/P

ENCL.

C
O
P
Y

June 15th, 1943.

Mr. Torazo IWASAKI,
Registration No. 10123,
Greenwood, B. C.

Dear Sir:

Re: Norwich Union Fire
Policy No. 10223464

The above numbered policy has been issued to cover for $500.00 on dwelling and $150.00 on tool-shed and outbuilding situate on your property described as Lot 3, North Salt Spring Island, B. C.

The premium for three years amounts to $13.75. As you have no funds on credit at this office will you kindly let us have your cheque for this amount.

We trust that this arrangement is satisfactory to you, but if on the other hand you prefer that no firs insurance be carried on your property and if you are willing to take the risk yourself, then of course we will instruct the Insurance Company to cancel the policy.

Yours very truly,

S. M. Gibson
Insurance Department.

SMG:KT

Ex 28

Certified xerox copy of document transcribed from the Privy Council Office Records preserved in the Public Archives of Canada.

(R.G. 2, Series 1, Volume 2206).

Dominion Archivist

Ottawa, 4 September 1968.

Canadian War D. & Regina
Vol VI No 12, 27.XII.43 p. 713.

MG/7 P.C. 8526 Reg. as amended by P.C. 156 [illegible]

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 13th day of NOVEMBER, 1943

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council on the recommendation of the Secretary of State, concurred in by the Minister of Finance, and under and by virtue of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order as follows:

1. The Consolidated Regulations Respecting Trading with the Enemy (1939), established by Order in Council (P.C. 3959) of 21st August, 1940, as amended, are hereby cancelled.

2. The attached Revised Regulations Respecting Trading with the Enemy (1943) are hereby made and established in substitution of the Regulations hereby cancelled.

Nov. 17/43.

2 S. of S. - a
1 Finance
1 P.M.
1 Kearns

Canadian War O. & Regns
Vol IV No 12, 27.XII.43 p. 713.

RC 620

REVISED REGULATIONS RESPECTING TRADING

WITH THE ENEMY (1943)

1. For the purpose of these Regulations, the following expressions shall be construed so that -

(a) "Person" shall extend to and include persons and bodies of persons, incorporated (wherever incorporated) and unincorporated, such as firms, clubs, companies and municipal authorities, and, as well, trustees, executors and administrators and also a State or the government of a State.

(b) "Enemy territory" means any area which is under the sovereignty of, or in the occupation of, a State or Sovereign for the time being at war with His Majesty.

(c) "Proscribed territory" means any area in respect of which the Governor in Council, by reason of real or apprehended hostilities or otherwise, has ordered the protective custody of property of persons residing in that area or the regulating of trade with such persons, or both.

(d) "Enemy" shall extend to and include -

(i) Any State, or Sovereign of a State, at war with His Majesty;

(ii) Any person who resides within enemy territory or proscribed territory;

(iii) Any person who carries on business within enemy territory or proscribed territory;

(iv) Any person acting as agent or otherwise on behalf of an enemy, or under the control of an enemy;

(v) Any person or body of persons constituted or incorporated within, or under the laws of,

State at war with His Majesty or a State the territory of which is occupied by an enemy or is proscribed territory;

(vi) Any person with whom trading is, for the time being, prohibited by these Regulations or by statute or proclamation by His Majesty or by the common law;

(vii) Any person who under the common law is deemed to be an enemy;

(viii) Any person who is declared by the Governor in Council to be an enemy;

(ix) Any person who has been detained under the Defence of Canada Regulations, during the period of such detention; and

(x) Any person who has been interned or detained under the authority of the Government of a State allied or associated with His Majesty or whose property within the territory of such State has been treated by that State as enemy property:

Provided, however, that "enemy" shall not include any person by reason only that he is an enemy subject, and provided further that the Governor in Council shall have power to declare any person not to be an enemy who would otherwise be considered an enemy under these Regulations.

(e) "Enemy subject" extends to and includes a person wherever resident, who is a subject or citizen of a State or Sovereign for the time being at war with His Majesty.

(f) "Enemy currency" means any notes or coins which circulate as currency in any area under the control of a State or Sovereign with whom His Majesty i

AMENDED PETITION OF RIGHT

1. Your Suppliant, a retired gentleman, resides at 4493 West 12th Avenue, in the City and County of Vancouver, Province of British Columbia and the Dominion of Canada.

2. At all material times to this action your Suppliant was the registered and actual owner of and continues to be beneficially and lawfully entitled to certain lands and premises within the Province and Dominion aforesaid and particularly known and described as:

> Lots 3 and 4, North Salt Spring Island, Cowichan District, including Parcel "A" thereof (D.D. 58307-1) except that part of said Lot 4 lying South of said Parcel "A" and South of the South boundary of said Lot 3 and its production East to intersection with said Parcel "A".

3. On or about the 27th day of March, A.D. 1942, the Secretary of State of Canada, the Custodian of the aforesaid lands and premises, through his agent, Gavin C. Mouat, took custody of the aforesaid lands and premises in trust for and in the interest of your Suppliant.

4. On or about the 11th day of May, A.D. 1943, the Secretary of State acting in excess of his jurisdiction and without notice or compensation to your Suppliant and in breach of the aforesaid trust, filed or caused to be filed in the Land Registry Office, in the City of Victoria, within the Province and Dominion aforesaid, a Vesting Order No. 50930 against the title of the aforesaid lands and premises purporting to vest the aforesaid lands and premises to the Custodian contrary to the laws of natural justice and to the provisions of the British North America Acts, 1867 to 1943, and Amendments thereto, and to the provisions of the Land Registry Act, R.S.B.C. 1936, and Amendments thereto.

5. On or about the 6th day of April, A.D. 1945, the aforesaid lands and premises were conveyed by the Secretary of State of Canada, acting in his capacity as Custodian and

war, not being an area in the occupation of His Majesty or of a Power allied with His Majesty, and includes any notes or coins declared by an order of the Minister of Finance to be enemy currency.

(g) "Securities" shall extend to and include stock, shares, annuities, bonds, debentures, debenture stock, certificates of indebtedness, trust receipts or other obligations or rights, whether registered or in bearer form, issued by or on behalf of any Government, municipal or other authority, society or association, or any corporation or company, whether the issuer is in Canada or not and whether the place of registration or the situs of the certificates or other instruments representing the securities is in Canada or not.

(h) "Dividends, interest or share of profits" shall extend to and include -

(i) Any dividends, bonus or interest (whether payable within Canada or not) in respect of any security or other obligation;

(ii) Any interest in respect of any loan made to a person for the purpose of carrying on business, and any profits of such a business; and

(iii) Where a person is carrying on any business on behalf of an enemy, any sum which, had a state of war not existed, would have been transmissible to the enemy by way of profits from that business.

(i) "Property" shall extend to and include all real and personal property and all rights and interests therein whether legal or equitable; and without restricting the generality of the foregoing

"property" shall include securities, dividends, interest or share of profits, debts, credits, accounts, patents, copyrights, trade marks, designs or any interest therein and choses in action.

(j) "Enemy property" means property belonging to an enemy at or subsequent to the commencement of the present war.

(k) "Commencement of the present war" shall mean, as respects any enemy, the first day on which a state of war existed between His Majesty and the country in which that enemy resides or carries on business, or the first day upon which such a person became an enemy.

(l) "Secretary of State" shall mean the Secretary of State of Canada.

(m) "Proclamation" or "Proclamation by His Majesty" and like expressions shall mean, proclamation by His Majesty the King acting by and with the advice of the Government of Canada.

(n) Words importing the masculine gender include females and corporations.

2. (1) Any person who trades or attempts to trade, or directly or indirectly offers or proposes or agrees to trade, or has since the commencement of the present war traded, attempted or directly or indirectly offered or proposed or agreed to trade, with an enemy, shall be guilty of the offence of trading with the enemy.

(2) In any proceedings for the offence of trading with the enemy, the fact that any document has been despatched addressed to a person in enemy territory or proscribed territory shall be prima facie proof, as against any person who is a party to the despatch of the document, that the person to whom the document was despatched was an enemy.

3. Without restricting the generality of the terms of the immediately preceding Regulation, it is declared that the following matters constitute trading with the enemy within the meaning of these Regulations -

(a) Entering into any transaction or doing any act which was at the time of the transaction or act prohibited by or under any proclamation issued by His Majesty, for the time being in force, dealing with trading with the enemy or which at common law or by statute or under any orders or regulations constitutes the offence of trading with the enemy;

(b) Entering into any transaction or doing any act with, to, or on behalf of, or for the benefit of any person after the issue of any Order in Council or proclamation by His Majesty declaring that such person is by reason of his enemy nationality or enemy association a person with whom trading is prohibited;

(c) Dealing, or attempting, offering, proposing or agreeing whether directly or indirectly, to deal with any property which is in the hands or custody of the person so dealing, attempting, offering, proposing or agreeing, or over which he has any claim or control, for the purpose of enabling an enemy to obtain money or credit thereon or thereby;

(d) Aiding or abetting any person, whether or not such person is in Canada, to enter into, negotiate, or complete any transaction or do any act which, if effected or done in Canada by such person, would constitute the offence of trading with the enemy;

(e) Knowingly paying, discharging or satisfying any chose in action, coupon, security or obligation to which Section (1) of Regulation 4 hereof applies;

(f) Knowingly discharging any bill of exchange or promissory note to which Section (2) of Regulation 4 hereof applies;

(g) Purchasing enemy currency;

(h) Having any commercial, financial or other intercourse, transactions or dealings with, or for the benefit of, an enemy;

(i) Attempting to do anything which, under these Regulations, is to be treated as trading with the enemy:

Provided that any transaction or act permitted by or under any proclamation or otherwise or by the Secretary of State, or other competent authority, shall not be deemed to be trading with the enemy.

4. (1) No person shall by virtue of an assignment of any chose in action, or delivery of any coupon or security transferable by delivery, or transfer of any other obligation, made in his favour by or on behalf of an enemy, have any rights or remedies against the person liable to pay, discharge or satisfy the chose in action, coupon, security or obligation, unless he proves that the assignment, delivery or transfer was made by leave of the Secretary of State or was made before the commencement of the present war.

(2) No person shall by virtue of any negotiation or transfer of a bill of exchange or promissory note made in his favour by or on behalf of an enemy, have any rights or remedies against any party to the instrument, unless he proves that the negotiation or transfer was made before the commencement of the present war for valuable consideration: Provided that this section shall not apply where a licence has been duly granted exempting the particular transaction from the provisions of these Regulations.

(3) Nothing in this Regulation shall be construed as validating any assignment, delivery or transfer which would be invalid apart from this Regulation or as applying to securities within the meaning of Regulation 5 hereof.

5. (1) No transfers made on or after the commencement of the present war by or on behalf of an enemy of any securities shall confer on the transferee any rights or remedies in respect thereof, unless the transfer be made by leave of the Secretary of State; and no person by whom the securities were issued or are managed or any other person shall, except as hereinafter appears, take any cognizance of or otherwise act upon any notice of such a transfer.

(2) No entry shall hereafter be made in any register or branch register or other book kept by any company incorporated by or under the authority of the Parliament of Canada or the legislature of any Province of Canada whether or not such register or branch register or other book is kept within Canada, or by any other company which has within Canada any register or branch register or other book, of any transfer of any securities therein registered, inscribed or standing in the name of an enemy except by leave of the Secretary of State.

(3) The provisions of this Regulation shall apply to all transfers regardless of the nationality of the transferee, the place of transfer, the location of the certificates or the situs of the registry where such securities may be registered.

(4) No share warrants payable to bearer shall be issued during the continuance of the present war in respect of any securities registered in the name of an enemy.

(5) Any violation of any provision of this Regulation shall be an offence under these Regulations.

6. (1) The Secretary of State is hereby appointed to receive, hold, manage, release, dispose of and otherwise d

with all property which is reported to him, received or controlled by him or vested in him under or by virtue of these Regulations, and he is hereafter referred to as "the Custodian".

(2) Any power or duty conferred or imposed by or under these regulations upon the Secretary of State or the Custodian may be delegated by him to such person or persons as he thinks proper.

(3) The Custodian may establish and maintain such office or offices as he thinks proper for the administration of these Regulations and such other matters as may be delegated to him and may attach thereto such officers, clerks and advisers as he selects and they shall be paid such remuneration as the Custodian determines.

(4) For the purposes of the Canada Evidence Act, the Custodian's office shall be deemed to be a department of the Government of Canada of which the Custodian is the head.

7. (1) No person has any rights or remedies and no action lies or may be brought against any person in respect of:

(a) an act or omission that was required by the Secretary of State or Custodian;

(b) an act or omission that the person acting in good faith reasonably believed to have been required by these regulations or any regulations heretofore in force with respect to trading with the enemy or enemy property; or

(c) property transferred, delivered or paid to the Secretary of State or Custodian or pursuant to his direction either before or after these regulations came into force.

(2) No person shall bring, take or continue against an enemy in any court in Canada an action or other proceeding of any kind whatsoever unless such person has obtained the written consent of the Custodian.

P.C. 8526-a

8. (1) Where it appears to the Secretary of State -

(a) That there is reasonable ground for suspecting that an offence under any of these Regulations has been or is about to be committed by any person;

(b) That one of the partners in a firm has, at any time since the commencement of the present war, been an enemy or enemy subject or was, immediately prior to the present war, a subject or citizen of a sovereign or state which has become an enemy;

(c) That one-third or more of the issued share capital of a company was, at any time since the commencement of the present war, issued to or held by enemies or enemy subjects or was, immediately prior to the present war, issued to or held by subjects or citizens of sovereigns or states which have become enemies;

(d) That one-third or more of the directorate of a company, at any time since the commencement of the present war, consisted of persons who were enemies or enemy subjects or, immediately prior to the present war, consisted of persons who were subjects or citizens of sovereigns or states which have become enemies;

(e) That a person was or is acting as agent for an enemy; or

(f) That an enemy has an interest in any property;

the Secretary of State, if he thinks it expedient for the purpose of satisfying himself that the person, firm or company is not trading with the enemy, may, in writing, appoint an inspector to inspect the affairs of the person, firm or company or the administration of the property; and the Secretary of State may appoint an inspector to inspect any business to ascertain

(i) whether the business is carried on for the benefit of or under the control of an enemy or enemy subject; or

(ii) the relations existing or which have, either before or after the commencement of the present war, existed between a person interested in the business and an enemy or enemy subject.

(2) The Secretary of State may authorize an inspector appointed pursuant to this Regulation

(a) to inspect all books, files and documents relating to the subject matter of the inspection, regardless of who owns or controls such books, files and documents;

(b) to require a person able to give information relating to the subject matter of the inspection to give such information to him; and

(c) if accompanied by a police officer, to enter and search any premises used in connection with the subject matter of the inspection and to seize and retain any books, files or documents found therein.

(3) No person whose books, files or documents are liable to inspection under this Regulation shall commence an action or other proceeding unless he has given notice in writing of the action or proceeding to the Secretary of State; and the Secretary of State may, upon receipt of any such notice, order the person to refrain from taking or continuing the action or other proceeding and every person who fails to comply with an order given pursuant to the subsection is guilty of an offence under these Regulations.

9. (1) Every person who, with intent to prevent the inspection thereof pursuant to an authority given under these Regulations, destroys a book, file or document or fails to produce a book, file or document for inspection upon demand by an inspector, is guilty of an offence under these Regulations.

(2) Every person who, being able to give information relating to the subject matter of an inspection under these Regulations, fails to give such information when required to do so by an inspector is guilty of an offence under these Regulations.

10. Where a person has given any information to an inspector appointed under Regulation 8 hereof the information

o given may be used in evidence against such person in any proceedings relating to an offence under these Regulations, notwithstanding that such information was given as required by the inspector, in pursuance of his powers under Regulation 8 hereof.

11. (1) Where, on the report of an inspector appointed under Regulation 8 hereof, it appears to the Secretary of State that it is expedient that the property, business or trade of any person should be subject to frequent inspection or constant supervision, the Secretary of State may appoint that inspector or some other person to supervise the property, business or trade with such powers as the Secretary of State may determine, and any remuneration payable and expenses incurred, whether for the original inspection or the subsequent supervision, to such amount as may be fixed by the Secretary of State, shall be paid by the person first referred to in this section.

(2) The power of the Secretary of State to appoint a supervisor under this Regulation shall include a power to appoint a supervisor of the business carried on by any person for the purpose of ascertaining whether the business is carried on for the benefit of or under the control of an enemy or enemy subject, or for the purpose of ascertaining the relations existing, or which before the commencement of the present war existed, between such person and any enemy or enemy subject.

12. (1) Where it appears to the Secretary of State in reference to any person -

(a) That an offence against any of these Regulations has been or is likely to be committed in connection with such person's property, business or trade;

(b) That the control or management of the said property, business or trade has been or is likely to be so affected by the state of war as to prejudice the effective continuance or administration thereof

that it is in the public interest that the said business or trade should continue to be carried on or such property administered; or

(c) That it is expedient in the public interest owing to circumstances or considerations arising out of the present war, that a controller or manager of the said property, business or trade be appointed;

the Secretary of State may apply to the same Court as would within the province wherein the said person owns property or carries on the said business or trade have jurisdiction to appoint a receiver or liquidator or to grant a winding-up order, for the appointment of a controller of the said property, business or trade; and the said Court shall have power to appoint such a controller, for such time and subject to such conditions and with such powers as the Court thinks fit; and the powers so conferred shall be either those of a receiver and manager or those powers subject to such modifications, restrictions or extensions as the Court thinks fit (including, if the Court considers it necessary or expedient for enabling the controller to borrow money, power, after a special application to the Court for that purpose, to create charges on the property of the said person in priority to existing charges).

(2) The Court shall have power to direct how and by whom the costs of any proceedings under this Regulation and the remuneration, charges and expenses of the controller shall be borne, and shall have power, if it thinks fit, to charge such remuneration, charges and expenses on the property of the person in respect of whose property, business or trade the controller has been appointed in such order of priority in relation to any existing charges thereon as it thinks fit.

13. Where the Secretary of State certifies that it appears to him that a company registered within Canada is carrying on business either directly or through an agent,

in excess of his jurisdiction, to the Secretary of State of Canada, and in turn, conveyed by the Secretary of State of Canada, acting in excess of his jurisdiction to Salt Spring Lands Limited, a body corporate within the Province and Dominion aforesaid, all of which was done without notice to your Suppliant and in breach of the aforesaid trust, and contrary to the laws of natural justice and contrary to the British North America Acts, 1867 to 1943, and Amendments thereto, and to the Land Registry Act, R.S.B.C. 1936, and Amendments thereto.

5A. The aforesaid conveyance as alleged in Paragraph 5 of the Petition of Right herein was fraudulent and constituted a breach of trust by the Secretary of State of Canada or the Secretary of State of Canada acting in his capacity as Custodian, particulars of the trust are as follows:

(a) The Secretary of State of Canada acting in his capacity as Custodian held the aforesaid lands and premises in trust for your Suppliant pursuant to Statute and Regulations and Orders-in-Council passed thereunder;

(b) The terms of the aforesaid trust were that the Custodian would return the aforesaid lands and premises to your Suppliant at the end of World War Two;

Particulars of the fraud or breach of trust are as follows:

(a) The Secretary of State of Canada acting in his capacity as Custodian conveyed the aforesaid lands and premises to the Secretary of State of Canada who in turn conveyed the aforesaid lands and premises to Salt Spring Lands Limited, a body corporate within the Province and Dominion aforesaid. The aforesaid conveyances of the aforesaid lands and

branch, or subsidiary company outside Canada, and that in carrying on such business it has entered into or done acts which if entered into or done within Canada would constitute the offence of trading with the enemy, the Secretary of State may present a petition for the winding-up of the company to the Court having jurisdiction, and the issue of such a certificate shall be a ground on which the company may be wound up by the Court, and the certificate shall, for the purpose of the petition, be evidence of the facts therein stated.

14. (1) No person shall during the continuance of the present war without having previously obtained the permission of the Secretary of State, acquire or attempt to acquire the whole or any part of the undertaking of a person whose books, files and documents are liable to inspection under Regulation 8 hereof.

(2) Any person who in violation of this Regulation acquires or attempts to acquire the whole or any part of the undertaking of a person whose books, files and documents are liable to inspection under Regulation 8 hereof shall, without prejudice to any other liability, be guilty of an offence under these Regulations.

15. (1) Where it appears to the Secretary of State that the business carried on within Canada by any person is carried on wholly or mainly for the benefit of or under the control of an enemy or enemy subject, the Secretary of State may make an order either -

(a) prohibiting such person from carrying on business, except for the purposes and subject to the conditions, if any, specified in the order; or

(b) requiring the business to be wound up.

(2) The Secretary of State may at any time revoke or vary any such order and may at any time in any case where he has made an order prohibiting or limiting the carrying on of the business substitute for that order an order requiring the business to be wound up.

(3) Where the Secretary of State makes an order under this Regulation he may in that order or at any subsequent time appoint a controller to carry out the order or supervise the carrying out of the order.

(4) The Secretary of State may confer on the controller such powers as are exercisable by a liquidator in a voluntary winding-up of a company including the power to convey or transfer any property in the name of the person whose business is being wound up or in the name of the controller, subject to such modifications, restrictions or extensions as the Secretary of State may deem necessary or convenient.

(5) The Secretary of State may also confer on the controller the power to apply to a Court having jurisdiction to appoint a receiver or a liquidator or to grant a winding-up order, or to a judge of that Court, to determine any question arising in the carrying out of any order made by the Secretary of State under this Regulation.

(6) The Secretary of State may determine the amount of any remuneration payable and of any costs, charges and expenses incurred in connection with the carrying out of any order made under this Regulation or under Regulation 8 hereof, and such amount shall be paid out of the assets of the business in priority to any other claim.

(7) The distribution of any money or other property resulting from the realization of any assets of the business, shall be subject to the same rules as to preferential payments as are applicable to the distribution of the assets of a company which is being wound up under the Winding-up Act of Canada, and those assets shall, so far as they are available for discharging unsecured debts, be applied in discharging the debts due to creditors who are not enemy creditors for whose benefit or

under whose control the business was carried on, in priority to debts due to such enemy creditors; and any balance, after providing for the discharge of all liabilities, shall be distributed amongst the persons interested therein in such manner as the Secretary of State may direct.

(8) The Secretary of State may, on application for the purpose being made by a controller appointed under this Regulation, after considering the application and any objection which may be made by any person who appears to him to be interested, grant the controller a release; and an order of the Secretary of State releasing the controller shall discharge him from all liability in respect of any act done or default made by him in the exercise and performance of his powers and duties as controller, but any such order may be revoked on proof that it was obtained by fraud or by suppression or concealment of any material fact.

(9) Where an order under this Regulation has been made as respects the business carried on by any person, no steps shall be taken for the enforcement of the rights of any creditors of that person, nor shall any petition for the winding-up of the business be presented, nor any resolution for the winding-up of the business be passed, without the consent of the Secretary of State.

(10) The Secretary of State may present a petition for the winding-up of a company by the Court having jurisdiction, and the making of an order under this Regulation shall be a ground on which a company may be wound up by the Court.

(11) The Secretary of State may from time to time prepare and publish in the Canada Gazette lists of the persons as to whom orders have been made under this Regulation.

(12) An order made under this Regulation shall continue in force, notwithstanding the termination of the present war, until determined by an order of the Secretary of State.

(13) If any person contravenes the provisions of any order made under this Regulation he shall be guilty of an offence under these Regulations.

16. Where it appears to the Secretary of State that a contract entered into prior to or after the commencement of the present war with an enemy or enemy subject or with a person in respect of whose business an order has been made under Regulation 15 hereof, is injurious to the public interest, the Secretary of State may by order cancel or determine such contract either unconditionally or upon such conditions as he may think fit, and thereupon such contract shall be deemed to be cancelled or determined accordingly.

17. Where by any statute, Order in Council, regulation, rule, by-law, contract or otherwise any notice is required to be given to a person who, under these Regulations, is an enemy, such notice shall be deemed to have been duly given if it is addressed to the enemy in care of the Custodian and delivered or mailed to the Custodian: Provided that the giving of any such notice shall not in any way affect the rights of the Custodian or impose upon him any duty to take or abstain from taking any action or proceeding.

18. (1) Where on an application for the registration or incorporation of a company it appears that any subscriber or applicant or any proposed director of the company is an enemy subject, such registration or incorporation may be refused.

(2) No allotment or transfer of any shares, stock, debentures, or other security issued by a company made on or after the commencement of the present war to or for the benefit of an enemy subject shall, unless made with the consent of the Secretary of State, confer on the allottee or transferee any rights or remedies in respect thereof, and the company which issued the security shall not take any cognizance of or otherwise act upon any notice of any such transfer except by leave of the Secretary of State, and any company which contravenes any provision of this section shall be guilty of an offence under these Regulations.

19. (1) Where the right of nominating or appointing a director of a company is vested in an enemy or enemy subject, the right shall not be exercisable except by leave of the Secretary of State, and any director nominated or appointed in exercise of such right shall, except as aforesaid, cease to hold office as director.

(2) The Secretary of State may, notwithstanding any statute or Order in Council or any by-law, regulation or stipulation of a company or other body, by written order remove any enemy director and appoint a substitute director who shall act as a director until such time as a new board of directors is duly elected or appointed.

20. Notwithstanding the provisions of any statute the Custodian shall be entitled to receive from any person or from any Department of the Government of Canada such information as he deems necessary to enable him to enforce these Regulations, and any person who, on the Custodian's written request, fails to furnish such information shall

be guilty of an offence under these Regulations.

21. (1) All enemy property is hereby vested in and made subject to the control of the Custodian whether or not the property has been disclosed to the Custodian as required by these Regulations.

(2) This Regulation shall be deemed to be a vesting order and to confer on the Custodian all the rights of an enemy including the power of dealing with the property in such manner as the Custodian may in his sole discretion decide.

(3) Where property is held, recorded or registered in Canada for or in the name of a person whose address on the register or other record is in enemy territory or proscribed territory, the property is hereby vested in and made subject to the control of the Custodian whether or not the property has been disclosed to the Custodian as required by these Regulations and the Custodian may deal with the property as though it had, before vesting, belonged absolutely to an enemy.

(4) The Governor in Council may by order declare that property specified therein is enemy property and cause a copy thereof to be published in the Canada Gazette; and thereupon the property so specified shall be deemed to be enemy property and to have vested in the Custodian as of the date of the Order in Council, but the making or publication of such an order does not in any manner whatsoever affect any vesting of property under section (1) of this Regulation.

22. (1) No person whose property has vested in the Custodian under these Regulations shall, after the vesting, have any rights or remedies against any other person in respect of such property.

(2) Where, under the provisions of these Regulations, property vests in the Custodian, he has all the rights and remedies of the person whose property is vested in him notwithstanding section (1) of this Regulation.

23. (1) Where any real estate or interest therein is vested in the Custodian he may issue a certificate stating that such real estate or interest therein is vested in the Custodian and such certificate shall be registered without charge in the Land Titles Office or registration office in the district in which the real estate is situate, but failure to register such a certificate shall not release the real estate or interest therein from the provisions of these Regulations.

(2) After the registration of such certificate and upon the written request of the Custodian, the proper officer in the Land Titles Office or registration office in the district in which the real estate is situate shall, where there is provision for transfer of titles, forthwith and without charge transfer the title of the real estate or interest therein affected by the Custodian's certificate into the name of "The Secretary of State of Canada acting in his capacity as Custodian under the Revised Regulations Respecting Trading with the Enemy (1943)", without any transmission or other application or further proceeding. The title to the land or interest therein shall be transferred as hereinbefore provided, notwithstanding that the Custodian has not in his possession or under his control the certificate or any other document relating to the title to the said real estate or interest therein.

(3) The interest of any enemy in such real estate shall be regarded as having been effectively dealt with by any such action on the part of the Custodian.

(4) The Custodian may issue a certificate vacating any certificate of vesting previously registered, and the vacating certificate shall be registered in the Land Titles Office or registration office, as the case may be, without charge.

24. (1) If the benefit of an application made by or on behalf of or for the benefit of an enemy or enemy subject for any patent, copyright, trade mark or design is, by a certificate of the Custodian, declared to have been vested by these Regulations in the Custodian, the patent shall issue, or the copyright, trade mark or design shall be registered, as the case may be, in the name of the Secretary of State of Canada acting in his capacity as Custodian under the Revised Regulations Respecting Trading with the Enemy (1943), notwithstanding anything in any statute to the contrary.

(2) Where any patent has issued, or where any interest in a patent or any copyright, trade mark or design or any interest therein has been registered, in the name of an enemy or enemy subject, the Custodian may issue a certificate that the patent, copyright, trade mark or design or interest therein, as the case may be, is vested in the Custodian, and such certificate shall forthwith and without charge be recorded by the proper officer and shall have the same force and effect as an assignment of the said patent, copyright, trade mark or design or interest therein, as the case may be, to the Secretary of State

of Canada acting in his capacity as Custodian under the Revised Regulations Respecting Trading with the Enemy (1943).

(3) Failure to register a certificate as provided in sections (1) or (2) of this Regulation shall not affect the rights of the Custodian.

25. (1) The Exchequer Court of Canada or any judge thereof, on the application of the Custodian, or any one acting on his behalf, may by order vest in the Custodian any property suspected of belonging to or of being held or managed for or on behalf of an enemy, and thereupon the property so vested shall be deemed to be enemy property.

(2) It shall not be necessary to give any notice of such application to the suspected enemy unless the giving of notice shall be ordered by the Court or judge before whom the application is made.

26. Where the property of any person is vested in the Custodian under these or any other Regulations or under any Order in Council or statute such vesting shall not, nor shall any proceedings relating thereto or in consequence of the vesting, be invalidated or affected by reason only of such person having, prior or subsequent to the date of the vesting, died or ceased to be an enemy, or, where the property has been vested under the provisions of sections(3) or (4) of Regulation 21 or of Regulation 25 of these Regulations, by reason of its being subsequently ascertained that such person was not an enemy.

27. (1) Where a dispute or question arises as to whether property is subject to these Regulations, the Custodian may proceed in the Exchequer Court of Canada or

in any superior court of record for a declaration as to whether the property is subject to these Regulations.

(2) Any person may, not less than ninety days after giving the Custodian notice of his claim, proceed in the Exchequer Court of Canada for a declaration that he is not an enemy and

(a) that property held or controlled by the Custodian is not subject to these Regulations and he is the owner thereof or of an interest therein; or

(b) that he was the owner of property or an interest in property immediately prior to its vesting in the Custodian under these Regulations.

28. (1) Any person who holds or manages any enemy property shall within thirty days after the commencement of the present war, or if the property comes into his possession or custody or under his control after the commencement of the present war, then within thirty days after the time when it comes into his possession or custody or under his control, by notice in writing communicate the fact to the Custodian, and shall furnish the Custodian with such particulars in relation thereto as the Custodian may prescribe and require and shall, on the Custodian's written request, deliver to him possession of the property and all documents or other evidence of title relating thereto.

(2) The preceding section of this Regulation shall extend and apply to balances and deposits standing to the credit of enemies at any bank, and to debts which are due, or which, had a

premises were done without any notice to your Suppliant and without any instructions from your Suppliant and without any lawful authority on the part of the Custodian;

(b) The said conveyance was not made by the Custodian in good faith in that Gavin C. Mouat, agent of the Secretary of State of Canada acting in his capacity as Custodian and to the knowledge of the Secretary of State of Canada acting in his capacity as Custodian held a direct or beneficial interest in the said Salt Spring Lands Limited.

6. At all times material to this action the Secretary of State of Canada and/or the Secretary of State of Canada acting in his capacity as Custodian acted as agent, servant, officer or employee of His Majesty the King in right of Canada.

7. At all times material to this action your Suppliant has been and is a citizen of Canada.

Your Suppliant therefore humbly prays that this Honourable Court grant judgment against the Queen's most excellent Majesty for:

(a) A Declaration that the Secretary of State of Canada acted in excess of his jurisdiction and in breach of trust in filing or causing to be filed Vesting Order No. 50930 against the title of the herein described lands and premises;

(b) A Declaration that the Secretary of State of Canada, acting in his capacity as Custodian, acted unlawfully and without or in excess of his jurisdiction and in breach of trust in conveying or causing to be

state of war not existed, would have been due to enemies, or which shall become due, as if the bank or debtor were a person who held property on behalf of an enemy. All such balances, deposits and debts shall be paid to the Custodian as required by these Regulations.

(3) Every company incorporated by or under the authority of the Parliament of Canada or of the legislature of a Province of Canada, and every company which, though not so incorporated, has its head office or has a share transfer or share registration office in Canada, shall within thirty days after the commencement of the present war, by notice in writing communicate to the Custodian full particulars of any securities or other obligations of the company which are held by or in the name of or for the benefit of an enemy.

(4) Every partner of a firm or partnership, one or more partners of which on the commencement of the present war became an enemy or enemies or to which money had been lent for the purpose of the business of the firm by a person who so became an enemy, shall, within thirty days after the commencement of the present war, by notice in writing communicate to the Custodian full particulars as to any dividends, interest or share of profits due to such enemy.

(5) Where before the commencement of the present war any money has been paid into any account, or has been paid to any person in trust for an enemy, the person by whom the payment was made shall, within thirty days after the commencement of the present war, by notice in writing require the person to whom the payment was made to pay the money over to the Custodian and shall furnish the Custodian with such particulars as he may require. The person to whom the payment was made shall, within one week after the receipt of the notice, comply with the requirements and shall be exempt from all liability for having done so.

Provided that in the case of such payments as, had a state of war not existed, would have been payable and paid to an enemy (other than a payment in respect of securities issued by a company), the duty of making payments to the Custodian and of requiring payments to be made to him and of furnishing him with particulars shall rest with the person through whom the payments are made.

29. (1) Any money which, had a state of war not existed, would have been payable and paid to or for the benefit of an enemy, and any such money which shall become so payable after the commencement of the present war shall be paid to the Custodian by the person by whom it would have been payable, and the payment shall be accompanied by such particulars as the Custodian may prescribe and require.

(2) Without restricting the generality of section (1) of this Regulation, this Regulation shall be deemed to extend to and include moneys payable by way of -

(a) dividends, interest or share of profits;

(b) any payment in respect of securities, including the payment of any securities which have become payable on maturity or by being drawn for payment or otherwise;

(c) any moneys due under or in respect of any policy of assurance or insurance;

(d) any payment in respect of requisitioned property;

(e) any payment under any trust, will or settlement; and

(f) any other payment required to be made to the Custodian under these or any other Regulations.

30. If in the case of any person whose books, files and documents are liable to inspection under these Regulations, any question arises as to the amount which would have been so payable and paid as provided in the last preceding Regulation,

the question shall be determined by the inspector who has been or who may be appointed to inspect the books, files and documents of such person, or on appeal, by the Secretary of State, and if, in the course of determining the question, it appears to the inspector or the Secretary of State, that such person has not distributed as dividends, interest or share of profits the whole of the amount properly available for that purpose the inspector or Secretary of State may ascertain what amount was so available and require the whole of such amount to be distributed. In the case of a company, if such dividends have not been declared, the inspector or the Secretary of State may declare the appropriate dividends, and every such declaration shall be as effective as a declaration to the like effect duly made in accordance with the by-laws or constitution of the company: Provided that where a controller has been appointed under these Regulations, this section shall apply as if for references to the inspector there were substituted references to the controller.

31. Where on or after the commencement of the present war any coupon or other security transferable by delivery is presented for payment to any person and such person has reason to suspect that it is so presented on behalf of or for the benefit of an enemy, or that on or after the commencement of the present war it has been held by or for the benefit of an enemy, such person shall pay the sum due in respect thereof to the Custodian and such payment shall for all purposes be a good discharge to such person.

32. Where the Custodian is satisfied from returns made to him that any securities are held by any person on behalf of an enemy, the Custodian may give notice thereof to the

person by or through whom any dividends, interest or share of profits in respect of the securities or any money by way of payment of the securities are payable, and upon receipt of such notice any dividends, interest or share of profits payable in respect of, and any money by way of payment of the securities to which the notice relates shall be paid to the Custodian in like manner as if the securities were held by an enemy.

33. All moneys payable to the Custodian in pursuance of these Regulations shall be paid to the credit of the Custodian through such officers, banks or persons, and in such manner as the Custodian from time to time directs and appoints.

34. (1) Any money required to be paid to the Custodian under these Regulations shall be paid:

(a) within thirty days after the commencement of the present war, if the money, had a state of war not existed, would have been payable before the commencement of the present war; and

(b) in any other case, within thirty days after it would have been payable.

(2) All interest payable on any such money shall be paid to the Custodian; and any moneys not paid within the time required by these Regulations shall bear interest at the rate of five per cent per annum from the date on which such payment is so required by these Regulations.

(3) Where any money is payable or becomes payable to any enemy by contract, law or custom or in any other manner in other than Canadian currency, it shall, unless the Custodian allow or direct otherwise, be paid to the Custodian

in Canadian currency at the rate of exchange equal to the average cable transfer rate prevailing in Canada during the month immediately preceding the commencement of the present war, or at such rate as may be fixed by the Foreign Exchange Control Board.

35. (1) Any payment by or on behalf of a debtor made to the Custodian shall, to the extent of the payment, discharge the debtor from all obligations and liabilities in respect of the debt, and interest shall cease to run against the debtor on the amount so paid from the date of its receipt by the Custodian.

(2) The Custodian shall have power to execute and deliver any document necessary or proper as evidence of such discharge and may deliver up to the person making such payment any note, bond or other evidence of or any security for the debt which may be in the possession of the Custodian.

(3) The receipt of the Custodian or any person duly authorized to sign receipts on his behalf for any money paid to him under these Regulations shall be a good discharge to the person paying the same.

36. (1) In the event of failure by any person to pay to the Custodian any money payable to him under these Regulations the Custodian may take action in the Exchequer Court of Canada or in any superior court of record to recover such money.

(2) Any money owing to an enemy and admitted by the person owing the money to be due, may be certified by the Custodian to have been admitted to be so due, and on production to the proper officer of the Exchequer Court of Canada the certificate shall be registered by that officer.

(3) Any certificate registered in the Exchequer Court of Canada as provided in section (2) hereof shall from the date of such registration have the same force and effect, and all proceedings may be taken thereon, as if the certificate were a judgment obtained in that court for the recovery of a debt of the amount specified in the certificate and entered upon the date of such registration.

(4) For preparing, transmitting or producing to the Registrar of the Exchequer Court of Canada a certificate pursuant to this Regulation, the Custodian shall be entitled to recover by way of costs from the person named in the certificate as owing the money, the sum of ten dollars and also the disbursements incurred in registering the certificate, and such amounts shall be recoverable in like manner as if judgment had been obtained therefor.

37. (1) Where any securities are vested in the Custodian, he may issue a warrant stating that the securities are vested in him and requiring the person in whose books the securities are registered to cancel the existing registration and to register the securities, and issue a certificate therefor, in the name of the Secretary of State of Canada acting in his capacity as Custodian under the Revised Regulations Respecting Trading with the Enemy (1943), his nominee or transferee. Upon receipt of such warrant the person in whose books the securities are registered shall forthwith cancel the existing registration and register the securities and issue the certificate in accordance with the terms of the warrant and deliver the certificate to the Custodian, notwithstanding any law, contract, by-law, regulation or stipulation to the contrary, and notwithstanding that the Custodian is not in possession of the certificate, scrip or other document or instrument of title relating to the securities affected by the warrant.

(2) The registration and the issue and delivery of the certificate under section (1) of this Regulation shall be without prejudice to any lien or charge in favour of the person in whose books the securities are registered or to any other lien or charge of which the Custodian has notice. If any question arises as to the existance or amount of any lien or charge, the question may, on application being made for the purpose, be determined by any superior court of record or a judge thereof.

38. The Custodian may, where he considers it advisable to do so, liquidate any property vested in him and shall deal with the proceeds of the liquidation of such property in the same manner as he may deal with moneys paid to him under these Regulations.

39. The Custodian may at any time, at his discretion and by such notice, conveyance, transfer or release as he may think proper, relinquish any property or the proceeds of the liquidation of any property.

40. (1) The Custodian may sell or otherwise dispose of any property at such time and place and to such person and upon such terms and in such manner, whether publicly or privately, as he in his discretion shall think proper.

(2) The transfer or sale by the Custodian of any property shall be conclusive evidence in favour of the purchaser and of the Custodian that the requirements of these Regulations have been complied with.

41. Where in exercise of the powers conferred on him under these Regulations the Custodian proposes to sell any shares or stock forming part of the capital of any company or any securities issued by the company which are vested in him, the company may, with the consent of the Custodian, purchase the shares, stock or securities, any law, by-law or

regulation of the company to the contrary notwithstanding, and any shares, stock or securities so purchased may from time to time be reissued by the company.

42. The Custodian may execute any agreement or document whether indemnity or otherwise, or do anything necessary to deal effectively with any property delivered to or vested in him or subject to his control.

43. The Custodian may place on deposit with any bank or may, with the approval of the Treasury Board, invest in any securities, approved by the Treasury Board, any moneys paid to or received by him from or in respect of property vested in him pursuant to these Regulations or otherwise.

44. (1) The Custodian may, in addition to other charges authorized by these Regulations, if any, charge against all property investigated, controlled or administered by him, whether the property has vested in him or not, a fee for services rendered not exceeding two per centum of the value of the property including the income therefrom.

(2) The Custodian may employ such part of the property vested in him or the proceeds therefrom as may be necessary to pay the expenses incurred in the administration of these Regulations.

(3) The Custodian may charge such additional fees in respect of his duties under these Regulations whether by way of percentage or otherwise as the Governor in Council may approve and the fees so charged shall be collected and accounted for by such persons and in such manner as the Custodian directs and the incidence of the fees so charged as to capital and income shall be determined by the Custodian.

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45. (1) The Custodian shall, in addition to his other duties, keep a record of:-

(a) Debts (including bank balances) due to persons residing in Canada, from persons residing or carrying on business in enemy territory or proscribed territory;

(b) Other property in enemy territory or proscribed territory (including securities) belonging to persons residing in Canada; and

(c) All debts reported to him under these Regulations.

(2) Any person desiring to record such claims or property may obtain the necessary forms for that purpose from the Custodian but the action of the Custodian will be confined to entering upon the record claims of which particulars are supplied to him, and it shall in no way commit the Custodian or the Government of Canada either to responsibility for the correctness of the claim entered or to taking action on the conclusion of hostilities or otherwise for the recovery of the claim or property in question.

(3) The Custodian shall record claims against enemy Governments, as distinct from claims against other enemies, in respect of public securities of those governments held by the claimants but not any other claims against enemy Governments.

(4) The Custodian shall keep a record of all property whereof returns have been made to him or which is held by him under these or any other Regulations, or under any Order in Council or statute, and such record may be inspected by any person who appears to the Custodian to be interested as creditor or otherwise at all reasonable times, free of charge.

46. (1) It shall be the duty of every enemy or enemy subject who is within Canada, if so required by the Custodian, within one month after being so required, to furnish the Custodian with such particulars as he may require of

(a) any securities issued by any person, held by him or in which he is interested; and

(b) any other property of the value of two hundred dollars or upwards belonging to him or in which he is interested.

(2) Any such person who refuses or fails to furnish such particulars within the time mentioned shall be guilty of an offence under these Regulations.

47. (1) Every person in Canada to whom a debt is owing by an enemy shall notify the Custodian of such debt

(a) if the debt is owing at the commencement of the present war, within one month after the commencement of the present war; and

(b) if the debt becomes payable after the commencement of the present war, within one month after the debt becomes payable;

and shall thereafter from time to time within one month of demand by the Custodian furnish such further information and documents in his possession or power, in such form and verified in such manner, as the Custodian may require.

(2) Every person who fails to comply with any provision of section (1) of this Regulation is guilty of an offence under these Regulations and the Custodian may, by order, forever bar and extinguish any claim in respect of a debt regarding which the claimant has not complied with any provision of section (1) of this Regulation.

conveyed the herein described lands and premises to the Secretary of State of Canada;

(c) A Declaration that the Secretary of State of Canada acted unlawfully and in excess of his jurisdiction in conveying the herein described lands and premises to Salt Spring Lands Limited;

(d) A Declaration that Vesting Order No. 50930 at all times material to this action was and continues to be invalid;

(e) A Declaration that the conveyance of the herein described lands and premises on or about the 6th day of April, A.D. 1945, by the Secretary of State of Canada, acting in his capacity as Custodian, to the Secretary of State of Canada was and is unlawful and invalid;

(f) A Declaration that the conveyance of the herein described lands and premises on or about the 6th day of April, A.D. 1945 by the Secretary of State of Canada to Salt Spring Lands Limited was and is unlawful and invalid;

(g) An Order that Her Majesty the Queen return the lands and premises herein described to your Suppliant or, alternatively, that Her Majesty the Queen pay your Suppliant damages in the amount of $1,500.000.00 of lawful money of Canada;

(h) Costs of this action.

DATED at the County of Vancouver, in the Province of British Columbia, in the Dominion of Canada, this 21st

RE 8526-a

(3) The Custodian is not, by reason of a notification under Section (1) of this Regulation, subject to any liability with respect to the debt.

(4) Every person who furnishes false information with respect to an enemy debt is guilty of an offence under these Regulations.

48. (1) The Custodian may order the reporting of any claim against enemies not otherwise provided for by these Regulations and shall, if he so orders, cause a record to be kept of all such claims.

(2) Any person who furnishes any false information with respect to any claim reported under Section (1) of this Regulation shall be guilty of an offence under these Regulations.

49. No property held by or vested in the Custodian shall be liable to be attached or otherwise taken in execution, but the Custodian may upon an order of a superior court of record or a judge thereof, or of any Court in which judgment has been recovered against an enemy, pay out of any money or the proceeds of any property held by him in respect of that enemy the whole or any part of any debt due by that enemy and specified in the order: Provided that before paying any such debt the Custodian shall take into consideration the sufficiency of the property paid to or vested in him in respect of the enemy in question to satisfy that debt and any other claims against the enemy of which notice verified by statutory declaration may have been served upon him.

50. The Custodian shall not be liable for any tax, assessment, mortgage, lien, charge, call, rent, interest or payment upon or in respect of any property vested in him.

E 729

P.2.8.5.25-a

51. (1) No property vested in the Custodian shall be forfeited for default in doing an act or making a payment or attached, seized or taken under legal process or distress or foreclosed or sold under a mortgage, lien, pledge or charge or sold for a tax or assessment.

(2) This Regulation does not apply to a life insurance policy or annuity contract which, by its terms, lapses; and where any life insurance policy or annuity contract would, at any time on or after the second day of September, nineteen hundred and thirty-nine, have lapsed by its terms were it not for a regulation heretofore in force with reference to trading with the enemy or enemy property, it shall be deemed to have lapsed when it would, but for such regulation, have lapsed.

52. Every document purporting to be an order, certificate or other instrument issued by the Custodian and signed by him or any other person authorized by the Custodian, shall without further proof, unless the contrary is shown, be deemed for all purposes, including its receipt in evidence, to be such order, certificate or other instrument.

53. All periods of prescription or limitations of right of action, whether they began to run before or after the commencement of the present war, shall be treated, so far as regards relations between persons who are not enemies under these Regulations and enemies, as having been suspended during the present war.

54. A certificate of the Secretary of State that any area is or was enemy territory or proscribed territory, or as to the time at which any area became or ceased to be enemy territory or proscribed territory shall, for the purposes of any proceedings under or arising out of these Regulations, be conclusive evidence of the facts stated in such certificate.

55. Any person who for the purpose of obtaining any authority or sanction under these Regulations or for any other reason, or in giving any information for the purposes of these Regulations or any order made thereunder, makes a statement knowing it to be false, shall be guilty of an offence under these Regulations.

56. (1) Any person who refuses or fails to make or require the making, as the case may be, of any payment, or to furnish the prescribed particulars as required by these Regulations, shall be guilty of an offence under these Regulations.

(2) Any person who refuses or fails to furnish information and particulars within the time mentioned in these Regulations, or fails to deliver to the Custodian the documents or other evidence of title pursuant to the Custodian's written request as provided by these Regulations, shall be guilty of an offence under these Regulations.

57. Any person who wilfully obstructs any person in the exercise of any powers conferred on him by or under these Regulations shall be guilty of an offence under these Regulations.

58. (1) The onus of proof rests upon a person who asserts that he has or had any interest in property or that he or any property is not subject to the provisions of these Regulations.

(2) Evidence submitted to the Custodian thereby becomes the property of the Custodian and may be retained by him.

59. The judges of the Court to which any jurisdiction is by these Regulations committed may make provision by rules for the practice and procedure to be adopted for the purpose of the exercise of such jurisdiction.

P.C. 3526-a

60. No prosecution for an offence under Regulations 2 or 3 of these Regulations shall be instituted except by or with the consent of the Attorney-General of Canada; provided that the person charged with such an offence may be arrested and a warrant for his arrest may be issued and executed, and such person may be remanded in custody or on bail notwithstanding that the consent of the Attorney-General of Canada to the institution of the prosecution for the offence has not been obtained, but no further or other proceedings shall be taken until that consent has been obtained.

61. Where an act or default constitutes an offence both under these Regulations and under any statute, or both under these Regulations and at common law, the offender shall be liable to be prosecuted and punished under either these Regulations, or such statute, or at common law, but he shall not be liable to be punished twice for the same offence.

62. Subject to the provisions of Regulation 60 hereof, any offence declared and any penalty or forfeiture imposed or authorized by these Regulations may in the absence of any provision for a different procedure be prosecuted, recovered, or enforced by summary proceedings and conviction under the provisions of Part XV of the Criminal Code.

63. Any person guilty of the offence of trading, attempting or directly or indirectly offering or proposing or agreeing to trade with the enemy in violation of any of these Regulations shall be liable -

(a) on summary conviction to imprisonment with or without hard labour, for a term not exceeding twelve months, or to a fine not exceeding two thousand dollars, or to both such imprisonment and such fine; or

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DEPARTMENT OF

(b) on conviction on indictment to imprisonment for a term not exceeding five years or to a fine not exceeding five thousand dollars, or to both such imprisonment and fine;

and the Court may in any case order that any goods or money in respect of which the offence has been committed shall be forfeited to the Custodian.

64. Any person guilty of an offence under these Regulations shall be liable to a fine not exceeding five hundred dollars or imprisonment with or without hard labour for a term not exceeding six months, or to both such fine and imprisonment.

65. Where a company, incorporated or unincorporated, or other body of persons, has been guilty of an offence or default under these Regulations, and the penalty or punishment provided as respects said offence or default is or includes a fine and whether or not imprisonment, additionally or alternatively, the company or other body shall be liable to the fine only (with any additional fine or fines provided by any of these Regulations with respect to continuing defaults); and every director, manager, secretary, or other officer of such company or body of persons and every partner or member of such unincorporated company or body of persons who is knowingly a party to the offence or default, shall also be deemed guilty of the offence or default and liable on conviction to the like fine or fines as the company or other body of persons, or to imprisonment, with or without hard labour, for a term not exceeding six months, or to both such fine or fines and such imprisonment.

66. Any restrictions on dealings with property imposed by these or any other Regulations or under any Order in Council or statute shall continue to apply to such property, not only during the continuance of the present war, but thereafter until

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DEPARTMENT OF CANADA

such time as they may be removed by Order in Council, either simultaneously as respects all such property or at different times as respects different classes or items of property.

67. These Regulations shall be deemed not to limit the power of His Majesty the King by proclamation or otherwise to prohibit any transaction which is not prohibited by these Regulations.

68. Where any question arises as to whether any property has, on or after the second day of September, nineteen hundred and thirty-nine, vested in the Custodian or as to whether the Custodian has charged or was entitled, at any time on or after the second day of September, nineteen hundred and thirty-nine, to charge any fees, such question shall be decided as though Regulations 21 and 44 of these Regulations were in force at all relevant times.

69. No person shall institute any action or other proceeding to recover any sum of money paid to or received or detained by the Custodian with respect to any charge he may have made or purported to have made under these or any other Regulations.

70. These Regulations may be cited as "Revised Regulations Respecting Trading with the Enemy (1943)".

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DEPARTMENT OF CANADA

Ex 29

Page 5

EXCHEQUER COURT OF CANADA
No B2027
Iwasaki v Queen
EXHIBIT 29.
FILED Supplant
REG.

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION
506 ROYAL BANK BUILDING
VANCOUVER, B.C.

ADDITIONAL CATALOGUE
of Real Properties for Sale by Public Tender

The Properties listed in this Catalogue are offered for sale without any warranty on the part of the Custodian as to the accuracy of the information contained herein. All prospective purchasers are required to satisfy themselves as to the correctness thereof.

Persons interested in the purchase of any of the properties listed herein are asked to contact the Agent whose name is set opposite each property. These Agents will be pleased to supply available information and arrange for the inspection of the property.

Tenders will be received on those properties situate in the **City of New Westminster, District of Dewdney, Municipalities of Richmond (including Steveston Townsite), Delta, Maple Ridge, Matsqui, Mission and Surrey, and the Villages of Mission and Tofino,** up to the hour of Twelve o'clock Noon, Pacific Daylight Saving Time on the FIRST DAY OF MAY, 1944.

Tenders will be received on the **remaining parcels** in this catalogue up to the hour of Twelve o'clock Noon, Pacific Daylight Saving Time on the FIFTEENTH DAY OF JUNE, 1944.

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Copy of initial advertisement published on March 30th, 1944.

DEPARTMENT OF THE SECRETARY OF STATE OF CANADA
OFFICE OF THE CUSTODIAN

REAL PROPERTY FOR SALE BY TENDER

The Secretary of State of Canada, acting in his capacity as Custodian under or by virtue of the Revised Regulations Respecting Trading With the Enemy (1943) hereby offers for sale by public tender such interests as are vested in him in certain commercial, residential and unimproved properties situate in the protected area of British Columbia.

A catalogue listing the properties above referred to may be examined and further particulars obtained on application to the undersigned or Real Estate agents.

Tenders for the purchase of such property interest vested in the Custodian will be received subject to the following terms and conditions:

1. Each tender must be for one of the parcels described, but a separate tender may be filed for each of several parcels.
2. A tender offering for parcels in the alternative will be considered an offer only for the parcel first named.
3. A certified cheque payable to the order of the Secretary of State as Custodian for ten percent (10%) of the amount offered must accompany each tender. The deposit will be forfeited as liquidated damages if the tender is accepted and not completed by the purchaser immediately upon his being required to do so by the Custodian.
4. Each tender must be in a separate sealed envelope addressed to The Office of the Custodian, 506 Royal Bank Building, 675 West Hastings Street, Vancouver, B. C., and each envelope must be marked on the outside "Tender for Real Estate—Catalogue Parcel No....."
5. The balance of the purchase price shall be paid in cash where the purchase price does not exceed $1,000.00.
   Where the purchase price exceeds $1,000.00 but does not exceed $3,000.00 the balance may be paid in cash but consideration will be given to offers of not less than 50% of the purchase price in cash and the remainder within two years, together with interest at 5% (minimum down payment $1,000.00).
   Where the purchase price exceeds $3,000.00 the balance may be paid in cash but consideration will be given to offers of not less than 40% of the purchase price in cash and the remainder within two years, together with interest at 5% (minimum down payment $1,500.00).
6. All adjustments will be made as of the date of conveyance or agreement.
7. Properties will be sold subject to existing leases and encumbrances, if any.
8. Properties are offered for sale without any warranty whatsoever by the Custodian as to location or condition of buildings or improvements or the existence or non-existence of any encroachments.
9. The Custodian reserves the right to cancel any accepted tender and to refund the deposit at any time prior to delivery by him of the conveyance or transfer.
10. Neither the highest nor any tender will necessarily be accepted.
    Cheques in respect of unaccepted tenders will be returned in due course.

Tenders will be received by the undersigned up to the hour of Twelve o'clock Noon, Pacific Daylight Saving Time on the FIRST DAY OF MAY, 1944, on those properties situate in the **City of New Westminster, District of Dewdney, Municipalities of Richmond (including Steveston Townsite), Delta, Maple Ridge, Matsqui, Mission** and **Surrey,** and the **Villages of Mission** and **Tofino.**

Tenders for the **remaining parcels** in the catalogue will be received by the undersigned up to the hour of Twelve o'clock Noon, Pacific Daylight Saving Time on the FIFTEENTH DAY OF JUNE, 1944.

DATED at Vancouver, British Columbia, this 30th day of March, 1944.

THE CUSTODIAN,
506 Royal Bank Building,
675 West Hastings Street,
Vancouver, B. C.

Catalogue No.	Civic Address	Lot	Block	D. L. or Sec.	Tp.	Map or Plan	Improvements	Agent	Custodian File No.
ALBERNI ASSESSMENT DISTRICT—ALBERNI Land District									
500.	Bamfield, B. C.	1, 2	7	122		1072	Vacant land	R. C. Phippard, Bamfield, B. C.	1556
ALBERNI ASSESSMENT DISTRICT—BARCLAY Land District									
501.	Bamfield, B. C.	1 (D.D. 63267-I)	B	20	1	2486	2 dwellings, furn., fishing equipment	R. C. Phippard, Bamfield, B. C.	14090/14127
502.	Bamfield, B. C.	2 (D.D. 106564-I)	B	20	1	2486	Dwelling & furniture	R. C. Phippard, Bamfield, B. C.	1732
503.	Bamfield, B. C.	7 Ex. N114′		20	1	3077	Vacant land	R. C. Phippard, Bamfield, B. C.	1714
504.	Bamfield, B. C.	10-13		20	1	3770	2 dwell'gs & furn.	R. C. Phippard, Bamfield, B. C.,	1424/1556/13760
505.	Bamfield, B. C.	E (D.D. 106633-I)		Pt. NE¼20	1		Vacant land	R. C. Phippard, Bamfield, B. C.	14090
ALBERNI ASSESSMENT DISTRICT—CLAYOQUOT Land District									
506.	Native Is., Ucluelet Inlet	543		(52 ac. m/l)	Clayoquot District		2 dwellings, chicken house	R. Matterson, Ucluelet, B. C.	1456
507.	Port Albion, Ucluelet Inlet	1		18		4957	Dwelling	Mrs. H. Whipp, Port Albion, B. C.	1480
508.	No. 9, Fraser's Bay "	1		21		1116	Small dwelling	R. Matterson, Ucluelet, B. C.	9216
509.	Fraser's Bay "	2		21		1116	Small dwelling	R. Matterson, Ucluelet, B. C.	1458
510.	No. 7, Fraser's Bay "	3		21		1116	Dwelling	R. Matterson, Ucluelet, B. C.	1662
511.	Fraser's Bay "	4, 5		21		1116	Vacant land	R. Matterson, Ucluelet, B. C.	743/I.781
512.	No. 6, Fraser's Bay "	6		21		1116	Dwelling	R. Matterson, Ucluelet, B. C.	1749
513.	No. 4, Fraser's Bay "	8		21		1116	Small dwelling	R. Matterson, Ucluelet, B. C.	3345
514.	No. 3, Fraser's Bay "	9		21		1116	Dwelling	R. Matterson, Ucluelet, B. C.	1666
515.	No. 2, Fraser's Bay "	10		21		1116	Dwelling	R. Matterson, Ucluelet, B. C.	7599
516.	No. 1, Fraser's Bay "	11-13		21		1116	Dwelling	R. Matterson, Ucluelet, B. C.	3929
517.	Hakoda Bay, Ucluelet Inlet		3	795 (5 ac. m/l)		2971	Dwelling (unfinished)	R. Matterson, Ucluelet, B. C.	5232
518.	Hakoda Bay, Ucluelet Inlet		4	795 (5 ac. m/l)		2971	Dwelling	R. Matterson, Ucluelet, B. C.	13766
519.	Hakoda Bay, Ucluelet Inlet		5	795 (5 ac. m/l)		2971	3 Dwellings	R. Matterson, Ucluelet, B. C.	1478
520.	Hakoda Bay, Ucluelet Inlet		6	795 (5 ac. m/l)		2971	Dwelling	R. Matterson, Ucluelet, B. C.	1452
521.	Hakoda Bay, Ucluelet Inlet		7	795 (5 ac. m/l)		2971	2 Dwellings	R. Matterson, Ucluelet, B. C.	1588
522.	Hakoda Bay, Ucluelet Inlet		8	795 (5 ac. m/l)		2971	Vacant land	R. Matterson, Ucluelet, B. C.	2294
523.	Hakoda Bay, Ucluelet Inlet		9	795 (5 ac. m/l)		2971	Vacant land	R. Matterson, Ucluelet, B. C.	5181
524.	Hakoda Bay, Ucluelet Inlet		10	795 (5 ac. m/l)		2971	Dwelling	R. Matterson, Ucluelet, B. C.	1532
525.	Hakoda Bay, Ucluelet Inlet		11	795 (5 ac. m/l)		2971	Vacant land	R. Matterson, Ucluelet, B. C.	669
526.	Hakoda Bay, Ucluelet Inlet		12	795 (5 ac. m/l)		2971	Vacant land	R. Matterson, Ucluelet, B. C.	13001
527.	No. 9, Hakoda Bay, Ucluelet Inlet		13	795 (5 ac. m/l)		2971	Dwelling	R. Matterson, Ucluelet, B. C.	457
528.	Outskirts Ucluelet, B. C.	A		(D.D. 32628-I), Sec. 282 (1.6 ac. m/l)			Vacant land	R. Matterson, Ucluelet, B. C.	7255
COMOX ASSESSMENT DISTRICT—COMOX Land District									
529.	Courtenay, B. C.	2		14		4140			
				15	Ex. pts. P. 3827 & (93.1 ac. m/l) & (160 ac. m/l)	4090	Large dwelling, barn, farm outbuildings	Comox Valley Lands, Courtenay, B. C.	4822
				159		3739	Vacant land	Comox Valley Lands, Courtenay, B. C.	8985
530.	Royston, B. C.	12	4	93		2281	Small dwelling, barn	Leo P. Anderton, Courtenay, B. C.	5446/13920
531.	Headquarters, B. C.	14	29				Vacant land	Comox Valley Lands, Courtenay, B. C.	5971
532.	Comox, B. C.	SE¼ 156		(D.D. 32375-I) (40 ac. m/l)					