

1698-c-40

Jg

AFA

File No.	1698-C-40c
Sub.	S Chron. 11 Filed

1698-C-40

November 10, 1941.

Dear Captain Brand,

I have your letter of October 31st outlining the revised plan submitted by Commodore Beech for the examination of vessels off the British Columbian coast. In principle, the plan seems thoroughly sound, and the only comment which I wish to add is that while it is quite right that in the event of war with Japan, whether declared or undeclared, persons of Japanese origin will "receive more immediate attention than those not of enemy origin", it is important that in order to conform with the general policy of the Government in dealing with the population of Japanese race in British Columbia, nothing should be done to make the measures of control either more severe or more disagreeable to those concerned than is necessary for purposes of defence. For instance, the general policy agreed on was that enemy aliens would not necessarily be interned though they would be required to report to the police. It would seem to follow that an alien need not necessarily be placed under guard because he happens to have been employed on a vessel, and it would be more appropriate for the Naval authorities to act in this matter in collaboration with the Royal Canadian Mounted Police.

Yours sincerely,

N A ROBERTSON

Under Secretary of State for
External Affairs.

Captain E. S. Brand,
Director of Naval Intelligence,
Department of National Defence,
O t t a w a.

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, November 7, 1941.

SECRET

REGISTERED

EXTERNAL AFFAIRS RECORDS		
File No. 1698-C-40c		
Sub. 2	Chron. 2	Filed

*Copy also on
1698-A-40c*

Dear Mr. Keenleyside,

Enclosed is a note (in triplicate)
on Canadian action in the event of war with Japan,
the contents of which may be of interest to the
United States Government.

Sincerely yours,

(Sgd.) N.A. Robertson.

H.L. Keenleyside, Esq.,
c/o Windsor Hotel,
Montreal, P.Q.

I think we had better have another
look at policy re fishing vessels
early next week. The present
recommendation may stand, but if so
it should be on its own merits from the
security standpoint and not simply as
a corollary of the policy approved re
Regulation 21.

N.A.R.

7,11,41.

1698-C-40

*file
16.*

1678-2-40

Summary of Action to be Taken
by the Canadian Government on the Commencement
of War between Canada and Japan

Treatment of Persons of Japanese Nationality or Race

The Defence of Canada Regulations contain ample powers to intern or restrict the activities of any person, whether or not he is an enemy alien. The policy approved by the Government is that there will be no wholesale internment, even of Japanese nationals. A small number of persons will be interned for cause.

Likewise, according to present plans, there will be no general interference with fishing vessels owned and operated by Japanese of Canadian nationality.

Treatment of Japanese Legation and Consulate

The treatment of the Legation is dictated by international law and custom. As for the Consulate, the treatment will be based on the following principles:

- (1) Japanese members of Consular office staffs to be treated in the same manner as Consular officers themselves.
- (2) Archives to be regarded as inviolate, but will be held in British territory for the duration of the war in custody of representative country which takes over Japanese interests.
- (3) Premises, property and quarters of Consular officers and their staffs not to be searched as this would set up undesirable precedent for our Consular staffs in overseas countries.
- (4) British Consuls and their staffs were, generally speaking, treated with every consideration by the Germans and Italians, and it is felt, therefore, that Japanese Consuls and their staffs should be treated with the most rigid courtesy compatible with the safeguarding of our interests.

Trading with the Enemy Regulations

These will automatically apply to Japan on the commencement of war between Canada and Japan.

Shipping, Economic and Financial Measures

No special measures will be required in the event of war, in view of the anti-Japanese measures already taken.

General

Other things follow automatically on the commencement of war. The Canadian armed forces will engage the enemy. The naval forces will capture Japanese registered merchant and fishing vessels. All communications with Japan will cease.

1698-c-40



Department of National Defence

Naval Service

Ottawa, Canada.

31st October, 1941.

IN REPLY PLEASE QUOTE
No. N.S. 1030-6-14
SECRET.

EXTERNAL AFFAIRS RECORDS
File No. 1698-C-40C
Sub. 5 Chron 11 Filed

Dear Dr. Keenleyside,-

May I refer to your letter of August 14th to Commander German. Commodore Beech has now submitted a revised plan for the examination of vessels off the British Columbian Coast. The following is the gist of the plan:-

"The following plan has been prepared for rapid examination of all fishing and other craft in British Columbia harbours and waters. These arrangements will be carried out should an occasion arise necessitating the examination of any or all vessels and crews employed on the B.C. Coast, in order to tighten up the defensive measures already in existence. The operation is not directed against any particular race, but in the event of War (declared or undeclared) with Japan, persons of Japanese origin should naturally receive more immediate attention than those not of enemy origin.

2. The first objective will be the making of a thorough inspection of all vessels and crews, and to facilitate this, vessels will be ordered into certain central points in the various areas. Naval Officers invested with authority to requisition boats, men and arms will be flown into the various areas."

The following steps should be taken:-

- (a) Vessels to be searched and all arms confiscated
- (b) If necessary a prize crew is to be put aboard
- (c) Aliens and doubtful persons should be removed and placed under guard.

It is requested that you will forward any comments you may have and, if possible, the approval of the Department of External Affairs, together with any modifications or additions which the Department may desire at as early a date as possible in order that the Naval Staff may approve the details.

Yours very truly,

(E.S. Brand),
Captain, R.C.N.

Director of Naval Intelligence.

Dr. H.L. Keenleyside,
Department of External Affairs,
O T T A W A.

H.Q. 1010A

7514-9-40 (6812)
N.S. 815-7-1010

1698-C-40

Original of
1698A40c
1698-C-40c
Sub. 6 Chron. 11 Filed

October 29, 1941.

Re/d M.I
Oct 29/41

SECRET

Dear Sir,

Cabinet War Committee has given general approval to the Report of the Special Committee on Measures to be Taken in the Event of War with Japan. You will recall that your Department was represented on the Special Committee by Commander B. German.

2. The approval is subject to certain qualifications, the chief of which is that the Canadian armed forces are not to take the War Telegram (stating that war has commenced between the United Kingdom and Japan) as an automatic signal to engage the Japanese, unless the Canadian forces are attacked. It follows that Japanese merchant and fishing vessels are not to be seized outside of Canadian territorial waters on receipt of the War Telegram. The Government will reconsider the question of action by the Canadian armed forces on receipt of the War Telegram.

3. The War Telegram is not to be taken as a signal to terminate all communication with Japan. Communication may continue, subject to complete censorship, until either the Government directs otherwise or war formally begins between Canada and Japan.

4. The War Telegram may however be taken as a signal to cancel the exemptions from censorship hitherto accorded to the Japanese Legation and its members, and the Japanese Consulate in Vancouver.

5. Enclosed for your information is a copy of a letter we are sending to the Department of Justice and the Royal Canadian Mounted Police regarding registration and internment policy.

The Deputy Minister of
National Defence for Naval Services,
O t t a w a,
Canada.

Yours sincerely,

J.E. Read

for the

Under Secretary of State
for External Affairs.

1698-C-40

EXTERNAL AFFAIRS RECORDS		
File No.	1698-C-40	
Sub.	Chron.	Filed
6	6	

MW/MB

October 21/41.

MEMORANDUM FOR FILE 1698 C 40C

Re- Japanese fishing vessels

File
rm

On August 14th Mr. Keenleyside wrote Commander German of Naval Intelligence regarding the policy to be followed in respect of these vessels in the event of war with Japan.

Yesterday Mr. Keenleyside phoned Commander German and asked him whether anything had been done as a result of the letter of August 14th, i.e. ^{what} ~~if~~ the instructions had finally been given to the Canadian Naval forces.

Today Commander German phoned Mr. Read and said that the Canadian Forces on the Pacific Coast have been instructed to limit their seizures of fishing vessels to those owned and operated by Japanese nationals. Vessels owned and operated by British subjects of Japanese origin will only be interfered with where there are positive grounds for suspicion, comparable to those which would justify the internment of a British subject of Japanese origin.

TAS/S

EXTERNAL AFFAIRS RECORDS	
File No.	1698 C-40C
Sub.	5 Chron. // Filed

1698-C-40

Ottawa, August 1st, 1941.

My dear Mr. Wilgress,

I am writing to inform you that last evening I told Mr. Kanaya of the Japanese Legation that there would be no objection to the "Heian Maru" discharging her cargo in Vancouver. This vessel is due to arrive this evening or tomorrow morning and we had, as I think you know, previously informed the Japanese Minister that in the event of her coming into the port of Vancouver she would not be restrained or interfered with. The permission which we have given for her to discharge her cargo covers some cargo destined for the United States.

The above will confirm a telephone conversation which you had with Mr. Stone this morning.

Yours sincerely,

N. A. ROBERTSON

Under-Secretary of State
for External Affairs.

L. D. Wilgress, Esq.,
Deputy Minister of Trade and Commerce,
Ottawa.

HLK/MMB

EXTERNAL AFFAIRS RECORDS
File No. 1698-C-40C
Sub. 2 Chron. 4 Filed

1698-C-40

Ottawa, August 14th, 1941.

Dear Commander German,

I have examined the attached file.

The position taken by Mr. Robertson in his letter of February 21st is clear and reasonable. (If the vessels referred to in Commodore Beech's memorandum of May 2nd are in fact Japanese owned and registered ships then his plan requires no comment.

On the other hand from internal evidence it would seem to be clear that what he is talking about is the fleet of fishing vessels owned by Japanese residents of Canada, all of whom are British subjects and Canadian nationals. If this is Beech's plan it is, of course, wholly impossible. I would suggest that the matter should be cleared up by definite instructions to the Officer Commanding on the Pacific Coast that the proposals outlined in his memorandum under reference are applicable only to vessels owned and operated by Japanese nationals.

Yours sincerely,

H. L. Keenleyside.

Assistant Under-Secretary of State
for External Affairs.

Commander P. B. German,
Naval Intelligence,
Dept. of National Defence (Naval),
O t t a w a .

EXTERNAL AFFAIRS DEPT.
File No. 1698-C-40c
Sub. 5 Chron. 11 Filed

1698-c-40

CYPHER

NO. 131.

AUG 4 1941

THE MINISTER OF TOKYO
P.M. ✓ (w)

TOKYO.

August 5th, 1941.

CHARGE D'AFFAIRES

1698-C-40

EXTERNAL AFFAIRS RECORDS		
File No.	1698-C-40	
Sub.	Chron.	Filed

TELEGRAM

From THE CANADIAN MINISTER IN THE UNITED STATES
To THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

EN CLAIR
NO. 326

RECEIVED TO
AUG 3 1941
THE MINISTER OF

WFO
Customs
FEBB
R

WASHINGTON, August 2, 1941.

No. 326. Reference Robertson's enquiry on
telephone. Japanese ships are free to unload
cargoes in United States ports, but Treasury licences
are required before cargoes will be released from customs.
There seems no objection to unloading at Vancouver of ship
routed there from Seattle.

CANADIAN MINISTER

EXTERNAL AFFAIRS RECORDS
File No. 1698-C-400
Sub. 5 Chron. 11 Filed

TAS/S

1698-C-400

Ottawa, August 1st, 1941.

My dear Mr. Scully,

I am writing to inform you that last evening I told Mr. Kanaya of the Japanese Legation that there would be no objection to the "Heian Maru" discharging her cargo in Vancouver. This vessel is due to arrive this evening or tomorrow morning and we had, as I think you know, previously informed the Japanese Minister that in the event of her coming into the port of Vancouver she would not be restrained or interfered with. The permission which we have given for her to discharge her cargo covers some cargo destined for the United States.

The above will confirm a telephone conversation which Mr. Stone had with Mr. Young this morning.

Yours sincerely,

N. A. ROBERTSON

Under-Secretary of State
for External Affairs.

H. D. Scully, Esq.,
Commissioner of Customs,
Department of National Revenue,
Ottawa.

1698-C-40

MAR/ET
30 July, 1941.

MEMORANDUM FOR THE PRIME MINISTER:

EXTERNAL AFFAIRS RECORDS

File No. 1698-C-40c

Sub. 5 Chron. 5 Filed 5

Wheat for Japan

Copy on
415-40c
(Wheat for
Japan)

The Japanese Legation are enquiring whether ~~the~~ Japanese vessels will be interfered with if they enter Canadian ports. The Heian Maru, presently in Seattle, and the Kozui Maru, now somewhere off the Pacific coast, are waiting to learn whether they will be permitted to embark cargoes of wheat for which export permits have already been granted. The Heian Maru proposes to load 2500 tons of wheat and the Kozui Maru 4500 tons.

The United States authorities are reported to have given the Japanese Embassy in Washington an assurance that Japanese ships entering United States ports will be allowed to depart freely. This assurance must also mean that the necessary funds will be released to them for the purchase of ship's stores and fuel.

The United States have not given the Japanese any indication of what their policy will be with regard to permitting exports to Japan, but have informed us confidentially that they propose to issue licences under the freezing order permitting normal exports to Japan. They do not appear to plan to use the freezing ~~order~~ ~~to~~ ~~prevent~~ ~~the~~ ~~export~~ ~~of~~ ~~wheat~~ ~~to~~ ~~Japan~~ ~~and~~ ~~that~~ ~~Japanese~~ ~~ships~~ ~~can~~ ~~freely~~ ~~enter~~ ~~Canadian~~ ~~ports~~ ~~and~~ ~~that~~

order to restrict exports to Japan, but on the other hand, they apparently propose using the freezing order to limit imports from Japan pretty drastically. Such a policy does not seem to me to make sense, unless they think they can count on at least six months maintenance of the status quo, at the end of which period restriction of Japanese imports might be expected to result in a stoppage of exports to Japan as a result of curtailment of purchasing power. In the short run, however, the United States policy of granting release of Japanese funds to finance exports from the United States to Japan will have the effect of facilitating the export of Japanese capital from the United States and may even accelerate Japanese procurement of needed United States supplies. The Japanese themselves have no inkling of what the United States plan to do and are naturally very perturbed at the possible implications of the freezing order. When they find out that they can get pretty much what they want from the United States without being obliged to pay for it by providing goods that the United States may need, they may well feel that the freezing order has been another bluff.

If we are to parallel American policy, as now indicated, we should advise the Japanese Minister that Japanese ships can freely enter Canadian ports and that

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1698-C-40

-3-

and that they will be permitted to depart therefrom with the necessary fuel and ship's stores. We should also let them know, at least in respect of individual applications, that permission will be given for the export from Canada of goods for which export permits had already been granted. If, on the heels of the proclamation of the freezing order and the notice of termination of the Commercial Treaty, Japanese ships resume their loading of wheat at Vancouver in precisely the same manner as before, I am afraid that a puzzled public opinion will feel that it has in some way been let down by the Government.

I would suggest, therefore, that before replying to the Japanese Minister's enquiries either about ships or wheat, we should endeavour to make sure that London and Washington appreciate the implications of the policy they apparently propose to pursue.

ALL CORRESPONDENCE TO BE ADDRESSED:
THE COMMISSIONER
R.C.M. POLICE
OTTAWA



ROYAL CANADIAN MOUNTED POLICE
OFFICE OF THE COMMISSIONER
OTTAWA

REF. NO. D 915-P-2

EXTERNAL AFFAIRS RECORDS
File No. 1698-C-400
Sub. 2 Chron. 3 Filed

EXTERNAL AFFAIRS RECORDS
File No.
Sub. Chron. Filed

April 19, 1941.

SECRET

Dear Mr. Robertson:

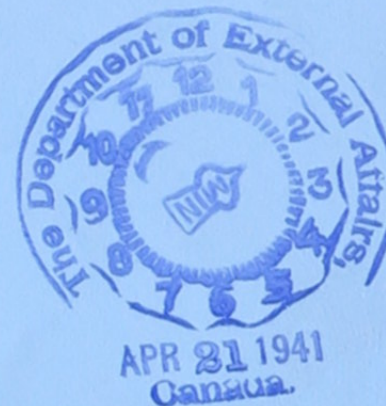
Further to my letter of the 3rd ultimo concerning the Japanese M/S "Heian Maru", I wish to advise that we are in receipt of information that this vessel is still in the Pacific service and is now due at Vancouver.

2. It is presumed that the information we received regarding the "Heian Maru" being converted into an auxiliary armed cruiser was either erroneous or the Japanese have changed their plans with respect to the arming of this vessel.

Yours sincerely,

S. T. Wood
S. T. Wood.

N. A. Robertson, Esq.,
The Acting Under Secretary of State
for External Affairs,
OTTAWA, Ontario.



ALL CORRESPONDENCE TO BE ADDRESSED
THE COMMISSIONER
R.C.M. POLICE
OTTAWA



ROYAL CANADIAN MOUNTED POLICE
OFFICE OF THE COMMISSIONER
OTTAWA

REF. NO. D 915-P-2

EXTERNAL AFFAIRS RECORDS
File No. 1698-C-40
Sub. 5 Chron. 3 Filed

March 3, 1941.

SECRET

Dear Mr. Robertson:

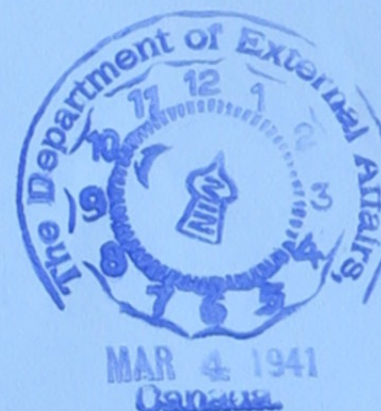
Reports received from our Vancouver office covering observations made by our agent indicate that the Japanese M/S "Heian Maru" sailed from Vancouver on the 22nd February, 1941, and is not returning to that port as scheduled.

2. The information supplied is that immediately she reaches her home port in Japan she will be placed in dry dock for the purpose of being converted into an armed auxiliary cruiser.

Yours sincerely,

S. T. Wood
S. T. Wood.

N. A. Robertson, Esq.,
The Acting Under Secretary of
State for External Affairs,
OTTAWA, Ontario.



ROYAL CANADIAN MOUNTED POLICE
Office of the Commissioner
Ottawa.

D 915-P-2

March 2, 1941.

March 3, 1941.

SECRET

Dear Mr. Robertson: Reports received from our Vancouver office covering observations made by our agent indicate that the Japanese M/S "Heian Maru" sailed from Vancouver on the 22nd February, 1941, and is not returning to that port as scheduled. The information supplied is that immediately she reaches her home port in Japan she will be placed in dry dock for the purpose of being converted into an armed auxiliary cruiser.

Yours sincerely,

S. T. Wood.

M. A. Robertson, Esq.,
The Acting Under Secretary of
State for External Affairs,

M. A. Robertson, Esq.,
The Acting Under Secretary of
State for External Affairs,
OTTAWA, Ontario.

ROYAL CANADIAN MOUNTED POLICE
Office of the Commissioner
Ottawa.

D 915-P-2

March 3, 1941.

SECRET

Dear Mr. Robertson:

Reports received from our Vancouver office covering observations made by our agent indicate that the Japanese M/S "Keian Maru" sailed from Vancouver on the 22nd February, 1941, and is not returning to that port as scheduled.

2. The information supplied is that immediately she reaches her home port in Japan she will be placed in dry dock for the purpose of being converted into an armed auxiliary cruiser.

Yours sincerely,

S. T. WOOD

N.A. Robertson, Esq.,
The Acting Under Secretary of
State for External Affairs,
OTTAWA, Ontario.

(REFERRED TO: NATIONAL DEFENCE (N))

1688-C-40

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D. E. GALLOWAY, Assistant Vice-President, Toronto, Ont.

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NIGHT LETTER	

PATRONS SHOULD MARK AN X OPPOSITE THE CLASS OF SERVICE DESIRED. OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

RECEIVER'S NO.	TIME FILED	CHECK

Send the following message, subject to the terms on back hereof, which are hereby agreed to

FEB. 25 1941.

H. L. KEENLEYSIDE,
DEPT. OF EXTERNAL AFFAIRS,
OTTAWA, ONT.

EXTERNAL AFFAIRS RECORDS
File No. 1698-C-400
Sub. 5 Chron. 5 Filed

REFERENCE YOUR PHONE MESSAGE NUMBER OF LICENCES ISSUED JAPANESE AS SHOWN OUR REPORT IS APPROXIMATE STOP FIGURES BASED ON LETTER TO OFFICER COMMANDING MOUNTED POLICE HERE FROM CHIEF SUPERVISOR FISHERIES VANCOUVER DATED JUNE TWENTY-EIGHTH NINETEEN-FORTY WHEN HE STATES IN PART QUOTE ONE FIVE FIVE SEVEN LICENCES ISSUED ALL AREAS TO BRITISH SUBJECTS OTHER THAN WHITES AND CANADIAN INDIANS NO ACCURATE FIGURES AVAILABLE AS THERE ARE CASES WHERE JAPANESE FISHERMEN HOLD MORE THAN ONE VARIETY OF LICENCE STOP JAPANESE LICENCES ISSUED CONSTITUTE APPROXIMATELY 13 PERCENT OF FISHING LICENCES ISSUED IN BRITISH COLUMBIA UNQUOTE CHIEF SUPERVISOR TOLD ME THIS MORNING THAT FIGURE OF ONE TWO NOUGHT NOUGHT IN REPORT IS VERY CLOSE TO THE MARK.

F. J. MEAD

CHARGE R. C. M. P. ACCT.
H.L.Keenleyside, Esq.,
Department of External Affairs, OTTAWA

Sir: Confirmation copy by mail.

F. J. Mead
(F.J.Mead)
Assistant Commissioner,

Vanc'r 27-2-41

1698-C-40

JER/B

SECRET

EXTERNAL AFFAIRS RECORDS	
File No.	1698-C-40
Sub.	Chron. 4 Filed

Ottawa, February 21, 1941.

Dear Sir:

May I refer to your letter dated the 20th February, 1941, under your file No. N.S.1030-6-8, in which you ask for my comments as to the legality of certain action proposed by the Commanding Officer, Pacific Coast, in the event of war with Japan.

The first enquiry related to the following statement:

"In the event of hostilities breaking out with Japan it is proposed to immediately seize all Japanese fishing boats".

It was formerly recognized that an immunity should be accorded to fishing boats under the rules of International Law. This immunity is, however, limited and applies only to coastal fishing vessels of small size. It has no application to deep sea fishing vessels engaged in a commercial enterprise forming a part of the trade of an enemy country. The fishing vessels to which the Commanding Officer, Pacific Coast, is referring could not possibly be vessels engaged in coastal fishing in the neighbourhood of Japan and they would, therefore, have no right to claim immunity from seizure.

You will, of course, understand that I am expressing no view as to whether such a seizure should be made at any time or as to whether it either could or should be made during a period preceding Canadian participation in such a war.

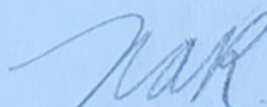
The Honourable A. L. Macdonald,
Minister of National Defence
for Naval Services,
Ottawa.

The second question is concerned with the following statement:

"Japanese owned boats of which owners hold Canadian Naturalization Papers would also be sent into defended ports for thorough investigation".

There can be no doubt as to the legality of this action whether it takes place within Canadian waters or on the high seas. Ample powers are given by Defence of Canada Regulation No.40(2). Care should be taken to observe the formalities described by this Regulation. It would be open to the Minister of National Defence to direct such fishing boats to proceed to a Canadian port and it would then become subject to the provisions of Defence of Canada Regulation 40A. You will understand that I am expressing no opinion on the question of policy involved.

Yours sincerely,



Acting Under-Secretary of State
for External Affairs

1688-c-40



N.S. 1030-6-8

MINISTER OF NATIONAL DEFENCE
FOR NAVAL SERVICES

20th February,
1941.

SECRET

EXTERNAL AFFAIRS RECORDS
File No. 1698-C-400
Sub. 5 Chron. 4 Filed

Sir:-

The following is a copy of a
signal received from the Commanding Officer,
Pacific Coast:-

"In the event of hostilities breaking
out with Japan it is proposed to immediately seize
all Japanese fishing boats.

"Japanese owned boats of which owners
hold Canadian Naturalization Papers would also be
sent into defended ports for thorough investi-
gation."

2. I shall be glad to have your
comments as to the legality of the proposed action,
particularly with reference to paragraph 2 of the
above signal.

Yours very truly,

Acting Under Secretary of State for
External Affairs,
Department of External Affairs,
OTTAWA, Canada.

