CONFIDENTIAL

Department of External Affairs

L

Subject: Release of Japanese Assets in Canada--Individual Cases:

Z

File No. 614-R-1-40
Volume One
From 30 August 1943
To ~~30-5-50~~ ~~June 1958~~ ~~31 Dec 1956~~ 29-9-56

Date	Referred To	Returned	Date	Referred To	Returned
10898-A-40 Transferred to 4603-C-13-40	~~Policy re Settlement of Claims in Canada by Canadians of Japanese Origins~~ Treatment of Assets and Property of Japanse in Canada-Policy				
773-B-40	Treatment of Japanese in Canada				

DECLASSIFIED
ACCESS TO INFORMATION
L'ACCÈS À L'INFORMATION
EXAMINED BY/EXAMINÉ PAR: I. Sharpe
DATE / DATE: 23/11/87

ACCESS TO INFORMATION
L'ACCÈS À L'INFORMATION
EXAMINED BY/EXAMINÉ PAR:
DATE / DATE: Feb 24/86

EXTERNAL AFFAIRS RECORDS
File No. 346-R-46
Sub. 7 Chron. 17 Filed

CONSULADO GENERAL DE ESPAÑA
MONTREAL

August 30, 1943.

No. 675
J.565

File
2 9/43
83

43734

Sir,

I have the honour to enclose a copy of a letter from a Japanese, Denkichi MACHIDA of Tashme, B. C., concerning the administration of his property under the control of the Custodian. I should appreciate very much if you would be good enough to take steps to investigate his case and to inform me of the findings.

I have the honour to be,

Sir,

Your obedient servant,

Pedro E. ~~Schwartz~~
Consul General of Spain
in charge of Japanese interests

The Under-Secretary of State
for External Affairs,
Ottawa, Ontario.

CONSULADO GENERAL DE ESPAÑA
1155 METCALFE STREET
MONTREAL

Note letter from Custodians of 11/9/43 62

1020 10th Ave.,
Tashme, B. C.,
August 14, 1943.

The Hon. Pedro E. Schwartz,
Counsul General of Spain,
1155 Metcalfe St.,
Montreal, P. Q.

Dear Sir:

COPY

Aug. 5, 1943.

Dept. of the Secretary of State,
Office of the Custodians,
Japanese Evacuation Section.

Dear Sir:

This is your authority to pay to the Treasury Dept. of B. C. Security Commission the sum of one hundred and ninety Dollars and twenty seven cents (197.27) and charge same to my account.

Yours truly,

D. Machida 02745

On August 5, 1943, the letter as above was forced upon me for my approval. The above sum of $197.27 indicates the total amount of maintenance I received from the Welfare Dept. since my arrival here on October 3, 1942 up until July 1943. To explain this fully, until recent months I had no money held by the Custodians, therefore, the Commission allowed me supplementary maintenance but when the Custodians sold my car, truck and other things against my wishes, they took in money which was deposited into my account there, and then immediately they not only cut our maintenance but also stated that we must pay back $197.27 we received during the period of ten months. At first, I simply refused to sign, so the treasury dept. made threats that I could be jailed if I did not sign, and later the Commission sent word that either I sign or my daughter who is working in the office shall be cut off the payroll. Even then, I was determined not to sign so I ripped the paper but seeing that I loved my family

too much to make them suffer I had no alternative but to sign on this paper which my daughter had patched. The Custodians have never sent us a statement of any kind indicating what money have been deposited in my account, yet when they feel that they have enough money accumulated in my account, they throw us out, forcing us to support ourselves. Although I did state previously in this letter that the money in my account must be from the sale of cars etc., of course, I cannot be too sure since the Custodians have never informed me as to where they obtained this money for me. With the Wartime Law have they the rights to sell whatever I own without my consent, and on top of that not let us know what they have done? Surely, there must be some say left for us too.

With reference to my properties, I have the follwing to my name:

230 Alexander St.
334 Alexander St.
336 Alexander St.
662 Alexander St.
666 Alexander St.

When I left Vancouver, instead of registering my above properties and other assets directly with the Custodians, I did this thru my long trusted agents, P.C. Gibbens Co. Ltd., Real Estate, 254 E. Hastings St., Vancouver B. C., who in turn registered my assets with the Custodians. To this date, I have not received a cent of income from the rents obtained from the buildings. Also, before I left Vancouver, I paid off all the taxes on the properties, insured the buildings and machineries for the period of three years, therefore, you can see that there is no debts against my properties.

On July 7, I was called to Mr. Hartley, Supervisor's office. Here he read a letter from the Custodians stating that they have sold my property at 230 Alexander St., for the most ridiculous sum and that the Custodians wished me to sign consenting to this sale. Of course, I refused because I certainly do not want them to sell my properties. Later on July 15, my daughter went to Hope, B. C. to meet my friend Mr. E. Skinner to whom I left 230 Alexander St. in care. Here, my daughter learned that Mr. Skinner had received a notice on the 14th, stating that he must vacate the building within the following 30days. I know that by the Wartime Law a person is allowed 90 days notice before vacating any premises but the Custdians simply take advantage of whatever possible. Also during their conversation she was informed that the buyer, Burrard Iron Works Ltd., was after my building for quite some time. When Burrard Iron Works inquired at P.C. Gibbens regarding the value of the propety and building, Gibbens said "oh, it's not worth anything". Is it right for anyone to make such thoughtless reply. To them it might be worth nothing but considering the fact that I have put so much money and improvements into the building, surely, P. C. Gibbens could have taken that into consideration. Not only that, I have issued many a times, letters stating that no matter how much I am offered my buildings are not for sale. This buildings at 230 Alexander St., is divided into three:

Main floor-Printing Shop
First and Second Floor-Lodging House
Rear End-Housekeeping Rooms.

The printing Equipments left within the building is as follows:

MACHINERIES.

Stonemetz Pony Cylinder Press		$ 2350.00
Chandler & Price Press	12 x 18	1275.00
Chandler & Price Press	10 x 15	850.00
Heidelberg Automatic Press		750.00
Paper Cutter, Roscoe	26 inches	450.00
Punch Machine	foot power	100.00
Perforator	foot power	150.00
Boston Stapler		140.00
Number Machine	11 pcs.	27.50
Round Corner Cutter Machine		

TYPES

Japanese Types	8 kinds	2850.00
Japanese Types	Cases 208	208.00
English Types	260 Sets	2175.00
English Types	Cases	275.00
Type Spaces Japanese & English		500.00
Flourish & Border		275.00
Office Desk, Safe etc.		200.00
Adding Machine		135.00
Inks & Rollers	9 pcs.	87.50
Type Set Trays	Brass & Tin	100.00
Paper Keeing Closet		25.00
Type sets stone		35.00
Type pick Boxes	Wood make	35.00
Typewriter		65.00
Papers Sheets.		

When the Custodians sold this property they wrote asking what I wished done to the printing equipments: either sell them or leave them stored elsewhere at a very high storage fee. I stated that I never asked anyone to sell the building, therefore, that I am leaving the equipments right where they stand. The other day, I read in the News Herald Paper the list of my printing equipments which is to be auctioned off. Isn't there anything that could be done to stop all this.

Al 334-6 Alexander St. I stored all my furnitures plus all my employees' furnitures. Also here, I stored box factory equipments such as huge planers three motors, compressors etc. and the whole of garage equipments of which I hold a list here.

At 662 Alexander St. I stored all my veneer equipments. The last time my daughter saw Mr. Skinner at Hope, he informed her that he has been watching our houses etc. as closely as possible and that one day when he was down to see 662 Alexander St. he found that two thirds of my equipments have been stolen. Checking into the matter he found that Gibbens was responsible for all this. I am almost positive that the Custodians and Gibbens are all in the same class, their main business being---taking away all Japanese money as possible instead of watching and protecing our belongings they try and sell out whatever they can get a hold off.

At Ruskin B. C. I left behind box factory equipments but I haven't heard anything regarding it. Also the Custodians are holding my promissory notes amouning to $ 2488.07, to be collected from various people. Whether they'll collect them or not I cannot say, only time will tell.

I am unfit to work, due to Spine trouble. I hold here a statement issued by B. C. S. C. stating thus, yet, instead of protecting the disabled, when such trouble as stated in this letter occurs, they try to take my daughter's work away.

I am keeping a copy of this letter and if nothing can be done at present, then I shall have to wait till after war when I can produce this letter to help me win back what I lost and to voice what injustice has been brought upon us. Thank you.

Yours truly,

(SIGNED) DENKICHI MACHIDA
02745

J.3.B/LVP

EXTERNAL AFFAIRS RECORDS
File No. 3464 R 40
Sub.) Chron. 17 Filed

File No. 3464-R-40.

No. J. 137

Ottawa, September 3rd, 1943.

Sir,

Re: MACHIDA, Denkichi
Tashme, B.C.

I have the honour to acknowledge receipt of your Despatch No. 675 over J.565 dated 30th August, 1943 which concerns the administration of the property of the above named.

I am making enquiries into the complaint of Machida and shall be happy to write you again when a reply is received.

I have the honour to be,
Sir,
Your obedient servant,

I M Scott

Under-Secretary of State
for External Affairs.

The Consul General of Spain
In Charge of Japanese Interests,
Sun Life Building,
M o n t r e a l, Quebec.

EXTERNAL AFFAIRS RECORDS
File No. 3464-R-40
Sub. Chron. Filed
17

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.....

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

September 11, 1943.

The Under Secretary of State
for External Affairs,
Ottawa, Ontario.

Attention: S. Morley Scott, Esq.

file
15-9
43,
03

Dear Sir:

J 4535

Re: MACHIDA, Denkichi,
Tashme, B. C.

I have your letter of September 3rd, with enclosures.

This matter, of course, will require some investigation before the points raised in Mr. Machida's letter can be properly answered. For your information I would point out that a committee under the Chairmanship of the Hon. Mr. Justice Smith has been advising the Custodian on all cases relating to the sale of Japanese Evacuee property and if any sale of this party's property was made, it was made on the recommendation of that committee. The sale of Japanese Evacuee property in the City of Vancouver is just getting under way and first sale documents were only recently completed by the Deputy Custodian.

It appears from Mr. Machida's letter that many of the charges made should be brought to the attention of the British Columbia Security Commission since the Custodian's Office will have no information as to what the welfare department of that organization has done.

For your information, the writer himself negotiated an agreement with Mr. Collins of the British Columbia Security Commission to forward all cheques through the Commission's Treasury Department to the Japanese on the understanding that no attempt would be made by the Commission to use these cheques to influence the Japanese; they only requesting them to be handled in this way to keep a record of the funds which were being made available to the Japanese outside of their welfare department. This arrangement was explainedto you at a meeting held in your Department a few months ago and attended by yourself and the writer.

The Custodian will be pleased to give your department a complete report as soon as it is available to this office.

Yours very truly,

(G. W. McPherson)
Executive Assistant.

GWMcP/FC.

CONSULADO GENERAL DE ESPAÑA

PROTECCIONES

MONTREAL. September 22, 1943.

EXTERNAL AFFAIRS RECORDS
File No. 3464-R-40
Sub. Chron. Filed

No. 734
J.611

A6097

Sir,

I have the honour to inform you that I have received a request from FUJIMOTO, Saikichi, Japanese repatriate No. 8, to ask that you would be good enough to arrange so that his carpenter's tools, which were turned over to the Custodian of Enemy Property at Winnipeg, may not be sold but held for him until after the termination of the war.

I should be highly obliged if your sympathetic consideration is given to this request.

I have the honour to be,

Sir,

Your obedient servant,

Pedro E. Schwartz
Consul General of Spain
in charge of Japanese interests

The Under-Secretary of State
for External Affairs,
Ottawa, Ontario.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. J-108

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

September 23, 1943.

EXTERNAL AFFAIRS RECORDS
File No. 246-R-40
Sub. 7 Chron. 7 Filed 44

4703

The Under Secretary of State
for External Affairs,
Ottawa, Ontario.

Attention: S. Morley Scott, Esq.

Dear Sir:

Re: MACHIDA, Denkichi,
Tashme, B. C.

Further to my letter of September 11th, I have now received information from Vancouver that according to the R.C.M. Police report this party is a naturalized Canadian.

The Custodian would greatly appreciate being advised as to whether or not, in view of this party's nationality, the information requested by the Spanish Consul General should be supplied to him.

The Custodian plans, in due course, to give each Japanese evacuee, regardless of their nationality, a complete accounting of the administration of their affairs and is quite prepared to supply information to Mr. Machida direct at his request.

Your decision as to whether or not the affairs of Canadian citizens of the Japanese race come within the jurisdiction of the Spanish Consul General would be greatly appreciated.

Yours very truly,

(G. W. McPherson)
Executive Assistant.

GWMcP/FC.

HGS/LB
3464-R-40

Refer to Custodian of Enemy Property
Secretary - Minister for Labour
Done - T.A.D. Sept 30th 43

DEPARTMENT OF EXTERNAL AFFAIRS

Ottawa, September 28, 1943

EXTERNAL AFFAIRS RECORDS
File No. 3464-R-40
Sub. Chron. Filed

NO. J 149

Sir,

MACHIDA, Denkichi
Tashme, B.C.

I have the honour to refer to your despatch No. 675 ofer J 565 of 30th August, 1943, as to the administration of the property of the above named man. It has been ascertained that this man is a naturalized Canadian and I therefore assume that you will not be interested further in the question of his property.

I have the honour to be,

Sir,

Your obedient servant,

S. M. Scott

Under Secretary of State
for External Affairs.

The Consul General of Spain
in charge of Japanese interests,
Sun Life Building,
Montreal, P.Q.

CONSULADO GENERAL DE ESPAÑA

PROTECCIONES

MONTREAL. October 1, 1943.

EXTERNAL AFFAIRS
File No. 3464 R 16
Sub. Chron Filed

No. 748
J.621

Refer to your letter dated Oct. 5/43

J4076

Sir,

I have the honour to acknowledge the receipt of your despatch No. J.149 of September 28th, informing me that Denkichi MACHIDA of Tashme, B.C., is a naturalized Canadian. I made the enquiry with you in the first place concerning the administration of his property on the assumption that he was a Japanese national, because, as he did not indicate his nationality in his petition, I could not know otherwise without having recourse to authoritative lists. Moreover, my impression has always been that any person of Japanese race in Canada can choose to apply to my office for protection.

In this connection, I should be very highly obliged if you would be good enough to provide me at your early convenience with a complete list of the names of Japanese nationals now in the province of British Columbia, as you have kindly done of those in Alberta, Manitoba and Ontario. The possession of this list will, I am sure, facilitate my duties in many ways and help to prevent similar errors as the above.

I have the honour to be,
Sir,
Your obedient servant,

Pedro E. Schwartz
Consul General of Spain
in charge of Japanese interests

The Under-Secretary of State
for External Affairs,
Ottawa, Ontario.

CLM/CdN

RECORDS
File No. 346-R-45
Sub. 1 Chron. 7 Filed 19

Ottawa, October 6, 1943.

To: The Custodian

Subject: Property of Repatriated Japanese, FUJIMOTO, Saikichi

Attention Mr. McPherson

A copy of a despatch No. J611 of September 22nd from the Consul General of Spain is enclosed. I shall be obliged if you could inform me what disposition has been made of the carpenter's tools belonging to FUJIMOTO, which it is claimed were taken from him at Winnipeg.

If these tools have not already been sold would it be considered possible to accede to the request that they be held until the termination of the war?

Under-Secretary of State
for External Affairs.

EXTERNAL AFFAIRS RECORDS
File 3464-R-40

3464-R-4

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.....

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

October 14, 1943.

The Under Secretary of State
for External Affairs,
Ottawa, Ontario.

Attention: C. L. Miles, Esq.

Dear Sir:

JBS18
Received
15/10/43

Re: FUJIMOTO, Saikichi

I have your letter of October 6th, with enclosure, which has been referred to me upon my return to Ottawa.

In view of the fact that the above party, residing in Canada, elected to be repatriated to Japan, he is considered to be an enemy by the Custodian. His property has, therefore, vested in the Custodian of Enemy Property and will be administered by him in accordance with his general policy relating to such property.

The Custodian cannot agree to hold these carpenter tools until the end of the war, particularly in view of the shortage of carpenter tools at this time.

Yours very truly,

(G. W. McPherson)
Executive Assistant.

GWMcP/FC.

CLM/CdN

EXTERNAL AFFAIRS RECORDS
3464.R.40
Sub. Chron Filed

NO. J 157

Ottawa, October 23, 1943.

Sir,

I have the honour to refer to your despatch No. 734 J 611 of September 22nd regarding the request from FUJIMOTO, SAIKICHI Japanese repatriate No. 8, that his carpenter's tools, turned over to the Custodian and Enemy Property at Winnipeg, may be held for him until the termination of the war.

It is regretted that it cannot be agreed to hold the carpenter's tools of this repatriate for him until the end of the war.

I have the honour to be,

Sir,

Your obedient servant,

mpy D. Morley Scott

for the Under-Secretary of State
for External Affairs.

The Consul General of Spain
in charge of Japanese interests,
Sun Life Building,
Montreal, P.Q.

MEMORANDUM

Office of the Prime Minister

Ottawa, April 26, 1944

Dr. Keenleyside -

You will note that the P.M. has given us a green light to try to save the Takahashi property for them. Will you now do whatever is necessary, or advise me as to the proper procedure.

A.E.H.

OFFICE OF THE PRIME MINISTER

MEMORANDUM

EXTERNAL AFFAIRS RECORDS
File No.
Sub.___Chron.___Filed___

FOR THE PRIME MINISTER:

If the facts stated in the attached letter are as alleged, it would seem that sympathetic consideration should be given to Mrs. Takahashi's appeal that her property in Victoria should not be sold in carrying out the policy of liquidating Japanese property.

If any action is to be taken, the Custodian of Enemy Property and the British Columbia Security Commission would have to be asked if special provisions could be arranged in this case. Does the Prime Minister approve of this being done?

W.J.T.

April 19, 1944.

EXTERNAL AFFAIRS RECORDS
File No 3464-R-40
Sub. G Chron. Filed

234 Cottingham Street,
Toronto 5, Ontario,
April 16, 1944.

Honourable and Dear Sir:

The Director of the Office of the Custodian in Vancouver has notified us of your policy of liquidation of Japanese property. Because of this policy my property has now been catalogued for sale. This liquidation is against your promises, and my wishes, furthermore it is utterly undeserved.

May I remind you that before our oppression became politically fashionable, abetted by your evacuation policy and your seemingly tacit approval of all the undemocratic propaganda directed against us who are not your enemies, that the Japanese minority had the best reputation for morals and for civic spirit of any minority in British Columbia. According to the Canadian Institute of Public Opinion this reputation is still intact in spite of all the loud abuse levelled against it.

The contribution which my husband and I have made to this reputation is more than ordinary. My property at 42 Gorge Road, Victoria, B. C. is tangible evidence of this contribution. My husband has invested heavily in our home and garden. During a period of ten years we succeeded in collecting many valuable and rare plants, shrubs, and trees. Of these the most exotic are two gardenia trees from which my husband successfully nursed many blooms. They are probably the only non-commercial gardenia trees in Victoria. On one occasion the Parks Superintendent of Victoria approached my husband and obtained for grafting some buds of a rare variety of cherry blossom. Both of us are proud of our collection, not only for its value but also for its endearingly beautiful response to our care and for the deep satisfaction it gave us.

Our unique collection was well known and was widely appreciated by fellow hobbyists. Testimony of this appreciation is shown in the way people would stop to compliment us as they strolled by, many requested permission to walk through our garden, motorists, local and tourist would slow down or even stop, and drivers of sightseeing busses used to point out our home and garden as they drove by. When evacuation became a stark reality my husband received many offers from nurseries to buy our collection but he declined. Didn't you promise to keep intact all properties until we returned? Isn't the garden an asset to

Victoria just as much as it is a pride and joy to us? As for proof, during a survey conducted by the Victoria Horticultural Society to choose "Gardens that Beautify our streets", Mr. Takahashi was granted an Award of Merit dated August 16, 1935. Two years later during the Royal Visit, Their Majesties the King and Queen drove past our home. We treasure the memory of seeing Her Majesty turn her head to see our garden.

Not only did our home and garden help to establish Victoria as the "Garden City of Canada" it also helped to cheer the sick and crippled. On Remembrance Day 1937 we opened our home to the public. By selling chrysanthemums which we had grown, we raised money for the St. Joseph's Hospital. In 1938, 1939, 1940 and 1941 we did the same with the willing and able assistance of the Junior Auxiliary of the Queen Alexandra Solarium for Crippled Children. In November 1941, $233.00 was realized. Until the time of your twenty-four hour notice to leave all these ties my husband was engaged in the hard work of preparing pots and cuttings for another chrysanthem^um show and tea. His objective was to bring the total sum of money raised for the solarium above the $1,000.000 mark that fall.

We have proved ourselves worthy in other ways. As citizens of Victoria we have participated in such civic affairs as May 24 celebrations and Christmas home lighting contests. These civic affairs were part of Victoria's consistant campaign to attract tourists. Furthermore, my husband worked as a voluntary Victory Bond salesman to the Japanese community during the first and second loans. Nor were we an expense to the Commission at any time during the evacuation. Our family paid our own fares east and was the first evacuee family to settle in Toronto.

Today my husband isn't the manager of his own incorporated business so we are dependent upon the income from our properties. An undeserved liquidation of my property at 42 Gorge Road will not only jeopardize our present status but far worse our future welfare as well. This property was our home, the reward for long years of toil and anticipation, a source of recreation and our present income, a stake in the future of Victoria, and an insurance for our later welfare. My husband is now too advanced in years to earn a livelihood, his health is beginning to fail, and is looking forward to retirement next year. After all our efforts in good citizenship we do not deserve to have our retirement jeopardized by the liquidation of our properties.

Yours respectfully,

Toyo Takahashi.

To the Right Honourable W. L. Mackenzie King, P. C., G. C. M. G., M. A., LL.D.,
Premier of Canada,
Ottawa, Canada.

EXTERNAL AFFAIRS RECORDS
File 3464-R-40
Sub. 5 Chron (-) Filed 14

HLKKM

E

B.F.
101.4 44

Ottawa, April 27, 1944.

Dear Mr. MacNamara,

The original of the enclosed letter was brought to the personal attention of the Prime Minister who has instructed me to see that it is followed up with a view to the taking of some special action designed to meet the hard case outlined in Mrs. Takahashi's appeal. Under the circumstances, I shall be very much obliged if you will ascertain what can be done to help this woman and her husband and let me know in due course in order that I may report to the Prime Minister when he returns from his present trip.

Yours sincerely,

Hugh Ll. Keenleyside

Assistant Under Secretary of State
for External Affairs.

Arthur MacNamara, Esquire,
Department of Labour,
Ottawa, Canada.

MEMORANDUM

Office of the Prime Minister

Ottawa, May 6/44

Dr. Keenleyside -

I have written to Mrs. Takahashi & have sent copy of my letter to Dr. Coleman. Have made copy of this letter for our files - original returned for your files.

A.E.H.

ATM

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

3464-R-40
Sub. F Chron. 1 Filed

Ottawa, May 2, 1944.

Dear Mr. Keenleyside,-

Your letter of April 27th to the Deputy Minister of Labour has been referred to me. This letter contained a copy of a letter addressed to the Prime Minister by Mrs. Takahashi, now residing in Toronto.

The Secretary of State had a similar letter from Mrs. Takahashi.

The property at Victoria concerning which she writes is included in the catalogue of properties being offered for sale by tender. The tenders in this case will not be opened before the 15th June.

Having regard to the representations made by this lady, the Secretary of State asked me to notify our Vancouver Office that he did not wish any action to be taken in accepting any tender until any offers which were received had been referred to him and I have had an assurance from the Vancouver Office that these directions will be carried out.

After the 15th June, therefore, the Secretary of State expects to give consideration to the expediency or otherwise of accepting any offer which may be made for the property and will see what may be done.

Yours truly,

E. H. Coleman
Under Secretary of State
and Deputy Custodian.

H. L. Keenleyside, Esq., Ph.D.,
Assistant Under Secretary of State
for External Affairs,
O t t a w a .

SMS/CC

614-R-1-40

EXTERNAL AFFAIRS RECORDS
File No. 3764-R-40
Sub. 7 Chron. 7 Filed

M E M O R A N D U M

JAPANESE PROPERTY IN CANADA.

In connection with a previous memorandum on this subject, I present an example of the sort of thing which appears to be occurring. The Protecting Power wrote to us about the house-hold belongings of one, MUROTONI. This man lived at Jedway Island, B.C., and was one of those sent away on pretty short notice in December, 1941. After seven months he made an enquiry through the Custodian and more recently through the Protecting Power.

After the latter enquiry Naval Services had a patrol vessel call at Jedway where there is a watchman. The Commander of the vessel read off a list of belongings which MUROTONI claimed he had left behind. The watchman said they were not there, and the Naval Officer himself looked for them in vain. The watchman said that some time before, he cleaned up the cabins and burned up some of the listed belongings as they were nothing but rags. The watchman doubted if some of the articles ever existed. No articles were brought back.

In sending this report to the Department of Labour, the British Columbia Security Commission were "afraid that it would have to be presumed that the articles had been destroyed or pilfered". In forwarding to us Mr. MacNamara says "I regret that this man's possessions seem to have disappeared, but would point that the fault is principally that of Mr. MUROTONI himself, since he waited seven months before enquiring about them from the Custodian."

Letter from Mr. MacNamara, March 12th, 1943, File 773-B-1-40.

S.M.S.

CONSULADO GENERAL DE ESPAÑA

MONTREAL, 2, P.Q., Sept. 20, 1944.

SPECIAL DELIVERY

PROTECCIONES
No. 639
J.79

Sir,

Under instructions received from my Government, I have the honour to inform you that, according to the Japanese authorities, the British Broadcasting Corporation issued a news on September 15th that the Government of Canada is going to sell two hundred thousand acres of forest belonging to Japanese owners. In this connection, the Imperial Government is desirous of learning:

1. if the Japanese owners are in agreement with the sale
2. where the above-mentioned timber tracts are located
3. the names of the Japanese owners
4. what is going to be done with the proceeds of the sale.

I should be very much obliged if you would be good enough to provide me with this information at your earliest convenience.

I have the honour to be,

Sir,

Your obedient servant,

Pedro E. Schwartz
Consul General of Spain
in charge of Japanese interests

The Under-Secretary of State
for External Affairs,
O t t a w a, Ontario.

DEPUTY MINISTER
OF LABOUR

CANADA

614-R-1-48

~~3464-R-40~~

Sub. / Chron. / Filed

Ottawa, September 25, 1944

Mr. N.A. Robertson,
Under-Secretary of State for
External Affairs,
East Block,
O t t a w a

I wish to acknowledge your letter of September 22 enclosing a copy of a despatch from the Spanish Consul General concerning an enquiry about the alleged sale of 200,000 acres of forest land in Canada stated to belong to Japanese owners.

As this is a matter which concerns the Department of the Secretary of State, Custodian's Branch, I am referring your request to that Department for the necessary action.

A. MacNamara.

A. MacNamara.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

3/64-R-40

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.....

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

614-R-1-40

September 26, 1944.

The Under Secretary of State
for External Affairs,
Ottawa, Ontario.

Dear Sir:

Re: N. S. McNeil Trading Company Limited

I have your letter of September 22nd, with enclosure, being an enquiry from the Consul General of Spain regarding the disposal of forest lands stated as belonging to Japanese owners. Reference is made in the enclosure to 200,000 acres of forest but the Custodian feels that this must be a misprint and that actually the case referred to is the above company's timber holdings which total approximately 22,000 acres of timber land.

The above company is a Canadian incorporated company carrying on business in the Province of British Columbia under the control of the Custodian's representative. After due consideration of all the facts relating to the management and operation of the company, the Custodian has decided that it is in the best interests of all concerned to dispose of the company's assets.

The answers to the specific questions asked in the Consul General's letter are as follows:

1. There are no Japanese owners of the timber limits being disposed of; the limits being owned by a Canadian incorporated company whose shareholders, according to the Custodian's information, are resident in Japan.

2. The timber limits are situate in the neighbourhood of Port McNeil at the North end of Vancouver Island.

3. The owner of the timber limits is the N. S. McNeil Trading Company Limited, a Canadian incorporation.

4. If a satisfactory offer is received and accepted, the proceeds of the sale will be held by the Custodian to be dealt with in accordance with the terms of any treaty of peace that may be applicable.

Yours very truly,

G. W. McPherson
Executive Assistant

GWMcP/FC.

11407

1944 SEP 28 AM 9 25

DEPT. OF EXTERNAL AFFAIRS.

RGR/LF

Refer: Custodian

DEPT. OF EXTERNAL AFFAIRS

Ottawa, October 3, 1944.

NO.J.64

614 R 1-5

EXTERNAL AFFAIRS RECORDS
File No. 3464 R-40
Sub. 4 Chron. Filed

Sir:

I have the honour to refer to your note No.639 J.79 of September 20 in which you enquire concerning the report of intention to sell in Canada two hundred thousand acres of forest belonging to Japanese owners.

There is apparently some misunderstanding or mis-information in connection with this, since no such sale is contemplated. It may be that confusion has arisen involving a sale which is intended of twenty-two thousand acres of timber land owned by a company incorporated in Canada which is at present under the control of the Custodian. The shareholders of this company are resident in Japan and it has been decided by the Custodian that it is in the best interests of all concerned to dispose of the company's assets. Assuming that a satisfactory offer is received and the sale takes place, the proceeds will continue to be held by the Custodian in accordance with the normal procedure.

I trust that the above details will answer the questions you have raised. You will notice that there are no Japanese owners involved, but rather a Canadian incorporated company, the N.S. McNeil Trading Company Limited.

I have the honour to be,

Sir,

Your obedient servant,

N. A. ROBERTSON

Under-Secretary of State
for External Affairs.

The Consul General of Spain,
In Charge of Japanese Interests,
Consulate General of Spain,
Montreal, Quebec.

File 3-76-K-15
Sub. 7 Chron 1 Filed
6641K-1-45

CONSULADO GENERAL DE ESPAÑA

MONTREAL, 2, P.Q., October 6, 1944.

PROTECCIONES
No. 699
J.86

Sir,

I have the honour to acknowledge with many thanks the receipt of your note No. J.64 of October 3rd, in which you have been good enough to provide me with information concerning an intended sale by the Custodian of twenty-two thousand acres of timber land owned by the N.S. McNeil Trading Company Limited, a Canadian incorporated company.

The above facts will be brought to the knowledge of the Spanish Government.

I have the honour to be,

Sir,

Your obedient servant,

David del Amo
Vice-Consul

for the Consul General of Spain
in charge of Japanese interests

The Under-Secretary of State
for External Affairs,
O t t a w a, Ontario.

15022

JER/MB

EXTERNAL AFFAIRS RECORDS
File No. 3464-R-40
Secret Filed
6 18

614-R-1-8

Ottawa, November 25, 1944.

To: The Under Secretary of State of Canada.

Re: N.S. McNeil Trading Company.

The Consul General of Spain in charge of Japanese interests delivered to me his note No. 822, J.111, November .... 23, 1944, a copy of which is enclosed for your information.

It would be greatly appreciated if you would let this Department have a report which would place the Department in a position to answer the Consul General's enquiries.

In delivering the note, the Consul General intimated that his Government, in its representative capacity, was interested not merely in the action which has been taken with regard to this property, but also in the status of the Company itself.

J. L. Reid

Under Secretary of State
for External Affairs.

CONSULADO GENERAL DE ESPAÑA

MONTREAL, 2, P.Q., November 23, 1944.

No. 822
J.111

Sir,

PROTECCIONES

With reference to your note No. J.64 of October 3rd and to mine No. J.86 of October 6th, concerning the intended sale by the Custodian of some timber land owned in British Columbia by the N.S. McNeil Trading Company, I have the honour to inform you that a cable has arrived from my Government to the following effect.

The eight shareholders of the N.S. McNeil Trading Company, who are the owners of 5360 shares out of the total of 5500 shares, are residing in Tokyo; and they wish to retain the ownership of the woods. The Company has 24,000 acres, and the shareholders have no intention of selling.

Those shareholders in Tokyo wish that the employees in Canada carry on business during the war to the extent of being able to pay taxes and the personal salaries.

I have, accordingly, been directed to request that you would be good enough to give your consideration to the wishes of the Japanese shareholders, and to take any possible steps in this matter. I should be very grateful if you would kindly advise me at your convenience of the present actual condition of this enterprise, so that I may transmit the information to Madrid by cable.

I have the honour to be,

Sir,

Your obedient servant,

Count of Morales

Count of Morales
Consul General of Spain
in charge of Japanese interests

The Under-Secretary of State
for External Affairs,
O t t a w a, Ontario.

ATM

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

3.464.4
6 18 1/

Ottawa, November 29, 1944.

The Under Secretary of State
for External Affairs, Ottawa.

614-B-1-8

Attention: J. E. Read, Esq., K.C.
re N. S. McNeil Trading Company Ltd.

Your letter of November 25th has been received and has been submitted to the Secretary of State and Custodian.

The vast majority of the shares in this particular company are held by enemies, that is, by persons resident in enemy territory, and the Custodian, under the Revised Regulations Respecting Trading with the Enemy, is vested with these shares, which control the company.

The Custodian in his administration and handling of enemy property is guided by the policy determined by the Government of Canada and intends to be so guided. I am sure the Consul General of Spain in charge of Japanese interests will understand that the Custodian cannot receive directions from enemies.

It is a question for your Department, therefore, to determine the extent of the information which you feel should be given to the Consul General of Spain in charge of Japanese interests in reply to his Note No. 822, J.111, of November 23rd.

Up to the present the company, under the Custodian's direction and in close liaison with the Timber Controller, has been conducting lumbering operations. The Custodian, after consultation with persons qualified to advise him in respect to lumbering operations in British Columbia, has now offered the undertaking of the company for sale but the time limited for the receipt of tenders has not yet expired. When the tenders are opened the Custodian, after such examination as he may deem proper, will decide whether or not it is in the public interest of Canada that a sale should be made.

E. H. Coleman
Under Secretary of State
and Deputy Custodian.

JER/MB

EXTERNAL
File No. 2464-K-40
Sub. 6 (1) 6 Encl.

No. J. 101

Ottawa, November 30, 1944.

6144-K-1-40

Sir,

I have the honour to refer to your despatch No. 822 J.111 dated November 23 with regard to the intended sale by the Custodian of timber lands in British Columbia owned by N.S. McNeil Trading Company Limited.

It has been ascertained that the vast majority of the shares in this Company are held by enemies, that is, by persons resident in enemy territory and the Custodian, under the Revised Regulations Respecting Trading with the Enemy, is vested with these shares, which control the Company.

The administration and handling of this property is based upon policies determined by the Government of Canada and it is not possible to give any consideration to the wishes of the Japanese shareholders. You have pointed out that the shareholders have no intention of selling the timber lands in question, but it should be borne in mind that they are the property of the Company and that the shareholders have no proprietary interest in the lands in question. It is possible, however, to assure you that, insofar as the interests of the shareholders are concerned, the same administrative measures will be followed in respect of their ultimate interests as are adopted in other instances in which enemies are entitled to shares in Canadian companies which come within the provisions of the Revised Regulations Respecting Trading with the Enemy.

I have the honour to be,
Sir,
Your obedient servant,

for H. A. Rakenthorn
Secretary of State
for External Affairs.

The Consul General of Spain
in charge of Japanese interests,
Consulate General of Spain,
Montreal 2, P.Q.

3464-R-40
6/18/1
614-R-1-40

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. J-30

Victoria Building,
7 O'Connor Street,
Ottawa, Canada.
December 2, 1944.

Legal Section
FR:DI

Under Secretary of State
for External Affiars,
Ottawa, Canada.

Attention: J. E. Read, K.C.

Re: N. S. McNeil Trading Company Ltd.

Your Reference File No. 3464-R-40

Your letter dated the 30th ultimo, addressed to the Under Secretary of State of Canada, has been passed to me for attention; and I beg to state that the draft proposed reply to Note No.822, J.111 from the Consul General of Spain in charge of Japanese interests would appear satisfactorily to deal with the matters raised in the note.

F. READ,
For Assistant Deputy Custodian

CONSULADO GENERAL DE ESPAÑA

MONTREAL. 2, P.Q., December 8, 1944.

~~3464~~ 18

U14 K-1-45

PROTECCIONES
No. 892
J.122

Sir,

I have the honour to acknowledge the receipt of your note No. J.101 of November 30th, in which you have been good enough to inform me that the administration and handling of the timber lands owned in British Columbia by N.S. McNeil Trading Company Limited are based upon policies determined by the Government of Canada, and that it is not possible to give any consideration to the wishes of the Japanese shareholders.

I have the honour to be,

Sir,

Your obedient servant,

Count of Morales

Count of Morales
Consul General of Spain
in charge of Japanese interests

The Under-Secretary of State
for External Affairs,
O.t t a w a, Ontario.

CONSULADO GENERAL DE ESPAÑA

MONTREAL, 2, P.Q., Dec. 14, 1944.

614 R-1.4

~~3464 R40~~
7/8

State Dpt.
June Dec. 16/44
E.S.

PROTECCIONES
No. 918
J.125

Sir,

I have the honour to refer to your despatch No. 101 of November 30th and to mine No. J.111 of November 23rd, with regard to the intended sale by the Custodian of timber lands owned in British Columbia by N.S. McNeil Trading Company Limited.

May I point out that the information requested in the last paragraph of my note on the present actual condition of the above-mentioned enterprise was not contained in your despatch under reference. I should be most obliged if you would be good enough to provide me with this information at your early convenience, so that I may be able to advise Madrid on this point.

I have the honour to be,
Sir,
Your obedient servant,

Count of Morales

Count of Morales
Consul General of Spain
in charge of Japanese interests

The Under-Secretary of State
for External Affairs,
O t t a w a, Ontario.

File No. 3464-R-40

614 R 1-E-S

Sub. Chron Filed

JER/MJS

Please refer to our File
No. 3464-R-40

Ottawa, February 28, 1945.

To: Under-Secretary of State of Canada.
Re: Inquiry by Spanish Consul General in Charge of Japanese Interests, with regard to the present actual condition of the N.S. McNeil Trading Co. enterprise.

You will remember that theConsul General's despatch No. 918 J.125, December 14, 1944, was transmitted to you last December. In the second paragraph of the despatch it was pointed out that this Department had failed to furnish information with regard to the present actual condition of this enterprise. Would it be possible to let us have your views as to whether this information could be furnished for the Consul General.

for J.E. Read
Under-Secretary of State
for External Affairs.

EXTERNAL AFFAIRS RECORDS
File No 3464-R-40
Sub. Chron. Filed

614-R-1-E8

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

Ottawa, March 2, 1945.

Your reference: No, 3464-R-40

Dear Sir:

Re: N. S. McNeil Trading
Company Limited

In my letter to your department of the 29th of November, 1944, I gave the information available at that time. My own view is that the Consul General of Spain in Charge of Japanese Interests is going beyond what is customary in requesting detailed information and I think your note to him of November 30th last gives all the information to which he is entitled.

As I pointed out to you in my letter of the 29th of November, the undertaking of the company had been offered for sale by tender. I may state that the tenders when received were very considerably under the estimated value given by the Custodian's agents and appraisers. Accordingly the tenders were rejected and the company is being operated.

If you feel inclined you may inform the Consul General of Spain in Charge of Japanese Interests that the property is being worked by efficient operators with the view of taking off such timber as may be used to advantage in the interests of the war effort of Canada, and will continue to be so operated, having regard to Canada's interests.

Yours sincerely,

E. H. Coleman

E. H. Coleman
Under Secretary of State

J. E. Read, Esq., K.C.,
Legal Adviser,
Department of External Affairs,
Ottawa, Ontario.

604-R-1-40

JER/MB

EXTERNAL AFFAIRS RECORDS
File No 3464-R-40
Sub-Division 4(b)

Ottawa, March 5, 1945.

Please refer to our
file No. 3464-R-40

To: The Under Secretary of State of Canada, Ottawa.

Re: Your letter March 2, 1945, - N.S. McNeil Trading Company Limited.

Enclosed is a copy of a despatch to the
.... Spanish Consul General.

I am inclined to agree with your view that the Consul General is going beyond what is customary in asking for detailed information. Accordingly, the note is drafted in such a manner that it is unlikely to shed too much light for the benefit of the Consul General's principals.

for Under Secretary of State
for External Affairs.

EXTERNAL AFFAIRS RECORDS
File No. 3464-R-40
Sub. 20 Chron. 28 Filed

JER/MB
August 10/45.

File - 3464-R-40

614-R-1-40

For information

NOTE FOR THE UNDER SECRETARY

Re: Licences to Japanese to Authorize Purchase of Property in Canada.

1. The question was raised in the summer of 1943 by reason of requests from the Department of Justice. The cases under consideration then were cases of Japanese who were British subjects evacuated from British Columbia and who wanted to purchase a home in Toronto where they had settled. The Deputy Minister of Justice was informed on September 8, 1943, that the question had been examined by the Prime Minister who deemed it inadvisable to allow any licences for authorization to purchase to be granted for the duration of the war.

2. The question was raised again in July, 1944, when it was proposed to establish a hostel in Montreal for Japanese evacuees. This was a non-profit venture designed to facilitate the Department of Labour in the re-settlement of Japanese in eastern Canada. The matter was put before the Prime Minister who intimated that he desired that it should be considered by Council. Nothing was done.

3. The question was raised again in a request from Justice in May, 1945, and was then brought to the attention of Mr. Heeney who considered that there was no chance of having it dealt with by the Prime Minister and Cabinet at that time. It was marked to be B.F.'d on June 12.

JER.

EXTERNAL AFFAIRS RECORDS
File No 3464-R-40
Sub. 8 Chron. 18 Filed

CONSULATE GENERAL OF SWITZERLAND
IN CANADA

IN CHARGE OF JAPANESE INTERESTS

Refer Custodian 28/12/45 Let Done Journ. 2/45 L.T.

File No. 27/10(N) D

Montreal, P. Q.,
December 27, 1945.

Sir,

I have the honour to enclose a copy of a letter received from Miss Fumiko NISHI, Reg. No. 07623 of Lemon Creek, Slocan, B. C., who is desirous of obtaining from the Custodian of Enemy Property a statement of account and any other information respecting the management of her property in Port Alberni, as described in her letter.

I should be most obliged if you would be good enough to refer the case to the attention of the proper Canadian authorities, and to transmit to me their reply to the above-mentioned request.

I have the honour to be,

Sir,

Your obedient servant,

Consul General of Switzerland

The Under-Secretary of State
for External Affairs,
O t t a w a , Ontario.

COPY

Dec. 17, 1945
Lemon Creek
Slocan B.C.

Consul General of Switzerland
Mr. Gaston Jaccard
1521 Sun Life Building
Montreal 2, Que.

Dear Sir,

Before we evacuated we was residing at Port Alberni. We bought the land in 1941 about 4 acres with 800 hundred dollars. We build the own house and green-house. We only lived in three month and on March we evacuated from the coast. Our cost price was three thousand five hundred but the custodian sold its for 2000 (thousand) dollars.

When we evacuated we rented the house with five dollars, but we never get a cent out of it. I think they in the taxes and other expense. When we build the house we build the houses we borrow money of $1200 hundred. The custodian sold its to $2000 dollars and its only left to us was $100. The custodian paid back the money that I borrow but I think its got to be left more than that.

The custodian hadn't send any list what the money was spend for. We were very glad if you cooperate with custodian and let me know how the money was spend.

Yours truly,

(SIGNED) FUMIKO NISHI
Reg. No. 07623

EXTERNAL AFFAIRS RECORDS
File No 3464-R-40
Sub. 1 Chron. 12 Filed

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. J-165

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

Your Ref. LCA:LT

January 17th, 1946.

The Under Secretary of State for
External Affairs,
Ottawa, Ontario.

3464-R-40

Dear Sir:

Re: Mrs. Fumiko NISHI

Your memorandum of January 2nd, (N.F. item) enclosing copy of a letter from the Consul General of Switzerland concerning the above party, has been received.

This matter was referred to the Custodian's Vancouver office and I am pleased to enclose herewith a copy of their reply, together with the enclosures referred to.

Yours very truly,

K. W. Wright

K. W. Wright,
Counsel to the Custodian.

Encls.

FC/MEM

RGB/P.
Encl.

c.c. to Dept. of Labour, Japanese Division.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 3614

506 Royal Bank Building,
Vancouver, B.C.

14th January, 1945.

Miss Carroll,
Office of the Custodian,
Victoria Building,
Ottawa, Ont.

Dear Miss Carroll,

Re: Mrs. Fumiko NISHI.

I am in receipt of your letter of the 4th instant in which you enclose copy of a letter written by Mrs. Fumiko Nishi to the Consul General of Switzerland, Montreal, dated December 17th, 1945, and the reply of the Consul General dated 27th December.

Copy of our Mr. Bell's letter of January 11th to Mrs. Nishi is enclosed and this together with the statements attached will I think answer the present enquiry. However, the following information on our file may be of interest:

This property was purchased by Mrs. Fumiko NISHI (25 year old Japanese school teacher) from Ernest Joubert, for $800.00 ($400.00 Cash; balance $10.00 per month, of which $320.00 was still outstanding at date of sale by Custodian). Within a few months of purchase the Nishis erected a greenhouse (for which purpose they borrowed $1,220.00 from Mrs. Tsui Takeshita, a widow) and commenced to grow tomatoes. The Vendor, who had retired to Eastern Canada following the sale of his property, was persuaded by the Nishis to return and take care of the property after their evacuation.

Failure of both sides to record their apparently somewhat vague and unbusinesslike verbal arrangements, led to mutual misunderstanding. Both sides agree that the Vendor/Tenant was to pay $5.00 per month for the use of the property, including the greenhouse. In addition to this the Purchaser expected $10.00 per month to be written off outstanding balance of purchase price, and water rates to be paid by the user.

The Vendor, who apparently was frequently absent on prospecting trips, was emphatic in his denial of this, and required payment in full of Agreement for Sale balance ($320.00); Interest @ 5%, Taxes (1941/1942) paid by him; water (3 years), a total of $535.00, before he would agree to give the new prospective purchaser the immediate possession that was a condition precedent to his offer of $2,000.00 cash.

RGB/P.
Encl.

c.c. to Dept. of Labour, Japanese Division.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.....

January 11th, 1946.

Miss Carroll

This site is an attractive one, a few minutes drive from Port Alberni Post Office, but it is near the City dump and rats are said to be a problem; the greenhouse is cheaply built, in poor condition, and too low for the comfort of a man of average height.

You will notice in this report that a reference is made to Mrs. Nishi persuading Mr. Joubert to return from Eastern Canada.

Mr. K.W. Wright and myself saw this property when we were in the Alberni district and perused correspondence which Mr. Joubert had in this regard.

Mr. Joubert came back from Ottawa at his own expense for the purpose of protecting his interest in the balance due to him as the unpaid Vendor and arranged to take care of the growing tomato crop.

Correspondence indicated that he was willing to pay $5.00 a month as a nominal rent to take care of the taxes.

Mrs. Nishi has claimed that $10.00 per month was also to be written off by Mr. Joubert on the cutstanding balance due to him. This, however, was strongly denied by Mr. Joubert and there is no evidence to support Mrs. Nishi's claim.

Mr. Bell's letter should now have been received by Mrs. Nishi and together with the information contained in this letter I trust that the matter has been sufficiently clarified.

Yours truly,

F. G. Shears,
Director.

FGS/PMH

encl.

RGB/P.
Encl.

c.c. to Dept. of Labour, Japanese Division.

3614.
Cat. No. 716.

January 11th, 1946.

COPY

Mrs. Fumiko NISHI,
Registration No. 07623,
Lemon Creek,
Slocan, B. C.

Dear Madam:

Re: Lot "A" of Lot 1, Alberni District, Plan 3260.

The sale referred to in our letter of the 7th June, 1945, has been concluded and for your information we enclose a complete statement of the transaction, showing the net proceeds ($1,371.41) transferred to the credit of your account.

We also enclose our Accounting Department's statement of your account, including the above item, and showing a balance of $124.75 standing at your credit.

While the attached Statement of Sale is complete in itself, in order to give an over-all picture of the transaction we are adding the following comments: (A) You purchased this property (land and dwelling) for $800.00, with a down payment of half ($400.00) and an Agreement for Sale, dated 17th April, 1941, for the balance ($400.00), of which $320.00 was still outstanding at date of Custodian sale, plus taxes (1941/1942), water, etc., paid by the registered owner, with whom a settlement was effected by payment of the sum of $535.00 shown in Statement of Sale; (B) Out of the net proceeds transferred to the credit of your account ($1,371.41), we paid, as per your request dated 9th October, 1945, the sum of $1,220.00 to Mrs. Tsui TAKESHITA, representing monies borrowed by you for the purpose of building the greenhouse; (C) As this greenhouse was very lightly built of wood frame and wood foundations, it showed signs of sagging and was in need of major repairs or rebuilding and in view of the fact that the higher of two appraisals by qualified independent appraisers put the value of the property at $1,700.00 our Advisory Committee consider the price realized ($2,000.00) to be satisfactory and recommended its acceptance.

Yours truly,

R. G. Bell,
Administration Department.

RGB/P.
Encl.

c.c. to Dept. of Labour, Japanese Division.

STATEMENT RE SALE OF:

Name: Mrs. Fumiko NISHI #07623.

Catalogue No: 716.

File No: 3614.

Street Address: Argyle St. and 11th Ave., Port Alberni, B. C.

Legal Description: Lot A/1/3260.

Date of Sale and Adjustments .....August 1st, 1945.....

Sale Price		$ 2000.00
Real Estate Agents Commission	$ 100.00	
Charge for Valuation	7.50	
Charge for Advertising	4.00	
Land Registry Office Transmission Fee	7.50	
Encumbrances:		
Unpaid Vendor	535.00	
~~Mortgage~~		
~~Arrears of Taxes~~		
~~Other Charges~~		
Adjustments:		
Fire Insurance		6.16
Taxes		19.25
~~Water~~		
	654.00	$ 2025.41

Net Proceeds credited to your account $1371.41

Date:.....January 10th, 1946.....

Compiled by:.....Mr. Geo. Peters.....

File 3614
Reg. No. 07

Fumiko NISHI

1942	August 28	Fire Insurance premium	$ 4.80		
	December 7	Rents collected		$ 50.00	
		Agent's commission	2.50		
1944	August 9	Land Registry Office - Certificate of Encumbrance	2.00		
1945	April 17	Fire Insurance premium	6.40		
	June 22	Long Distance telephone calls	11.38		
	July 20	Fee for drawing deed	5.00		
		Rent to 16 March, 1945		130.00	
		Taxes 1943, '44, '45	153.08		
	August 1	Credit re Sale of Property		1,371.41	
	October 29	G. C. Shead Ltd. claim paid	21.50		
		Mrs. Takeshita - claim paid	1,220.00		
			$1,426.66	$1,551.41	
					CR $124.75

MEMORANDUM

Office of the Prime Minister

Ottawa, July 9, 1946.

Referred from the Office of the Prime Minister to the Department of External Affairs.

G. J. Matte,
Private Secretary.

Mr. Matthews
Mr. Hodgson
6 Sept
2 Sept

...wa, July 9, 1946.

614-L-1-40

EXTERNAL AFFAIRS RECORDS
File No. 3464-40
Sub. 6 Chron. 20 Filed

A. MacNamara, Esq.,
Deputy Minister of Labour,
O t t a w a.

Dear Mr. MacNamara:

I am enclosing herewith a large number of mimeographed form letters which have been received recently from various Japanese persons covering mimeographed schedules that purport to set out claims by individuals against the government of Canada. As you will note, the claims cover almost every possible type of loss sustained through movement from the homes of the Japanese to the interior settlements.

Possibly these will have come to your attention already and, if so, I should be interested to know whether you have any idea of their source and what organization is behind these submissions.

Yours sincerely,

(R. G. Robertson),
Secretary.

In the name of those who are going to Japan voluntarily or involuntarily in the very near future to re-establish themselves there, We, Japanese Repatriates of Slocan District, do hereby humbly petition that the enormous financial loss sustained by the Japanese people as a result of this forced evacuation from the coast be indemnified by the government of

February , 1946.

Rt. Hon. W. Mackenzie King,
Prime Minister of Canada,
To whom it may concern,
Ottawa, Canada.

We, Japanese Repatriates of Slocan District, sincerely believe that as a result of coercive evacuation from the Pacific Coast, thereby resulting in considerable financial loss to the affected people, a great deal of consideration should be forthcoming from the goverrment of the Dominion of Canada.

Ever since the outbreak of the Pacific war, we have been treated unfairly and undemocratically, the Germans and the Italians, however, were immune from such treatment. Even the Canadian-Born and the Naturalized Canadians were removed from defence area. The direct consequence of this government policy was quite obvious. The family life was temporarily disrupted. We were forced to live for months in an unsanitary and crowded Manning Pool at Hastings Park in Vancouver. It is quite clear to what extent these people received the blow psychologically. Apart from this, the financial loss sustained by each family was considerable, but to ascertain to what extent is quite impossible. Before leaving the coast, a great portion of household effects and personal belongings were either unwillingly relinquished or reluctantly sold at a loss, but, for those who are old or who are approaching old age, this action, though unfortunately unavoidable, has resulted in a financial uneasiness to such an extent that the possibility of the re-establishment of their former financial status seems quite dim.

On the solemn promise that the property handed over to the Custodian would be safeguarded in the interest of the owner, we had complete faith, but unfortunately, this pledge was not kept. Both the moveable and the immoveable properties were sold by the Custodian without the consent of the owner, at either one-half, one-third or one-fourth of their current price. Hence, no one can doubt in the least the profound disappointment and grief arising from such injustice. Furthermore the unemployed and those unable to work in the Interior Housing Settlement had to live on what money the Custodian handed over to them from the forced sale of their property.

It is now quite evident that a great majority of the evacuees' were stripped of all financial assets.

In the name of those who are going to Japan voluntarily or involuntarily in the very near future to re-establish themselves there, we, Japanese Repatriates of Slocan District, do hereby humbly petition that the enormous financial loss sustained by the Japanese people as a result of this forced evacuation from the coast be indemnified by the government of the Dominion of Canada.

We trust this entreaty on the good faith of His Majesty's Government and on the benevolence of the Canadian people.

Signature Yamada Hatsuya

Address (Pre-Evacuation) 1024 West 6th Avenue, Vancouver, B. C.

National
~~-Naturalised~~
~~-Canadian-Born~~ Name YAMADA Hatsuya #04022

Present Abode Lemon Creek, B. C.

Shiga-ken, Echi-gun, Inamura, Ishidera.

Land value reported to the Custodian

Value of compulsive sale

Difference claiming as compensation

House Value reported to the Custodian

Value of compulsive sale

Difference claiming as compensation

Value of furnitures and implements reported to the Custodian

Value of compulsive sale

Difference claiming as compensation

Value of machines reported to the Custodian

Value of compulsive sale

Difference claiming as compensation

Value of fishing implements reported to the Custodian

Value of compulsive sale

Difference claiming as compensation

Value of fishing boats reported to the Custodian

Value of compulsive sale

Difference claiming as compensation

Value of automobiles or trucks reported to the Custodian

Value of compulsive sale

Difference claiming as compensation

Difference of one year's income (present and before the evacuation) Before $1,800.00
Present q304.80 $1,495.20

Etc. **Pre-evacuation:**

Value of furniture	**$500.00**
Value of sale	**75.00**
Loss	**$425.00**

Yamada Hatsuya

DEPUTY MINISTER OF LABOUR
CANADA

Ottawa, July 19, 1946.

614-R-1-40

EXTERNAL AFFAIRS RECORDS
File No. 3464-R-40
Sub. 6 Chron 20 Filed

Mr. R.G. Robertson,
Secretary
Office of the Prime Minister,
East Block, Ottawa.

Dear Mr. Robertson:

I wish to acknowledge your letter of July 9, concerning mimeographed letters which have been received in large quantities from persons of the Japanese race in British Columbia setting out claims by the individuals against the Government.

While unable to make a definite statement, our officials in British Columbia believe that these forms, most of which originated in the Slocan Valley settlements, are inspired by the B.C. Citizenship Defence Committee, a Japanese organization which is quite active in the Slocan area.

Yours very truly,

H. Pammett

for A. MacNamara.

EXTERNAL AFFAIRS RECORDS
File No. 3464-R-40
Sub. 58 Chron. Filed
A.R.Menzies - LP

Ottawa, July 12, 1947

The Custodian of Enemy Property,
Department of Secretary of State.

I enclose a copy of Despatch No. 144 of June 16th from the Canadian Liaison Mission in Tokyo, Japan, forwarding a letter from Mr. Matsushita Choju enquiring concerning disposition of a parcel of land at Coquitlam, British Columbia.

I should be grateful if you would ad ise me what reply should be returned in this case and also let me know if there is any general reply that the Canadian Liaison Mission in Tokyo can give to enquiries of this nature.

DAVID M. JOHNSON

Under-Secretary of State
for External Affairs.

To see
Mr R. G. Robertson
Consular
file
3464-R-40 AR Menzies

CANADIAN LIAISON MISSION

Copy by letter to Custodian
AR Menzies
Pol III

No. 144 TOKYO, June 16th, 1947.

Sir,

I have the honour to enclose a letter forwarded to this Mission on behalf of a Canadian nisei who was repatriated to Japan in 1946.

3464-R-40 for general information

2. The letter in question reached us through the British Consulate in Yokohama from Headquarters, Kumamoto Military Government Team, Kumamoto, Kyushu, Japan. It seems to be self-explanatory, and to state the facts of the case as presented by Mr. Matsushita Choju. This letter is the first of its type to find its way to this Mission. It would be appreciated therefore, if in answering the particular question involved, some general information might be included on the subject of the sale of repatriates' property in Canada. It is likely that other cases similar to this may arise in future, and I would be grateful to have some background material in writing from the Custodian's office to present to such claimants.

I have the honour to be,
Sir,
Your obedient servant

E. H. Norman

The Right Honourable,
The Secretary of State
for External Affairs,
Department of External Affairs,
O t t a w a, Canada.

HEADQUARTERS
KUMAMOTO MILITARY GOVERNMENT TEAM
KUMAMOTO, KYUSHU, JAPAN

HMK/jk

APO 929
22 May 1947

386

SUBJECT: Canadian Property Owned by Japanese Nationals

TO : British Consulate, Yokohama, Japan, APO 343

1. Choju Matsushita, a Japanese living in Aza Senba, Shimoura Mura, Amakusa Gun, Kumamoto Prefecture called at the office on 21 May requesting that Military Government assist him in a matter of personal business concerning lands owned by him in Coquitlam, British Columbia.

2. Matsushita brought with him a title for approximately 9.5 acres of ground registered in the Land Registry Office in the city of New Westminster, British Columbia and described as Block Four of Lot Three Hundred and Sixty-six, Group One. This land had been purchased by him in 1925 for fifteen hundred dollars.

3. A tax receipt was also presented for taxes paid in 1942 on the property.

4. In June 1942 Matsushita and his family were evacuated to Hastings Park, Vancouver and in September 1942 were moved to a camp in Slocan. In September 1946 he and his family left Slocan for repatriation to Japan and in October 1946 arrived in Yokohama, Japan.

5. prior to leaving his home in Coquitlam in 1942, a two year lease was made of his land to a Chinese, Low Yet, wherein taxes were to be paid by the Chinese in return for the use of the land. This lease was drawn up and held by Harry Johnson, a lawyer practising at 6th Ave., New Westminster, British Columbia. This lease authorized the use of the land, equipment, and improvements left on the property.

6. A representative of the Custodian Office, Dept. of

Secretary of State of Canada, Vancouver, B. C. informed Matsushita, prior to his leaving for Hastings Park, Vancouver, that his property would be cared for and notification would be made of any contemplated disposition to be made by the Canadian Government.

7. In 1943 Matsushita received a letter from the Custodian Office stating that his property had been sold. No notification had been received prior to that nor was any further explanation forthcoming.

8. In 1946 a draft on the treasury for five hundred and ninety-eight dollars was received as payment. This draft was exchanged upon arrival in Japan, for yen at the exchange rate of fifteen to one.

9. Matsushita states that he signed no papers relinquishing ownership of the property or authorizing and party to make disposition of property. He feels that, if transfer of ownership was carried out under the provisions of standing laws and ordinances of the Canadian Government, some error must have existed in computing the value of the land for it was uncleared at the time of purchase and at the time of alleged sale was cleared and under cultivation. In addition to this, many buildings had been erected and many farming implements were left with the property.

10. This office believes that an error might have existed or that the sum received was not in payment for the land but rather as payment for some use to which the land may have been put. From this view point and in the possibility that further like cases may be presented to Military Government, this office requests information on existing laws concerning disposition of property belonging to those persons repatriated from Canada to Japan.

G. W. SARGENT
Lt. Col., CAC
Commanding

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

3464-R-40

3L 2 Filed

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. J-175

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
August 5, 1947

TO: The Under-Secretary of State for External Affairs,
Ottawa

N1 RE: Choju Matsushita

Attention: Mr. David M. Johnson

With further reference to our communication of the 16th ultimo, we enclose herewith, for your information, copy of communication received from Mr. F. G. Shears, Director of the Custodian's Office in Vancouver, under date of 30th ultimo.

We also enclose copy of Order in Council P.C. 1810, dated July 18, 1947, appointing a Commissioner to investigate claims of Japanese evacuated from the Protected Area of British Columbia. You will note from this that only claims of persons resident in Canada on the date of the Order are to be the subject of review.

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

2026-N-1-40c

provided for an extension from month to month at a rental of $0. per

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

506 Royal Bank Building,
Vancouver, B.C.

30th July, 1947.

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO
FILE NO. 1626

K. W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Building,
Ottawa, Ont.

Dear Mr. Wright:

Re: Choju Matsushita
Lot 4 of Lot 366, Gp.1, Map 443
Municipality of Coquitlam

Referring to your letter of July 16th in which you enclosed correspondence from the Canadian Liaison Mission, Tokyo, to the Under Secretary of State.

This is the same case in regard to which we wrote you on July 19th, enclosing a copy of the letter we had received from Matsushita, and asking whether we should make any direct reply to correspondence received from repatriates. You advised that you would communicate with us further after the appointment of a Commissioner to investigate Japanese claims.

This was a property which was sold to the Director, the Veterans' Land Act, the assessed value of the property being:

Land	$1,360.-
Improvements	600.-
Yearly taxes	70.74

It consisted of a farm of 9.5 acres in the Municipality of Coquitlam.

Our file indicates 4 acres planted in strawberries, 1/8 acres in red currants, ½ acre asparagus, ¾ acre raspberries, ½ acre rhubarb and 50 tree plants.

The buildings on the property consisted of three dwellings, 10 x 12, 12 x 14, 16 x 22, a barn 14 x 22, root house 12 x 14, garage 12 x 14, woodshed 8 x 22 and rhubarb house 18 x 30.

Before evacuation this property was rented by the owner under a lease dated 9th May, 1942, for a term ending 28th February, 1943, for the sum of $250.00, which amount was paid to Matsushita. The lease provided for an extension from month to month at a rental of $8.- per

VIA AIR MAIL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE NO. 1626

K. W. Wright, Esq. 30th July, 1947.

month, the Lessee to pay water, gas and electric rates.

This tenancy continued until the 31st December, 1943, and a rental of $80.- was paid to the Custodian, but due to the adjusting date of the sale to the Veterans' Land Act being January 1st, 1943, this amount was paid over to the Veterans' Land Act.

The sale price to the Director, the Veterans' Land Act was $650.- and was sold at this amount on the basis of a valuation made by the Soldier Settlement Board of Canada.

Yours very truly,

F G Shears

F. G. Shears,
Director.

FGS/PMH

EXTERNAL AFFAIRS RECORDS
File No. 3464-R-40
Sec. 36 Chron. 3 Filed

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. J-175

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
September 6, 1947

TO: The Under-Secretary of State for External Affairs,
Ottawa

RE: Choju Matsushita

Attention: Mr. David M. Johnson

With further reference to our communication of the 5th ultimo, we enclose herewith copy of letter received from Mr. F. G. Shears, Director of the Custodian's Office in Vancouver, dated August 19, 1947, which is self-explanatory.

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

3411-36

COPY

C A N A D A
DEPARTMENT OF THE SECRETARY OF STATE
Office of the Custodian

506 Royal Bank Building,
Vancouver, B. C.
19th August, 1947

1626

K. W. Wright, Esq.,
Counsel to the Custodian,
Office of the Custodian,
Victoria Building,
Ottawa, Ont.

Dear Mr. Wright:

Re: Choju Matsushita
Lot 4, of Lot 366, Gp. 1, Map 443,
Municipality of Coquitlam

It has been drawn to my attention that a transposition of figures was made to you in our letter of the 30th July. The sale price of this property to the Director, the Veterans' Land Act was $560.00 and not $650.00.

Will you kindly correct our previous letter.

Yours very truly,

"F. G. Shears"

F. G. Shears
Director

FGS/PMH

A.R. Menzies/RR

BF noted
ehmcr.

EXTERNAL AFFAIRS RECORDS
File No. 3464-R-40
Filed

Ottawa, January 17, 1948.

Y

The Custodian of Enemy Property.

I enclose a copy of despatch No. 261 of October 27, 1947, from The Canadian Liaison Mission in Tokyo, Japan, which forwards a request for information concerning property in Canada left by Matsuura Setsuzo to Mrs. Sasaki Keiko.

I should be grateful if you would advise me of the reply that should be returned in this case.

A. R. MENZIES

for the Under-Secretary of State
for External Affairs.

CANADIAN LIAISON MISSION

EXTERNAL AFFAIRS RECORDS
File No. 3464-R-40

Referred to Custodian
by letter A.J. Menzies

TOKYO, October 27th, 1947.

Y

No. 261

3464-R-40

Sir,

I have the honour to forward a request for information concerning property in Canada left by Matsuura Setsuzo to Mrs. Sasaki Keiko.

2. I am enclosing the details concerning this case as forwarded to this Mission from the Japanese Government through Diplomatic Section of General Headquarters, S.C.A.P. Mrs. Sasaki is the daughter of Matsuura who died in Atlin, British Columbia in 1939. As indicated in the enclosed request, the applicant is anxious to know the present status of the legacy.

3. I would appreciate your advice in connection with this request.

I have the honour to be,
Sir,
Your obedient servant

J.H. Candle.
for G.S. Patterson

The Right Honourable
The Secretary of State
for External Affairs,
Department of External Affairs,
O t t a w a, Canada.

262

COPY COPY

JAPANESE GOVERNMENT

CENTRAL LIAISON OFFICE

TO: GENERAL HEADQUARTERS OF THE SUPREME COMMANDER FOR THE ALLIED POWERS

FROM: Central Liaison Office, Tokyo.

SUBJECT: Request for obtaining information about the Property left by a deceased Japanese in Canada.

C.L.O. No. 7681(RJ) 2 October 1947

1. The Japanese Ministry of Foreign Affairs has recently received from Mrs. Keiko Sasaki nee Matsuura, domiciled in Osaka City, Japan, an application concerning the property left by her father, Setsuzo Matsuura, who had resided at Telegraph Creek, British Columbia, Canada and died at St. Andrews Hospital in Atlin, British Columbia on 31 December, 1939.

2. Japanese consul at Vancouver informed the Japanese Ministry of Foreign Affairs of the death of Matsuura on 21 March 1940 and requested to be furnished with the name and address of legatee of the property which was then in the process of liquidation by a state administrator of Atlin. The Ministry of Foreign Affairs notified the consul on 31 May 1940 of three legatees, i.e. Mr. Susumu Matsuura, Mrs. Keiko Sasaki and Mrs. Nobuko Tanikaze.

3. The liquidation by the administrator, however, took longer time than expected and on 30 October 1941 the Ministry of Foreign Affairs received a report from the Consul to the effect that a. the administrator had appraised the property as follows:

assets	4,234.24	Canadian	dollars
liabilities	694.46	"	"
Uncollected debts	1,750.41	"	"

b. The liquidation could not have been concluded because of the uncertainty of the collectable amount of the last item.

4. Soon after the receipt of the above report, the war broke out and nothing on this matter has been heard since then, and the applicant is anxious to know the present status of the said legacy.

5. It would be much appreciated if the General Headquarters, Supreme Commander for the Allied Powers be good enough to use its good offices so that information on the subject legacy be obtained from the Canadian Government.

FOR THE PRESIDENT:

(s) Y. Katsuno
(Y. Katsuno)
Chief of Liaison Section,
Central Liaison Office.

C.E.McGaughey/MCK

Y

RECORDS
File No. 3464-R-40
Sub 36 Chron Filed

614-R-1-48

OTTAWA, February 3, 1948.

Y

NO. 141

Sir:

I have the honour to refer to your despatch No. 144 of June 16, 1947, on the general subject of the sale of repatriates' property in Canada, and its enclosure directing particular attention to the case of Mr. Matsushita Choju. It is regretted that as a result of unknown circumstance our records contain no evidence of a reply to your despatch having been sent. Therefore, you will understand I am sure, my hope that much of this despatch will be a repetition of a previous communication.

2. I referred your despatch and Mr. Matsushita's letter to the Office of the Custodian for advice. The Counsel to the Custodian, in his reply, directed my attention to Order-in-Council P.C. 1810, dated July 18, 1947, appointing a Commissioner to investigate claims of Japanese evacuated from the Protected Area of British Columbia. This Order-in-Council, copy of which I have attached, states that the Commissioner will only inquire into claims of persons of the Japanese race "who are resident in Canada at the time of this Order". Hence it seems that the complaint of Mr. Matsushita Choju is beyond the pale of legal redress.

3. I understood the matter to be closed until this week when the Counsel to the Custodian forwarded a copy of a despatch received at the Custodian's Vancouver office from Lieut. Harold N. Kane of the Kumamoto Military Government Team, Japan, dated December 16, 1947. I am enclosing this letter which you will see is identical to the one you attached to despatch No. 144.

4. Although the failure of Lieut. Kane to make use of the proper channels of communication in this instance might not seem of particular importance, it is thought that if it is ignored it might be regarded in the future as a precedent establishing the permissibility of the direct form of correspondence. To prevent that possibility you might consider it advisable to bring the matter to the attention of the proper authorities in Japan.

I have the honour to be,
Sir,
Your obedient Servant,

D. JOHNSON
for
Secretary of State
for External Affairs.

The Canadian Liaison Mission,
Former Canadian Legation,
TOKYO, Japan.

P. C. 1810

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 18th July, 1947.

The Committee of the Privy Council have had before them a report dated 14th July, 1947, from the Secretary of State, representing:

That during the war persons of the Japanese race were evacuated from the protected areas of British Columbia and by Order in Council P.C. 1665 of March 4, 1942, as amended by Order in Council P.C. 2483 of March 27, 1942, it was provided that all property situated in any protected area of British Columbia belonging to any person of the Japanese race (except fishing vessels subject to Order in Council P.C. 288 of January 13, 1942, hereinafter referred to, 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 was turned over to the Custodian by or on behalf of the owner, or which the owner on being evacuated from the protected area was unable to take with him, should be vested in and subject to the control and management of the Custodian as defined in the Regulations Respecting Trading with the Enemy;

That by Order in Council P.C. 469 of January 19, 1943, it was provided that whenever the Custodian had been vested with the power and responsibility of controlling and managing any property of persons of the Japanese race evacuated from the said protected areas, such power and responsibility should 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;

That by Order in Council P.C. 6247 of July 20, 1942, it was provided that all vessels and equipment not disposed of by the committee established by the said Order in Council of January 13, 1942, should on and after the first day of August, 1942, be vested in and be subject to the control of the Custodian;

That purusant to the above mentioned Orders real and personal property of persons of the Japanese race was disposed of and claims have been made by persons of the Japanese race that in respect of such disposition of their property they have suffered pecuniary loss and

That it is deemed advisable to appoint a Commissioner under Part I of the Inquiries Act to investigate the said claims and to make recommendations with respect thereto.

.....

The Committee, therefore, on the recommendation of the Secretary of State, advise:

1. That the Honourable Mr. Justice Henry Irvine Bird be appointed a Commissioner pursuant to the Inquiries Act, chapter ninety-nine of the Revised Statutes of Canada, 1927, to inquire into the following claims of persons of the Japanese race <u>who are resident in Canada at the date of this order, namely</u> -

(a) that by reason of the failure of the Custodian to exercise reasonable care in the disposition of the real and personal property vested in the Custodian pursuant to the above mentioned Orders, the amount received by the Custodian for such property was less than the market value thereof at the time of such disposition; and

(b) that by reason of the failure of the Custodian to exercise reasonable care in the management of personal property, such property was lost, destroyed or stolen but no claim shall be considered in respect of property lost, destroyed or stolen while under the custody, control or management of any person, other than the Custodian, appointed by the owner of the property.

2. That the Commissioner shall examine into each claim and make a report to the Governor in Council setting forth the claims, if any, which in the opinion of the Commissioner are well-founded and the amount which, in his opinion would fairly and reasonably compensate the claimant for failure of the Custodian to exercise reasonable care.

3. That the Commissioner shall give public notice in such manner as he deems advisable of the time for the filing of claims and for the hearing of evidence and that all claims shall be in writing, verified by statutory declaration and filed in the Office of the Custodian at Vancouver, British Columbia.

4. That the Commissioner be authorized to engage the services of such counsel, technical advisers or other experts, clerks, reporters and assistants as he may deem necessary or advisable.

5. That the expenses of and incidental to the said inquiry be paid out of money appropriated by Parliament.

(Sgd.) Paul Pelletier

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

PERSONAL AND CONFIDENTIAL

CANADIAN LIAISON MISSION

SEEN
L.B. PEARSON
APR 5 1948

file
A.R. Menzies

TOKYO, February 17th, 1948.

EXTERNAL AFFAIRS DOCUMENTS
File No. 6605-AC-40
33 3
Y

Dear Mr. Johnston,

Recently Baron Tomii, a former Japanese Minister to Canada (the one before the last) called on me informally and asked me about affairs in Canada. He is quite an affable man and seemed to remember a considerable amount about Canadian politics and personalities. He expressed great admiration for our Prime Minister's judgment and capacity and on leaving asked whether he might send a personal letter to him. I was somewhat taken aback by his request but could not see any reason why I should refuse it. Accordingly, Baron Tomii called on me yesterday bringing with him the letter addressed to the Prime Minister which he left unsealed so that I might read it. I must confess that I felt somewhat uneasy at the references to me in paragraphs two and three. Particularly, the reference in paragraph two, while correct in fact, I think paints in somewhat more lurid colours than was the case, my account of the debates in the House of Commons in the late fall of 1944.

As for paragraph three I can only say on reading it that I felt a wave of embarrassment.

As the rest contains Baron Tomii's comments on affairs in Japan, I do not think it appropriate for me to discuss them in transmitting the letter to the Department, but I thought that some background on the letter should be given.

Accordingly, if you think it fitting to do so, I should be grateful if you would have the letter transmitted to the Prime Minister. I do not

D.M. Johnston, Esq.,
Department of External Affairs,
O t t a w a, Canada.

of course know whether the Prime Minister would wish to acknowledge or reply to the letter, but I would be grateful if you would let me know that you have sent the letter on to the Prime Minister so that when I next see Baron Tomii I can inform him that it has been transmitted to the Prime Minister.

With kindest regards.

Yours sincerely

E. A. Norman

FILE COPY

A.R.Menzies/MCK

EXTERNAL AFFAIRS RECORDS
File No. 6605-AC-40
Subj. 22 Chron. 33 Filed

file
AR Menzies

Ottawa, ~~April 3, 1948~~.

Originals PRS 1948

Y

File

Memorandum for the Prime Minister.

I am attaching a letter addressed to you by Baron Shu Tomii, who was Japanese Minister to Canada from 1927 to 1929 and from 1938 to 1940.

In transmitting this letter to us, Dr. E.H. Norman, Head of the Canadian Liaison Mission in Tokyo, made the following comment:

> "Recently Baron Tomii, a former Japanese Minister to Canada (the one before the last) called on me informally and asked me about affairs in Canada. He is quite an affable man and seemed to remember a considerable amount about Canadian politics and personalities. He expressed great admiration for our Prime Minister's judgment and capacity and on leaving asked whether he might send a personal letter to him. I was somewhat taken aback by his request but could not see any reason why I should refuse it. Accordingly, Baron Tomii called on me yesterday bringing with him the letter addressed to the Prime Minister which he left unsealed".

I understand that Baron Tomii, who is now 58 years of age, has retired from the Japanese Diplomatic Service. It would be difficult to predict whether he would return to the Service if Japan were to re-establish diplomatic relations with foreign countries after the signature of a peace treaty.

L. B. PEARSON

5.4.28/45

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. 37369

Legal Section
JF/MC

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

May 11, 1948.

Toser: Legal Div
→ ~~Mr. McClaughlin~~
v file

D. B. WILSON
Ans.

3464-R-40

To: The Under-Secretary of State for External Affairs, Ottawa.

Re: Estate of Setsuzo Matsuura, deceased and Mrs. Keiko Sasaki

Attention: Mr. A. R. Menzies

Further to our communication of the 26th January, 1948, we enclose herewith, for your information, copy of letter received from the Official Administrator, Atlin, B.C. under date of the 16th ultimo, with enclosure.

From this you will note the balance of the estate has been forwarded to this office and disposition of funds must await the terms of the Treaty of Peace with Japan.

A. H. Mathieu,
Assistant Deputy Custodian.

Encl 2

~~2-1214~~

"	31	Commission 1.75, excn. 25¢		2.00
May	30			
"	30	J. Bob account pd	24.00	
"	31	Commission charges		1.20

COPY

Please
Address Your Reply
To Official Administrator
.....

Atlin, B.C.
April 16th, 1948.

Mr. A. G. McArthur,
Office of the Custodian,
506, Royal Bank Buildings,
Vancouver, B. C.

Dear Sir:

Re Estate Setsuzo Matsuura, deceased

I have for acknowledgement your letter of the 9th inst., and in reply enclose statement of his Estate as taken from his Estate file.

Letters of Administration were issued to Herbert Glassey by the Court on the 27th November, 1940. The residue of the Estate passes to his three children, one third to each of the following
Nori Matsuura, son, of Hsinking, Manchoukuo, Japan
Keiko Saskai, daughter " " " and
Nobuko Tanikaze " " Nishi-Tottori-Mura, Sennan-gun, Osaka-fu, Japan.

The deceased died Intestate.

The Estate was closed out by Mr. George Hallett who succeeded Mr. Glassey; Mr. Hallett was transferred to Prince George last June, when I took over the duties of this Office.

I trust this is the information you desire,

Yours respectfully,

A.E. Roddis,
Official Administrator.
Atlin, B.C..

"	31	Commission 1.75, exch. 25¢		2.00
May	30			
"	30	J. Bob account pd	24.00	
"	31	Commission charges		1.80

PY

ESTATE OF SETSUZO MATSUURA, died December 31st, 1939
Statement of Receipts & Expenditures.

		Cr.	Dr.
1940			
May.14	Cash on Person,	$588.16	
"	Paid Dr. Roth		$ 82.21
"	" Hospital		75.00
"	" Special Nursing		60.00
"	" Funeral A/c per Bruce Morton		185.00
"	" Telegrams 8.70,		8.70
" 18	" Express charges personal effects		12.05
"	Received sale of stock	444.64	
"	Paid Wages Ned Tate, Watchman		46.50
"	" Bank Exchange		1.50
"	Received Sundry Accounts	202.75	
"	Bank exchange paid		.25
" 25	Commission charges paid		61.77
Aug.10	Accounts paid Hyland & Carmen	89.52	
" 30	Cash sales	261.87	
Sept 5	Bank exchange		.65
	Commission charges		13.18
1941			
Mar 28	Credit from Malkin Coy	9.44	
"	Exchange on cheque		.25
Apr 16	Bank of Montreal a/c	945.01	
"	Paid Bank exchange		4.73
"	Sale of Rifle	8.00	
" 19	Dominion tax on Est		171.70
"	Commission charges		48.12
"	Brown & Harvey Legal fees		92.05
June 6	Cash found in effects	.50	
Nov. 7	Sale of tie pin	10.00	
Dec. 6	Commisssion charges		.50
1942			
Jan 12	Payment of account W.Hughes	16.76	
" 12	Paid Hudson Bay Account		20.75
" 30	Commission charges	19.50	.84
Feb 23	Rec'd from P.Blue Est.		.97
" 28	Commission charges	10.00	
May 28	E. Smythe a/c pd.		.50
" 30	Commission charges	74.30	
July 28	Pin, Watch & chain		.37
" 31	Exch on cheque	190.70	3.71
Aug 1	Commission charges		9.53
Sept 23	Sale effects H. Vance		1.69
Oct 5	Commission charges	60.00	
Oct 5	Express charges		3.00
Oct 26	Accounts paid		
" 30	Commission charges	35.00	
1943			
Mar 15	Accounts paid		2.00
" 31	Commission 1.75, exch. 25¢	24.00	
May 30	J. Bob account pd		1.20
" 30	Commission charges	5.50	
" 31	P. Tashoots c/c pd		.27
" 31	Commission charges	530.42	
July21	Hyland a/c pd		26.52
1945	Commission charges		2590.56
Mar.19	Bal. of Estate paid to Custodian		
Mar.27	Dept Secty of State,7 O'Connor		
Dec.28	Street Ottawa		
	Custodian's file #37369		
		$3526.07	$3526.07

Certified true statement as taken
from Estate Ledger.

A.E. Roddis,
Official Administrator.

File Copy

D.B. Wilson/LC

3464-R-40

DEPARTMENT OF EXTERNAL AFFAIRS

Refer to: ~~Asst.~~ Dep. Custodian

To see:
~~Mr. E.~~ McGaughey
Legal Division
and File

D. B. WILSON

NO. 564

EXTERNAL AFFAIRS RECORDS
File No 3464-R-40
Sub 31 Chron 1X Filed....

Ottawa, May 21, 1948

Sir,

Estate of Setsuzo Matsuura, deceased

I have the honour to refer to your despatch No. 261 of October 27, 1947, with which you forwarded a request from the Diplomatic Section of General Headquarters, S.C.A.P., for information concerning the present status of the estate mentioned above.

2. The information you requested has now been received, and I enclose a copy of a letter from the Assistant Deputy Custodian, dated May 11, 1948, together with an enclosed letter from the Official Administrator at Atlin, B. C. To the latter was attached a schedule setting forth the present status of Setsuzo Matsuura's estate, of which I am now sending you five copies.

3. You will note that the deceased died intestate, and appointed no executor. His estate was therefore turned over to the Official Administrator for disposition. In any case, the residue of the estate would normally have passed in equal shares to his three surviving children, and we presume that his daughter, the Mrs. Sasaki referred to in your despatch, is aware that she is not the sole legatee. As stated in the Deputy Custodian's letter, the balance of the estate of $2,590.56 has been turned over to the Custodian (file 37369) and no further action will be taken on this money until after the Peace Settlement with Japan.

I have the honour to be
Sir,
Your obedient servant

David M. Johnson
for the
Secretary of State
for External Affairs

Canadian Liaison Mission,
Former Canadian Legation,
TOKYO, Japan.

44 Gm. 40

3464-R-40

CANADIAN LIAISON MISSION

TOKYO, May 26, 1949.

No. 294

copy to Customs
Excise Letter

C. HARBOR

3464-R- 40
2 Y 56

Y
1 AM 76
2
3
4 Offer
5
6
7
8
9
10

JUN 10 1949

Sir,

I have the honour to forward a request for information concerning the N.S. McNeil Trading Company.

2. We have been approached by a Mr. S. Kanaya of the Kokoku Rayon Pulp Company Limited for information concerning the disposition of the assets of the N.S. McNeil Trading Company, a logging and pulp manufacturing company incorporated on Vancouver Island in 1938. Ninety percent of the shares were held by Japanese nationals according to our information. The affiliated company in Japan was the Kokoku Rayon Pulp Company Limited of Tokyo.

3. I advised Mr. Kanaya that it was likely that the assets of the company have been taken over by the Custodian of Enemy Property and would be held until the signing of a peace treaty. However, he expressed interest in knowing any facts concerning the present status of the company which you might be willing to give him.

I have the honour to be,
Sir,
Your obedient servant,

H.H. McCandless

H.H. Norman,
Head of Canadian Liaison Mission
in Japan.

The Honourable
The Secretary of State for
External Affairs,
Department of External Affairs,
O T T A W A, Canada.

C. HARDY/MR

3464-R-40	
338	56

OTTAWA, June 11, 1949

The Under-Secretary of State,
The Department of the Secretary of State,
O t t a w a.

I wish to refer to your letter of March 2, 1945 concerning the N.S. McNeil Trading Company Limited, a Japanese-owned logging and pulp manufacturing company on Vancouver Island. You may remember that at this time there took place an exchange of communications with the Consul General of Spain in Charge of Japanese Interests in Canada concerning this Company whose assets were then held by your Office.

In your letter under reference, which is the last one on the subject, you informed us that the Company had been offered for sale but that the tenders received were so considerably under the estimated value given by your appraisers that they were rejected and that the Company was being operated on your behalf.

I am now in receipt of despatch No. 294 dated May 26, 1949 from Tokyo (a copy of which I enclose) in which the Head of the Canadian Liaison Mission reports having received a request for information concerning this Company from a certain Mr. S. Kanaya of the Kokoku Rayon Pulp Company Limited, an affiliated Company in Japan. Although it is understood that the assets of the Company are being held by you until the signing of the Peace Treaty, Mr. Kanaya would be interested in knowing any facts concerning the present status of the Company which you might be willing to let him have through our channels.

I should be grateful if you would advise me as to the reply which should be made to Mr. Kanaya.

A. R. MENZIES

for the
Under-Secretary of State
for External Affairs

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

Ottawa, Ontario
June 16th, 1949

3464-R-40
24 + 56

TO: The Under-Secretary of State for External Affairs
Ottawa

RE: N. S. McNeil Trading Company Limited

Attention: Mr. A. R. Menzies

Y

1
2
3
4
5
6
7
8
9
10

JUN 20 1949

I have for acknowledgment your communication of the 11th instant, and enclose herewith, for your information, copy of letter received from Dr. H. L. Keenleyside, Deputy Minister of Mines and Resources, under date of 23rd ultimo, together with copy of my reply of the 15th instant.

I wish to point out that it is not the policy of the Custodian to reveal information on Japanese External Assets to former owners resident in Japan. Final disposition of assets of this nature will depend upon the terms of the Treaty of Peace with that country.

C. Stein
Under-Secretary of State
and Deputy Custodian

Encl. 3

Y

C O P Y

DEPUTY MINISTER
OF
MINES AND RESOURCES.

Ottawa, Ontario
June 15,, 1949

H. L. Keenleyside, Esq.,
Deputy Minister of Mines and Resources,
Department of Mines and Resources,
Ottawa, Ontario

Re: N. S. McNeil Trading Company

Dear Dr. Keenleyside:

I have for acknowledgment your communication of the 23rd ultimo, with enclosure.

The N. S. McNeil Trading Company owned timber limits near Port McNeil on Vancouver Island. The Enemy interest consisted of all the capital stock, namely, 5,500 shares of $100.00 each (a few shares were held in the names of two white persons who were not the beneficial owners). There was also an enemy debt of over $100,000.00 due to the Nippon Soda Co. Ltd. of Japan.

As certain logging contracts were in force at the outbreak of war, the Secretary of State, acting in his capacity as Custodian pursuant to the provisions of the Consolidated Regulations Respecting Trading with the Enemy (1939) appointed P. S. Ross & Sons Controllers of the Company and the operations of the Company were continued under their supervision. A recommendation was later received from P. S. Ross & Sons that the standing timber and other saleable assets be advertised for sale on the basis of a going concern. These assets were advertised on 8th September, 1944. Very little interest was shown and the few tenders received were rejected and operations continued. Subsequent negotiations resulted in the acceptance in August 1945 of an offer of $585,000.00, with a cash payment of $115,000.00 and annual payments of $75,000.00, to be fully paid by August, 1951. Prepayment of this balance was however made in 1948. The present situation is that all the assets have been liquidated and the Company is being formally wound up, the matter of income tax clearance being the only outstanding item to be dealt with. The present balance being held at the credit of this Company by the Custodian is $825,000.00, and the balance of funds in the hands of the liquidator will be sufficient to pay outstanding taxes and final fees. The total of the enemy debt referred to, amounting to $110,968.00, has also been received and placed to the credit of the Nippon Soda Co. Limited. Eventual disposition of funds at credit of these accounts will depend upon the terms of the Treaty of Peace to be signed with Japan.

I trust that the above information will be sufficient for your present purpose.

Yours sincerely,

C. Stein
Under-Secretary of State
and Deputy Custodian

C O P Y
MSD.

DEPUTY MINISTER
OF
MINES AND RESOURCES.

Ottawa, May 23rd, 1949.

Dear Mr. Stein:

I attach a quotation from a letter received a few days ago from Mr. Kanaya, who was at one time a diplomatic representative for Japan in Ottawa. You will see that this quotation refers to the rights of the N.S. McNeil Trading Company in certain properties in British Columbia. I shall be very much obliged if you will let me know what kind of reply I can make to Mr. Kanaya in connection with the matters covered in his letter.

Yours sincerely,

(Signed) H. L. Keenleyside.

H. L. KEENLEYSIDE,
Deputy Minister.

Charles Stein, Esq., K.C.,
Deputy Custodian of Enemy Property,
Department of the Secretary of State,
O t t a w a .

going to effect the future of our company. I explained to
Mr. Britton concerning the nature of this question as well as the
differences between the right and the other enemy alien property.

EXCERPT FROM LETTER OF MR. S. KANAYA TO DR. H. L. KEENLEYSIDE

When I was going to come back to the government service, after finishing this law business last year, I was requested to enter the Kokoku Rayon Pulp Co., because they have had some connection with the N.S. McNeil Trading Co., in Vancouver, B.C. Therefore, I gave up to return to the government service, and took this job without any hesitation. It was my cherished desire that I would come back to Canada someday if possible, and devote the rest of my life to do something or anything for the both countries, in compensation for nothing I could have done during my long stay. However, this my hope is getting to be unpromising now. It may be because we, human beings, are apt to take a pessimistic view, especially when we are in the predicament.

I have to explain about our connection with the N.S. McNeil Trading Co., Ltd. Mr. Kanai, the President of the Yokoku Rayon Pulp Co. Ltd. (formerly called the Nisso Rayon Pulp Co., Ltd.) was one of the promoters of the N.S. McNeil Trading Co., which was established at 311 Hasting St., W., Vancouver, in June, 1937; since then he has been the senior director of the Company. The invested capital was five hundred and fifty thousand Canadian Dollars, and most stocks are owned by Mr. Kanai and seven other Japanese, and the rest by two Canadians. They bought twenty-four thousand acres of Crown granted land in Vancouver Island near Port McNeil, all covered with cedar (about one third of all timbers), hemlock, balsam, spruce and etc. Their main business was to cut down timbers, and sell them. All cedars were sold to the Canadian lumber mills, and the rest was exported exclusively to our mill in Toyama to manufacture pulp. This business was started in 1938, and continued until the war broke out in 1941. Four years have passed since the war ended, but no one on this side, knows about what has become of this Company. When I was asked about this right as shareholders last year, I inevitably thought of a precedent in the First World War. But now it seems to me that it is a little different this time. According to the press dispatch, the United States Government are said to have decided their attitude unfavourably toward an enemy alien regarding their property in the United States. So, I visited the Canadian Legation the other day, and saw Mr. Britton, Commercial Representative and Mr. Kinderline's successor, to make an inquiry about this matter. He told me that the Canadian Government has not yet reached any decision in this regard. I think it may be a little premature for us to make guess works, as the definite settlement will be done at the coming Peace Conference. However, I hope you understand that we have the keenest interest upon them. The things in this country after the war, as you know, are getting to be very serious, and the issue of this right is going to effect the future of our Company. I explained to Mr. Britton concerning the nature of this question as well as the differences between the right and the other enemy alien property.

C.HARDY/MR

CONFIDENTIAL

Copy 3 Desp only to
Under Secretary of State
Deputy Minister of Mines & Resources

OTTAWA, June 21, 1949

done 22/6/49

3464-R-40
24 | 56

NO. 535

Sir,

I wish to refer to your despatch No. 294 of May 26 concerning a request from Mr. S. Kanaya about the N. S. McNeil Trading Company Limited, a Japanese-owned logging and pulp manufacturing Company on Vancouver Island.

2. It may interest you to know that, back in 1945, there took place an exchange of communications with the Consul General of Spain in Charge of Japanese Interests in Canada regarding this Company whose assets are being held by the Custodian and that, at the same time Mr. Kanaya had conversations with Mr. Britton which resulted in your despatch under reference, he was also writing to Dr. H.L. Keenleyside, Deputy Minister of Mines and Resources.

3. The Under-Secretary of State has asked me to point out that it is not the policy of the Custodian to reveal information on Japanese assets in Canada to former owners resident in Japan, and that final disposition of these assets will depend upon the terms of the Peace Treaty.

4. However for your confidential information, I enclose a copy of a letter dated June 15, 1949 from Mr. Charles Stein, Under-Secretary of State, to Dr. Keenleyside on this subject. In this letter you will see that the N. S. McNeil Trading Company is being formally wound-up, the matter of income tax clearance being the only outstanding item to be dealt with. As said in the preceding paragraph, the information contained in the enclosed letter should not be communicated to Mr. Kanaya.

I have the honour to be,
Sir,
Your obedient Servant,

A. R. MENZIES'

for the
Secretary of State
for External Affairs

The Head of the Canadian
Liaison Mission,
TOKYO, Japan.

CANADA

DEPUTY MINISTER
OF
MINES AND RESOURCES

Rt. Hon. Mr. Mayhis.

3464.A40
33 | 56

Y
1
2
3
4
5
6
7
8
9
10

JUN 24 1949

Ottawa, June 23rd, 1949

CONFIDENTIAL

Dear Mr. Heeney:

I have to-day received a copy of your dispatch of the 21st of June, 1949, No. 535, addressed to the Head of the Canadian Liaison Mission in Japan, and dealing with a request of Mr. S. Kanaya concerning the N. S. McNeil Trading Company Limited, a Japanese-owned logging and pulp manufacturing company on Vancouver Island.

With your dispatch you sent to Mr. Norman a copy of a letter which the Under-Secretary of State of Canada had sent to me on the 15th of June on this subject. You added that the Under-Secretary of State had informed you that it is "not the policy of the Custodian to reveal information on Japanese assets in Canada to former owners resident in Japan".

I am writing now to point out that when I received inquiries from Mr. Kanaya about this matter I sent to Mr. Stein a copy of the pertinent sections of Mr. Kanaya's letter and asked him if he would let me know what kind of a reply I could make to Mr. Kanaya in connection with the matters covered in his letter. In his reply Mr. Stein gave me full information regarding the McNeil Trading Company, and ended with the sentence "I trust that the above information will be sufficient for your present purposes". There was no indication that the material provided was to be treated as confidential.

Under the circumstances I forwarded to Mr. Kanaya a transcript of the material provided by Mr. Stein. So far as I can see, this is not a serious matter but I thought that

A.D.P. Heeney, Esq., K.C.,
Under-Secretary of State
for External Affairs,
O t t a w a.

...2

24.6.4(JS)

you should know what I had done and that Mr. Norman should be informed. Otherwise, he may be surprised to find that Mr. Kanaya has received a detailed statement from me at the same time that he (Mr. Norman) has been instructed by you to refrain from giving similar information to the Janapese inquirer.

Yours sincerely,

H. L. KEENLEYSIDE,
Deputy Minister

C.HARDY/MR

Copy to:-U.S.S.
" " Mines and Resources

M-695

OTTAWA, June 27, 1949

3464-B-40
24

Dear Dr. Norman,

N.S. McNeil Trading Company

I wish to refer to your despatch No.294 of May 26 and to our reply No.535 of June 21, concerning a request you received from Mr. S. Kanaya for information on the assets of the above-mentioned Company.

Paragraph 3 of our despatch to you read in part: "The Under-Secretary of State has asked me to point out that it is not the policy of the Custodian to reveal information on Japanese assets in Canada to former owners resident in Japan ..."

However it appears that by some inadvertance, the information given by Mr. Stein to Dr. Keenleyside (a copy of this letter was attached to our despatch) did not contain the above-quoted advice and that, in consequence, it was relayed directly to Mr. Kanaya.

Of course, no harm has been done in this particular instance, but the Legal Section of the Custodian's office has assured me that it is still their policy to keep information of this kind from Japanese owners, at least for the time being. I should therefore be grateful if, despite what happened in this case, you would inform eventual inquirers of the Custodian's policy.

Sincerely yours,

A.R. MENZIES
for the Under-Secretary of State
for External Affairs

Dr. E.H. Norman,
The Head of the Canadian Liaison Mission,
TOKYO, Japan.

COPY

August 5, 1949.

Dr. H.L. Keenleyside,
Deputy Minister,
Department of Mines & Resources,
Metcalfe & Wellington St.,
Ottawa, Ontario, Canada.

3464-R-40
24 | 24

Dear Dr. Keenleyside:

I have received your letter of June 15th, and was deeply touched for the prompt action you took for me when you were busily engaged. I really have no words to thank you enough for your kindness.

According to your letter, the whole assets of the McNeil Trading Co. have already been sold; and frankly speaking, we were perplexed and disappointed, because of the great expectation we had had upon them for our future. However, it is reliably reported of late that the United States Government has changed their attitude towards the enemy alien's private properties, and are going to release them in their country. This news, together with a few words in the latter part of your letter, have considerably taken the weight of my mind.

I think I have to go to Ottawa one of these days concerning the matter. It may be after the conclusion of the Peace Treaty, but will you please be kind enough to give me further assistance in this regards.

Hoping your good health, and thanking again,

Yours truly,

(Sgd.) S. Kanaya,
c/o Kokoku Rayon Pulp Co.,Ltd.
13 2-Chome, Kayabacho,Nihonbashi,
Chuo-ku, Tokyo, Japan.

Y

SEP 14 1949

2754 Shimoura Village,
Amakusa County,
Kumamoto Prefecture,
Japan.
January 18, 1950.

To Canadian Legation,
Tokyo, Japan.

Subject - Canadian property owned by Japanese National.

1. Matter of personal business concerning lands owned by me in Coquitlam, British Columbia.

2. I have a title for 9.5 acres of ground registered in the Land Registry Office in the city of New Westminster, British Columbia and described as Block four of Lot three hundred and sixty-six, Group one. This land had been purchased by me in 1925 for fifteen hundred dollars.

3. I also have a tax receipt for taxes paid in 1942 on the property.

4. In June 1942 I and my family were evacuated to Hastings Park, Vancouver, British Columbia and in September 19[illegible] we were moved to a camp in Slocan, British Columbia. In September 1946 I and my family left Slocan for repatriation to Japan and in October 1946 arrived in Yokohama, Japan.

5. Prior to leaving my home in Coquitlam in 1942, a two year lease was made of my land to a chinese, Low Yet, whereas taxes were to be paid by the chinese in return for the use of the land. This lease was drawn up and held by Harry Johnston, a Lawyer practising at 6th Ave., New Westminster, British Columbia

This lease authorized the use of the land, equipment, and improvement left on the propeity.

6. A representative of the Custodian Office, Dept. of Secretary of State of Canada, Vancouver, British Columbia informed me, prior to me leaving for Hastings Park, Vancouver, that my property would be cared for an notification would be made of any contemplated disposition to be made by the Canadian Government.

7. In 1943 I received a letter from the Custodian Office stating that my property had been sold. No notification had been received prior to that nor was any further explanation forthcoming.

8. In 1946 a draft on the treasury for five hundred and ninety-eight dollar was received as payment. This draf was exchanged upon arrival in Jap for yen at the exchange rate of fifteen to one.

9. I didn't sign any papers relinqu ownership of the property or author any party to make disposition of property. I feel that, if transfer of ownership was carried out under the provisions of standing laws and ordinances of the Canadian Government, some error must have existed in computing the value of the land for it was uncleared at the time of purchase and at the time of alleged sale was cleared and under cultivation. In addition to this, many buildings had been erected and many farming implements were left with the property.

10. I beliue that an error must have existed or that the sum received was not in payment for the land but rather as payment for some use to which the land may have been put.

11. cleared 9.5 acres

Products.

A.	Strawberries	4 acres.
b.	Redcurrents	¼ acres.
c.	Asparagus	½ acres.
d.	Raspberries	¾ acres.
e.	Rhubarb	½ acres.
f.	Fruit Trees	50 Trees.
g.	under cultivation	3½ acres.

Buildings.

a.	house.	16 ft. x 22 ft.
b.	Garage	12 ft. x 14 ft.
c.	barn.	14 ft. x 22 ft.
d.	Woodshed	8 FT. x 22 ft.
e.	Store house	12 ft. x 14 ft.
f.	Packing house	12 ft. x 14 ft.
		10 ft. x 8 ft.
g.	Shed	10 ft. x 12 ft.
		12 ft. x 14 ft.
H.	Rhubarb house	18 ft. x 30 ft.

I. Foundation of house under Construction
concreted 2 sides 5 ft. high
and 2 sides 4 ft. high
Thickness 7 inches

Farm Equipments

A.	1 plough	$17
B.	2 Cultivator	$25
c.	3 Harrow	$10
d.	clover	$5
e.	potato moulder	$5
f.	150 ft. Cable	$10

g. 4 block $ 20
H. 3 Logging chain $ 10
I 1 water pump $ 10
J. 8 garden hoe $ 10
K. 3 potato hook $ 5-
L. 2 Rocks $ 1
m. 5 Shovels $ 6.25
N 2 hay hook $ 2
O. 1 Canhook $ 3.50
P. 3 broder lamps $ 2

Total $ 146.75-

12. Land value reported to the Custodian including house $ 7500.00
Value of compulsive sale $ 598.00
Difference claiming as compensation $ 6902.00
one years income before evacuation three thousand dollars.

13. As for Treaty of Peace is drawing near I am hoping that you will put my requested on the fill. We are old aged so we are unable to earn any money now. I have a Canadian bord daughter. We also need to build a house. The house that we are living in now is very small and very new old that it wouldn't last very long. We have worked very hard on the property to make our living when we get old. I went to Canada since I was small boy. And cleared three different places.

14. I also have claimed at the Custodian in Canada and Military Government in Kumamoto Prefecture, Japan.

I remain.

Choju Matsushita

CANADIAN LIAISON MISSION

TOKYO, February 10, 1950.

3464-12-40
33 | 33

NO. 75

Sir,

I have the honour to attach a letter from Choju MATSUSHITA, 2754 Shimoura Village, Amakusa County, Kumamoto Prefecture, dated January 18, 1950.

2. It would seem that he is claiming reimbursement for properties left in Canada under the guardianship of the Custodian at the time of his internment and later repatriation.

3. I have furnished Mr. Matsushita with an interim reply to the effect that I have forwarded his letter to the appropriate officials in Ottawa but that all Japanese assets in Canada were frozen pending the ratification of a Peace Treaty with Japan. I note that Mr. Matsushita has already written to the Office of the Custodian and the attachment may largely be a copy of that communication.

4. I should appreciate it if you would inform me whether there is any further information I might communicate to the writer concerning the points he has raised.

I have the honour to be,

Sir,

Your obedient servant,

E. H. Norman,
Head of Canadian Liaison Mission
In Japan.

The Honourable,
The Secretary of State for External Affairs,
Department of External Affairs,
O T T A W A, Canada.

C

FEB 28 1950

Encl

A.F. BROADBRIDGE

CANADIAN LIAISON MISSION

3464
23

TOKYO, February 22, 1950.

NO. 106

E
1
2
3
4
5
6
7 Ans file
8
9
10

MAR 1 1950

Sir,

I have the honour to attach a letter from Fujimoto AKIYAMA and T. AKIYAMA, #399, Ikejiri-cho, Setagaya-ku, Tokyo-to, Tokyo, Japan, dated January 23, 1950, to the Office of the Custodian, which this office has been requested to transmit.

2. It would seem that they are claiming reimbursement for properties left in Canada under guardianship of the Custodian at the time of their internment and later repatriation.

3. I have informed these individuals that Japanese assets in Canada have been frozen pending the ratification of a Peace Treaty with Japan, but I would comply with their request to forward the letter to the appropriate officials in Canada.

I have the honour to be,

Sir,

Your obedient servant,

E. H. Norman

E. H. Norman,
Head of Canadian Liaison Mission
In Japan.

E

Encs

The Honourable,
Secretary of State for External Affairs,
Department of External Affairs,
O T T A W A, Canada.

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ADDRESS ALL
COMMUNICATIONS
TO THE
CUSTODIAN'S OFFICE

PLEASE REFER
TO
FILE No. 384

501 Royal Bank Bldg.,
Vancouver, B.C.
July 10th, 1942

Mrs. T. Akiyama,
154 West 5th Avenue,
Vancouver, B. C.

Dear Madam:

Re: P/W P-1204, AKIYAMA, Fujimoto

This will confirm our interview to-day at the Imperial Bank of Canada, Hastings and Abbott Street, when two brown paper wrapped packages, containing altogether thirty £100 Bonds (Sterling) in the Imperial Japanese Government, were taken from Safety Deposit Box No. 176, held by Mr. K. Momose.

These Bonds have been deposited in a Safety Deposit Box in our own Securities Department.

Yours truly,

K.W. WRIGHT

For the Authorized Deputy of the Secretary
of State and/or Custodian

KWW/CM

Ecdn/P.R. Hyndman/bm

COPY

CONSULAR/A.F. BROADBRIDGE/BE

EXTERNAL AFFAIRS RECORDS
File No. 3464-R.40
Sub. 63 Chron. 63 Filed. 21

Ottawa, March 9, 1950.

The Custodian of Enemy Property,
Department of the Secretary of State,
O t t a w a.

V

I refer to the enclosed copy of a letter forwarded by our Liaison Mission in Tokyo on behalf of Choju Matsushita of 2745 Shimoura Village, Amakusa County, Kumamoto Prefecture, dated January 18, concerning the disposition of his property.

As Mr. Matsushita is anxious to know whether the amount paid to him is a final payment for his property, I should be grateful if you would let me know what reply I should make to our Mission.

Acting Under-Secretary of State
for External Affairs.

Econ/P.R. Hyndman/bm
File No. 3464-R-40

37

Ile 56
7844

"Y"

Ottawa, March 6, 1950

The Assistant Deputy Custodian,
Office of the Custodian of Enemy Property,
O t t a w a.

I include herewith a letter from Fujimoto Akiyama and T. Akiyama, #399, Ikerjiri-cho, Setagaya-ku, Tokyo-to, Tokyo, Japan, dated January 23, 1950, which was sent to us for transmittal to you by our Canadian Liaison Mission, Tokyo.

As in the case of Mr. and Mrs. Nishidera, it would seen that these people are claiming release of or compensation for properties left in Canada and taken by you into custody.

These individuals have been informed that Japanese assets in Canada were frozen pending the ratification of a Peace Treaty with Japan, but that their letter would in any case be forwarded on to you.

SIGNED
A.F.W. PLUMPTRE

for the Acting Under-Secretary of State
for External Affairs.

3464-R-40
23 1/4
J-3

Y

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. 18760

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
March 9th, 1950

E
1
2
3
4
5
6
7 Eld file
8
9
10

MAR 13 1950

TO: The Under-Secretary of State for External Affairs,
Ottawa

RE: Fujimoto and Take Akiyama

Attention: Mr. A. F. W. Plumptre

We have for acknowledgment your communication of the 6th instant, with enclosure.

The original letter forwarded by Mr. and Mrs. Akiyama, dated January 23rd, was received at this office on February 1, 1950, and they have been advised that the assets referred to vest in the Custodian and final disposition must await the terms of the Treaty of Peace to be signed with Japan.

K. W. WRIGHT
CHIEF COUNSEL

KWW/JF

E

F.E.

EXTERNAL AFFAIRS RECORDS
File No. 3464-R-40
Sub 27 Chron 27 Filed 27

3

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. 55221

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
March 13th, 1950

TO: The Under-Secretary of State for External Affairs,
Ottawa

RE: Choju Matsushita

Attention: Mr. E. H. Gilmour

We have for acknowledgment your communication of the 9th instant, with enclosure.

This matter was the subject of correspondence in July, 1947, and again in January, 1948.

The case concerns a property sold to the Director, The Veterans' Land Act for $560.00. The registered owner returned to Japan and was not in Canada at the time of the Order-in-Council appointing a Commissioner to investigate claims. Any claim therefore, would not come within the terms of reference.

On August 5, 1947, we forwarded, for your information, copy of a report received from the Director of the Custodian's Office, in Vancouver, together with copy of Order in Council P.C. 1810, dated July 18, 1947. At that time it was pointed out that only claims of persons resident in Canada on the date of the above-mentioned Order in Council are to be reviewed.

Kindly let us hear from you if additional information is required following perusal of your file.

K. W. WRIGHT
CHIEF COUNSEL

Y

Y
1
2
3
4
5
6
7
8
9
10

KWW/JF

MAR 15 1950

A.F. BROADBRIDGE

Answer delayed due to main file being out to the Economic Div. AB.

"FILE COPY ONLY"

CONSULAR/A.F.BROADBRIDGE/CB
FILE: 3464-R-40

EXTERNAL AFFAIRS RECORDS
File No. 3464 R-40
Sub 69 Chron 69 Filed 27

FILE CHECKED — 1945
By No. 33
DATE 9-4-51

3

No. 240

Ottawa,
March 27, 1950.

Sir,

I refer to your despatch No. 75 of February 10, concerning Mr. Choju Matsushita's claim for further reimbursement for properties held in Canada under the guardianship of the Custodian at the time of his internment and later repatriation.

The Office of theCustodian inform me that Mr. Matsushita's property was sold to the Director, the Veterans' Land Act for $560.00. Under Order-in-Council P.C. 1810 of July 18, 1947, which appointed the Commissioner to investigate claims, the registered owner of property had to be in Canada at the date of the Order-in-Council if he wished to have his claim reviewed. It appears that Mr. Matsushita left Canada for Japan in 1946 and in these circumstances his appeal cannot be given further consideration.

I should be grateful if you would inform Mr. Matsushita of this decision.

I have the honour to be,

Sir,

Your obedient Servant,

H.L. GILMOUR
Secretary of State
for External Affairs.

E. H. Norman, Esquire,
Canadian Liaison Mission,
TOKYO, Japan.

EXTERNAL AFFAIRS RECORDS
File No. 614-R-1-40
Sub 57 Chron 56 Pkgd

CANADIAN LIAISON MISSION

NO. 285

TOKYO, May 8, 1950

Sir,

I have the honour to report concerning Mr. Kenji NISHI who believes himself to have a credit balance with the Custodian amounting to $3,722.71 representing liquidation proceeds of forty-two shares of the Vancouver Paper Box Company, Limited, and an additional $240.00 being the matured proceeds of Sun Life Policy No. 828682.

2. Mr. Nishi came to the Legation this day and presented a letter concerning himself from the Chief Consul of the Office of the Custodian to Mr. K. Shoji of Minto Mines, B.C., dated November 23, 1949, File No. 19338. This letter suggested that Mr. Nishi, although in Japan, be requested to file a declaration to support his application for release of his assets under Custodian control. I am attaching a statutory declaration which Mr. Nishi has signed in the presence of one of my officers. You will note that this officer while being prepared to certify that Mr. Nishi has identified himself by proper evidence is not satisfied that Mr. Nishi is a Canadian national.

3. According to Mr. Nishi's statement he was naturalized at Nanaimo, B.C., in March 1911. He could not support this statement with a naturalization certificate because he claimed it had been lost. If he is living in Japan and is regarded by the competent Japanese authorities as a Japanese national according to Japanese law, it would seem that he has lost any status gained in Canada through local naturalization there, according to my understanding of a recent ruling by the Deputy Minister of Justice. We have on file a properly certified extract of Mr. Nishi's family register dated May 1, 1950. The fact that his name is still on the register seems to me to be prima facie evidence that he is at present regarded in Japan as a Japanese national. However, to confirm this I am requesting Diplomatic Section, General Headquarters, SCAP, to obtain a ruling as to his national status under Japanese law which I shall forward to you when received.

4. Mr. Nishi has given me for transmission his Sun Life Policy No. 828682 and I am attaching it hereto. I should appreciate it if you would return it to the Sun Life Assurance Company of Canada.

I have the honour to be,
Sir,
Your obedient servant,

E. H. Norman

E. H. Norman,
Head of Canadian Liaison
Mission in Japan.

The Honourable
The Secretary of State for
External Affairs,
Department of External
Affairs,

E

MAY 16 1950

Encs 2

CANADIAN LIAISON MISSION
TOKYO, JAPAN.

May 8, 1950.

3

TO WHOM IT MAY CONCERN:

I, KENJI NISHI, of Nakatsu-mura, Miyako-gun, Fukuoka-ken, do solemnly declare that:-

1. I am a Canadian national and British subject by naturalization at Nanaimo, B.C., March, 1911.

2. Since September 2, 1937, I have resided at Wales Island, B.C., until October, 1939, when I moved to 714 Georgia Street East, Vancouver, B.C. From here I left for Japan on November, 1939, and stayed at my present address until March, 1940, when I returned to Canada to live again at Wales Island. On November 2, 1940, I sailed again from Vancouver for Japan, and have been living at my present address since.

3. I have a credit balance with the Custodian amounting to $3,722.71, representing liquidation proceeds of forty-two shares of the Vancouver Paper Box Company, Limited, and an additional $240.00 being the matured proceeds of Sun Life Policy No. 828682.

4. I bought the forty-two shares of the Vancouver Paper Box Company, Limited, about 1934 and took out Sun Life Policy No. 828682 about 1929.

5. I alone who am residing in a country which has been at war with Canada have any interest in the assets described above.

6. I was at no time interned in Japan during the period of hostilities.

I hereby make this solemn declaration conscientiously believing it to be true and knowing that it has the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at
Tokyo in the Country of
Japan this eighth day of
May, A.D. 1950

E. H. Norman
Head of Canadian Liaison
Mission

Kenji Nishi

Econ.: E.D. Wilgress-mas

FILE COPY

614-R-1-40
23-56

Ottawa, May 17, 1950.

The Assistant Deputy Custodian,
Office of the Custodian of Enemy Property,
O t t a w a.

3

I enclose, herewith, copy of despatch No. 285 dated May 8, 1950, received from the Canadian Liaison Mission in Japan concerning Mr. Kenji Nishi who claims to have a credit balance with the Custodian. I also enclose a statutory declaration signed by Mr. Nishi to support his application for release of his assets together with a statement by the Vice Consul questioning Mr. Nishi's declaration that he is still a Canadian national.

As soon as we receive the ruling as to Mr. Nishi's national status under Japanese law from Diplomatic Section, General Headquarters, SCAP, I shall have it forwarded to you.

SIGNED
A.F.W. PLUMPTRE

A.D.P. Heeney
Under-Secretary of State
for External Affairs.

GA.

CANADA

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

Canadian Citizenship Registration Branch

JED/VIW

In your reply please refer to
Citizenship file No..... 7840-50

Do not write on more than one subject in any one letter.

Ottawa, June 1, 1950.

K.W. Wright, Esq.,
Chief Counsel,
Office of the Custodian,
Department of the Secretary of State,
Victoria Bldg.,
OTTAWA.

Re: Kenji Nishi - in Japan. Your file 19338.

Sir:

I have received your letter of May 22 enclosing a copy of despatch No.285 of May 8, addressed to the Secretary of State for External Affairs by the Canadian Liaison Mission in Japan, concerning the above.

Our files show that Kenji Nishi, a fisherman, of Nanaimo, B.C., of former Japanese nationality, was naturalized locally in Canada through the County Court, Nanaimo, B.C., on the 4th March, 1911.

The question whether or not Nishi may be regarded as a Canadian citizen is set out in paragraph three of the despatch. If he is a Japanese national, under Japanese law, we cannot regard him as a Canadian citizen and he does not possess the status of a British subject. This is in accordance with the provisions of Section 24 of the Naturalization Act, Chapter 77, R.S:C. 1906
(under which Nishi was naturalized) and regarding which the Department of Justice ruled some time ago that a person naturalized locally in Canada, and who is in the country of his origin, and is regarded as a citizen of that country, is neither a British subject nor a Canadian citizen.

It follows, therefore, that, until we have a statement from Mr. Norman as to whether or not Nishi is regarded as a Japanese citizen, this question must rest in abeyance.

Yours truly,

J. E. DUGGAN
Registrar of Canadian Citizenship.

Ec: E. Wilgress/GM

614-R-1-40
521 | 8

Reference Our
File 614-R-1-40

OTTAWA, August 10, 1950.

To: The Assistant Deputy Custodian,
Department of the Secretary of State,
O t t a w a.

I enclose herewith a copy of Despatch No. 447 of July 26th, 1950, received from the Canadian Liaison Mission in Japan, together with policy #20575 of the Monarch Life Assurance Company, Winnipeg, Canada, in the amount of $1,000.00 and made out to Mr. Yuki Sato.

I should be grateful if you would confirm that Mr. Sato's service as a diplomatic official in Canada in no way exempts his assets from being vested in the Custodian, so that I may pass on this information to our Liaison Mission in Japan.

Louis Couillard

for

A.D.P. Heeney,
Under-Secretary of State
for External Affairs.

CANADIAN LIAISON MISSION

614-R-1-40
v3 | 52

TOKYO, July 26, 1950.

NO. 447

Sir,

I have the honour to attach policy #20575 of the Monarch Life Assurance Company, Winnipeg, Canada, in the amount of $1,000.00 and made out in the name of Mr. Yuki SATO. This policy is payable on the 15th September 1946.

2. The policy was brought to us by Mr. Sato who was formerly Acting Consul at Vancouver, B. C., from 1918 to 1925.

3. Mr. Sato wished to know whether he could obtain the proceeds from his insurance policy but I told him that such assets in Canada owned by Japanese were vested in the Office of the Custodian of Enemy Property pending their ultimate disposition by a Peace Treaty.

4. I hope that the attached insurance policy will enable the Office of the Custodian to establish its claim to the assurance monies. It is my understanding that Mr. Sato's service as a diplomatic official in Canada in no way exempts his assets there from being vested in the Custodian. However, I should appreciate it if you would confirm my understanding.

I have the honour to be,

Sir,

Your obedient servant,

E. H. Norman.

E. H. Norman,
Head of Canadian Liaison Mission
In Japan.

The Honourable,
The Secretary of State for External Affairs,
O T T A W A, Canada.

E
1 2 3 4 5 6 7 8 9 10

AUG 9

End file

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO 55671

FILE No.....

614-R-1-40

52 56

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario,

August 11th, 1950.

Legal Section
DJS:ED

To: The Under-Secretary of State for
External Affairs,
Ottawa, Ontario.
Attention: Mr. Louis Couillard.

Re: Yuki Sato - Monarch Life Assurance Policy #20575
Your Reference Number - 614-R-1-40.

I wish to acknowledge your communication of August 10th, 1950, with which was enclosed a copy of dispatch #447 dated July 26, 1950, from Mr. E. H. Norman and Policy #20575 issued by the Monarch Life Assurance Company of Winnipeg, Canada to the above-named.

AUG 15 1950

In reply to the question asked in the final paragraph of your letter I wish to advise that Mr. Sato's service as a diplomatic official in Canada, which appears to have been limited to the years 1918--1925, in no way exempts his assets from vesting in the Custodian pursuant to the Trading with the Enemy Regulations.

Ext file

I wish to take this opportunity of extending through you to Mr. Norman our thanks for his service in reporting this contract.

D. J. Sinclair,
for Assistant Deputy Custodian.

614-R-1-40
52 | 1-8

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO 19338

FILE No.....

J.

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

August 14th, 1950.

Legal Section
DJS:ED

To: The Under-Secretary of State for External Affairs,
O t t a w a, Ontario.
Attention: Mr. A. F. W. Plumptre.

Re: Kenji Nishi - Japan.

I enclose for your consideration and use two copies of a letter sent to Mr. K. W. Wright, Chief Counsel, by Mr. J.E.Duggan, Registrar of Canadian Citizenship, under date line of August 4th, 1950.

This letter should be of particular interest to you in the light of the comments in the last paragraph of your letter of May 17,1950, and in view of the position taken by Mr. Norman in his dispatch #285 dated May 8th, 1950, in respect of Mr. Nishi's citizenship status.

The Custodian is now faced with an entirely different set of circumstances, namely, the opinion of the Registrar of Canadian Citizenship that Kenji Nishi is now to be considered a naturalized Canadian citizen regardless of his status under Japanese citizenship laws, unless he has become an alien since the Amendment to the Canadian Citizenship Act on July 20th, 1950. I trust you will forward a copy of Mr. Duggan's opinion to Mr. Norman and secure his comments and a further report on Mr. Nishi for our guidance.

E

1 2 3 4 5 6 7 8 9 10

AUG 16 1950

Enc to file

D. J. Sinclair,
for Assistant Deputy Custodian.

Encs 2

F

(COAT OF ARMS)
C A N A D A
DEPARTMENT OF CITIZENSHIP AND IMMIGRATION.

JED/VIW

In Your Reply please refer to
Citizenship File Number 7840-50

Ottawa, August 4, 1950.

K. W. Wright, Esq.,
Chief Counsel,
Office of the Custodian,
Department of the Secretary of State,
Victoria Bldg., OTTAWA.

RE: Citizenship Kenji Nishi - in Japan
Your file 19338.

Sir:

In the light of the recent amendments to the Canadian Citizenship Act, I have for re-consideration the correspondence which took place with your office in May and June of this year on the subject of the citizenship of Mr. Nishi.

The limitations as to citizenship which are referred to in the third paragraph of my letter to you of June 1, 1950, have been removed by the addition of a new section to the Canadian Citizenship Act, effective by proclamation the 20th July, 1950, reading as follows:-

"9 (3). For the purposes of this section, a certificate of naturalization, granted under any Act in force in Canada before the first day of January, nineteen hundred and fifteen, subject to the qualification described in section twenty-four of the Naturalization Act, chapter seventy-seven of the Revised Statutes of Canada, 1906, or a qualification to a like effect, shall be deemed never to have been subject to that qualification".

The foregoing means that Mr. Nishi has the status of a Canadian citizen by naturalization, within the meaning of Section 9(1)(a) of the Canadian Citizenship Act, provided he has not since become an alien. Dual nationality would not mean that he had become an alien.

I would be of the opinion, therefore, that by reason of the amendment referred to herein, Mr. Nishi is a naturalized Canadian citizen, regardless of his status under Japanese citizenship laws.

Yours truly,

(Signed) "J. E. Duggan"

J. E. DUGGAN
Registrar of Canadian Citizenship.

COPY
ED-August 14,1950.

ECON/E.D.WILGRESS/CL

FILE COPY

614-R-1-40
52 | 56

OTTAWA FILE
No. 614-R-1-40

SECURITY CLASSIFICATION

Letter No. E 629

Date August 16, 1950.

FROM: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

TO: The Head of the Canadian Liaison Mission, Tokyo, Japan.

Reference: Your despatch No. 447 of July 26, 1950.

Subject: Mr. Yuki Sato's Policy #20575 of the Monarch Life Assurance Company, Winnipeg.

1. This is to confirm that Mr. Sato's service as a diplomatic official in Canada, which appears to have been limited to the years 1918 to 1925, in no way exempts his assets from being vested in the Custodian pursuant to the Trading with the Enemy Regulations.

2. The Custodian's Office have asked us to take this opportunity of extending their thanks for your service in reporting this contract.

SIGNED
A.F.W. PLUMPTRE

for Under-Secretary of State
for External Affairs.

Copies Referred To.....

No. of Enclosures .....

Post File No.....

ECON/E.D.WILGRESS/CL

FILE COPY

614-R-1-40
52 56

OTTAWA FILE
No. 614-B-1-40

SECURITY CLASSIFICATION

Letter No. E 636

Date August 16, 1950.

FROM: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

TO: The Canadian Liaison Mission, Tokyo, Japan.

Reference: Your despatch No. 285 of May 8, 1950 and my despatch No. 472 of June 12.

Subject: Mr. Kenji Nishi's Citizenship Status.

1. I enclose herewith a further letter from the Registrar of Canadian Citizenship dated August 4, 1950, which places the question of Mr. Nishi's citizenship in an entirely new light. You will note the opinion of the Registrar of Canadian Citizenship that Mr. Nishi is now to be considered a naturalized Canadian citizen regardless of his status under Japanese citizenship laws, unless he has become an alien since the Amendment to the Canadian Citizenship Act on July 20, 1950.

2. I would appreciate receiving your comments and a further report on Mr. Nishi in the light of these new developments.

SIGNED
A.F.W. PLUMPTRE

for Under-Secretary of State
for External Affairs.

Copies Referred To Assistant Dep. Custodian

No. of Enclosures 1

Post File No.

3464-B-40
File

864-B-39" 2"

CANADIAN LIAISON MISSION

TOKYO, September 22,
1950.

660 AC | 40
33 | 27

Personal

Mr McLardle.
A.M.

Dear Arthur:

I made an inquiry some two years ago of David Johnson, regarding a deposit of $581.87 which Baron S. Tomii, formerly Minister to Canada, had left in the Canadian Bank of Commerce, Ottawa Branch. You may recall that Baron Tomii was one of the three former ministers to Canada who called upon Mr. Pearson, and he has been very helpful to this Mission in a number of ways, chiefly in investigating the possibility of purchasing suitable property for the Mission.

no reference can be found.

Baron Tomii came to see me recently and asked whether I could inquire as to the prospect of his having this amount released, in view of the fact that he hopes his daughter may go abroad to study shortly. I told him, of course, that I had no particular grounds for raising his hopes in the matter but I did agree to write unofficially to find out whether he will still have to wait for the Treaty of Peace with Japan or whether there would be any disposition to make an exception for a diplomat.

I should be grateful if you would inquire at the appropriate office and let me have your reply at your convenience.

Yours sincerely,

Herbert.

E. H. Norman.

Mr. Arthur Menzies,
Head of American and Far Eastern Division,
Department of External Affairs,
O T T A W A, Canada.

614-R-1-40
52 | 56

OTTAWA FILE
No. 614/R-1-40

SECURITY CLASSIFICATION
None

Letter No. 580

Date September 18, 1950

FROM: The Canadian Liaison Mission, Tokyo, Japan.

TO: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

Reference Your letter No. E.693 of September 6, 1950

Subject Mr. Kenji Nishi's citizenship status

E

1	
2	
3	
4	
5	ttc
6	
7	
8	
9	
10	

25 SEP 1950

Copies Referred To.....

No. of Enclosures .....

Post File No. 41-O-N

1. I have yet to receive a reply from Diplomatic Section, GHQ, SCAP, to my request for a ruling as to Mr. Nishi's present status under Japanese law, although Mr. Nishi has informed me that the Japanese Attorney General's Office has been making an investigation concerning him. However, in the light of the letter from the Registrar of Canadian Citizenship dated August 4, a copy of which was attached to your letter under reference, it would seem that Mr. Nishi must be regarded as a Canadian citizen by naturalization.

2. I have on file an original statement in Japanese, signed and sealed by Mr. Keizaburo Akimitsu, Headman of Mr. Nishi's village of Nakatsu, to the effect that Mr. Nishi has not served in the Japanese armed forces, had no connection with right-wing groups during the recent war, took no active part generally in political life during wartime, and is not a person affected by the purge directive. Mr. Akimitsu also testifies that Mr. Nishi has been engaged in agriculture since his return to Japan in November, 1940.

3. According to Mr. Nishi's Family Register, he was born on October 15, 1889, at Nakatsu Village in Japan.

E. H. Norman

E. H. Norman,
Head of Canadian Liaison Mission
in Japan.

F
25/9/50
refer to regs - Law
Can Citizenship
Assistant Deputy and
Legal Advisor
25/9

34 Dagmar Ave
Toronto, Ont
April 14, 1951

614-R-1	160
23	28

E

1	
2	
3	
4	here
5	the
6	
7	
8	
9	
10	

APR 25 1951

Dear Sir:-

Would you please send me the information on how we can collect the money which was deposited in the American Japanese Bank in Seattle, Washington by the Canadian Japanese.

We are taking the Japanese media newspaper which had the write-up about this incident and they claim that the people in America were the only ones to receive the settlement.

My mother (Mrs Sano Kanko) has deposited a sum of $1,610.23 on Feb. 5, 1940. Would you please look into this matter. An early reply would be very much appreciated.

Very sincerely

Mrs N. Kanko

24-4-13(55)

E[redacted]2A

OTTAWA FILE
No. 614-R-1-40

57 18

SECURITY CLASSIFICATION

Letter No. 1423

Date May 1, 1951

E
1
2
3
4
5
6
7
8
9
10

MAY 2 1951

FROM: The Canadian Embassy, Washington, D. C.

TO: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

Reference: Your Letter E-1719 of April 26, 1951

Subject: Release of Japanese Assets

The Office of Alien Property is endeavouring to obtain some information on the deposit in the name of Mrs. S. Kaneko, to which your letter under reference refers.

2. It is uncertain in which of the Japanese banks in Seattle Mrs. Kaneko made her deposits although it is probably the Yokahama Specie Bank. The general position with regard to Canadian-resident depositors in such banks was outlined in my letter No. 932 of April 13, 1950.

3. The Office of Alien Property will let us know as soon as possible if anything can be done to assist this particular depositor with the information available from her letter. However, if any other cases are presented to the Department, it would be appreciated if complete details could be obtained.

W. Johnstone

The Embassy

E

Copies Referred To.....
.....
.....
.....
.....
.....

No. of Enclosures
.....None.....

Post File
No.....

Econ:AELCannon:bb

614-R-1-40
57 52

OTTAWA, May 3, 1951.

Dear Madam:

We wish to refer to our letter of April 26th concerning the funds your mother had deposited in Seattle. There are several Japanese banks in that city and we should be grateful if you would let us know whether the bank in this case is the Yokahama Specie Bank or another one.

Yours sincerely,

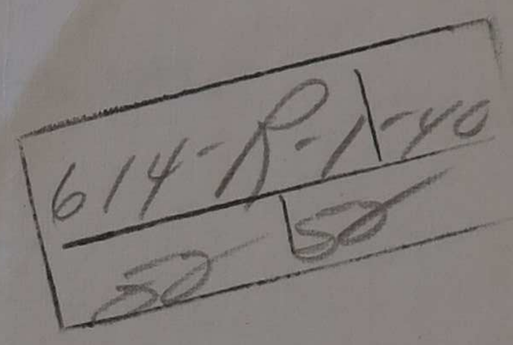
A. D. P. Heeney

Under-Secretary of State
for External Affairs.

Mrs. M. Kaneko,
34 Dagmar Ave.,
Toronto, Ontario.

34 Dagmar Ave
Toronte, Ontario
May 7, 1951

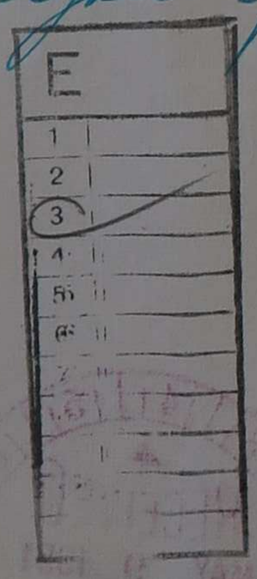
The Under-Secretary of State
for External Affairs
Ottawa, Canada



Dear Sir:

I have received your letter of May 3rd. The funds were deposited in the Sumitomo Bank in Seattle. We shall always be grateful to you for looking into this matter.

Yours sincerely
Mrs M. Tanaka





A

Economic:A.E.L.Cannon:lab

Ext. 1[redacted]

FILE COPY

OTTAWA FILE

No. 614-R-1-40

52/37

SECURITY CLASSIFICATION

Letter No. E. 2136

Date May 31, 1951

FROM: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

TO: THE CANADIAN EMBASSY, WASHINGTON, U.S.A.

Reference: Your letter No. 1423 of May 1st

Subject: Release of Japanese Assets.

Mrs. M. Kaneko has now let us know that her mother's funds were deposited in the Sumitono Bank of Seattle.

"A.F.W. Plumptre"
for the Under-Secretary of State
for External Affairs.

Copies Referred To.....

No. of Enclosures ..... none

Post File No.....

Economic:A.E.L.Cannon:lab

Ext. 2A

OTTAWA FILE
No. 614-R-1-40

52/94

SECURITY CLASSIFICATION

E
1
2
3
4
5
6
7
8
9
10

Letter No. 2256

Date July 3, 1951

FROM: The Canadian Embassy, Washington, D.C.

TO: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

Reference Your Letter No. E-2136 of May 31, 1951.

Subject: Release of Japanese Assets.

JUL 4 1951

Enclosed are copies of a letter dated June 29, 1951, from the Office of Alien Property of the U.S. Department of Justice, and of a memorandum prepared by the Legal Branch of that Office, as a result of our enquiry concerning the deposit which Mrs. Samo Kaneko claims to have been held in the Sumitomo Bank, Seattle.

2. You will note that no record was found of this account in spite of an intensive search. The Office of Alien Property has, however, offered to make a further search if photostat copies of Mrs. Kaneko's receipts can be furnished.

For the Embassy.

Copies Referred To.....

No. of Enclosures 6

Post File No.....

E

Economic:A.E.L.Cannon:lab

DEPARTMENT OF JUSTICE
Office of Alien Property
Washington 25, D.C.

Jun 29, 1951

Mr. Gordon E. Cox, Secretary
Canadian Embassy
1746 Massachusetts Avenue, N.W.
Washington 6, D.C.

Re: American-Japanese Bank in Seattle.

Dear Mr. Cox:

Relative to your inquiry concerning a deposit of Mrs. Samo Kaneko in an American-Japanese Bank in Seattle, addressed to Mr. Donald Sham in your letters of April 30, 1951 and June 22, 1951, there is enclosed a memorandum prepared by a member of my staff which will give you the necessary information.

Sincerely yours

(sgd) Harold I. Baynton
per S.G.

Harold I. Baynton
Assistant Attorney General
Director, Office of Alien Property

Attachment

Post File

TO: Mr. Donald Sham, Secretary DATE: June 28 1951

FROM: Legal Branch

SUBJECT: Inquiry of Canadian Embassy re Deposit of Mrs. Samo Kaneko

Pursuant to your request we have had investigations made of the records of the two Japanese banks in Seattle liquidated under the supervision of this Office, in an attempt to locate an outstanding deposit of a Mrs. Samo Kaneko. The inquiry originated with Mr. G.E. Cox, Secretary of the Canadian Embassy in Washington and was made on behalf of a Canadian national, Mrs. Kaneko. The information forwarded the Embassy was that a deposit of $1610.23 was made on February 6, 1950 by Mrs. Samo Kaneko "in the American Japanese Bank in Seattle, Washington"

The Yokohama Specie Bank of Seattle, Washington was not a bank of deposit but its records were searched for a report of a sale by that bank of a draft or a yen certificate of deposit to Mrs. Kaneko. None was found nor is there any indication of a telegraphic remittance by Mrs. Kaneko to Japan. A search was likewise made of the books and records of the Sumitomo Bank of Seattle and they do not disclose any evidence of a deposit by Mrs. Kaneko on or about that date.

Mr. Cox in his letter of June 22, 1951, states that he has just learned that the name of the bank concerned was the Sumitomo. However, as just stated, the records of the bank do not reveal any such deposit.

If Mrs. Kaneko will furnish us with a photostatic copy of her receipt, we will be pleased to explore the matter further. The correspondence from Mr. Cox dated April 30, 1951 and June 22, 1951 addressed to you is returned herewith.

(signed) Dorothea G. Minskoff
Dorothea G. Minskoff,
Attorney, Legal Branch.

Approved:

(illegible)

Economic:A.E.L.Cannon:lab

614-R-1-40
52 | 52

OTTAWA, July 5, 1951.

Dear Madam:

We wish to refer to our letter of May 3rd concerning the funds which you state your Mother had deposited in the Sumitomo Bank of Seattle.

We have now received a reply to our enquiries in this connection and we enclose a copy of letter dated June 29th from the United States Department of Justice, Office of Alien Property and of inter-office memorandum of the United States Department of Justice dated June 28th.

You will please note that no record was found of this account in spite of an intensive search. The Office of Alien Property has, however, offered to make a further search if photostat copies of Mrs. Kaneko's receipts can be furnished.

Yours sincerely,

A. F. W. Plumptre

Under-Secretary of State
for External Affairs.

Mrs. M. Kaneko,
34 Dagmar Ave.,
Toronto, Ontario.

Ex[redacted]82A

OTTAWA FILE
No. 4606-C-13-40

27 27

Letter No. 918

Date October 25, 1951

SECURITY CLASSIFICATION
UNCLASSIFIED

File R

FROM: The Canadian Liaison Mission, Tokyo, Japan.

TO: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

Reference None

Subject: Canadian assets of Mr. Chiyono KOBAYASHI held by the Custodian.

Y
DR

Mr Rogers
OCT 31 1951

I am attaching a copy of a letter dated October 15, 1951, from Mr. Chiyono KOBAYASHI concerning the alleged failure of the Bank of Japan to make payment on three Canadian Dollar cheques made out in his favour by the Custodian of Enemy Property.

2. You will note that Mr. Kobayashi states that he was repatriated to Japan after the war so that I assume he has lost all claim to Canadian status. In the circumstances, I do not propose to intervene in his behalf with the Bank of Japan.

3. We have been unable to find any previous record concerning this Mr. Kobayashi on file and I am not too clear as to what his letter is all about. I should be happy to receive any light on Mr. Kobayashi and his problems which you might be able to obtain from the sources available to you.

A.R. Menzies,
Head of the Canadian
Liaison Mission in Japan.

Copies Referred To.....

No. of Enclosures
1

Post File
No.....

E

Kurihara, Mikawa-mura,
Maniwa-gun, Okayama-ken.

15 October, 1951.

Hon. Minister to Japan,
Canadian Legation,
Tokyo, Japan.

Sir:

I shall be much appreciated if you would kindly arrange with Kokko-kyoku of the Bank of Japan, Tokyo, for the speedy payment of at least three (3) known orders payable to me by the Canadian Government or the Custodian amounting to eighty-nine 42/100 dollars ($89.42), fifty-nine 94/100 dollars ($59.94) and one hundred and twenty-seven 18/100 dollars ($127.18) respectively, all in Canadian currency, because it seems to me that the Bank of Japan with-holding the payment of these orders totalling to two hundred and seventy-six 54/100 dollars ($276.54) without any appropriate reasons.

Up to about one and one-half years ago, I used to receive remittance payable to myself from the Sun Life Assurance Co. of Canada, Vancouver, B.C. through the Custodian every six months or so.

In August 1951, when I made an enquiry to the bank about the order of approval for the payment of a receipt issued in October 1946 to me by the Canadian Government just prior to my repatriation to Japan, the bank answered in negative, but further asked me about the above mentioned orders whether I have any knowledge about them. Then in September, the bank asked me to send the duplicate order or receipt covering the first mentioned amount. Since I did not have any order or receipt for the amount, I sent the certificate of repatriation issued by the village-master of my residence instead as I have been doing heretofore to prove my identity to the bank together with an information about my knowledge and interest in these orders, yet I have not receive any remittance from the bank.

As you are well know in cases like mine, the Custodian is not in practice to send any duplicate order or notice to the payee pertaining to the remittance, therefore, I have no way to produce it to the bank at its request but to establish my identity with the certificate of repatriation from Canada issued by the head of the village where I am living.

Again I wish that you will kindly give your pertinent advice and information to the bank for the disposition of money to the rightful party, who is trying hard for living with three Canadian born children at an earliest possible date.

I wish to add for your information that in Japanese characters my family name can either be read as Kobayashi or Furubayashi, and this might be one of the reasons if any, causing this delay in payment of these orders on the part of the bank.

Very sincerely yours,

Sgd. "Chiyono Kobayashi"

Chiyono Kobayashi.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.....

Victoria Building,
7 O'Connor Street,
Ottawa, 4, Ontario.

November 12th, 1951.

4606-C-1-40

4606-C-13-	40
27	27

TO: The Under-Secretary of State
for External Affairs,
Ottawa, 4, Ontario.
Attention: Mr. C. A. Ronning.

Re: Mrs. Chiyono KOBAYASHI

We have for acknowledgment your communication of the 31st ultimo enclosing copy of Letter No. 918 of October 25th from the Canadian Liaison Mission in Tokyo, concerning assets of the above named.

Enclosed you will find two copies of communication received from Mr. F. G. Shears, Director of our Vancouver Office, from which you will note that the Custodian has disposed of all funds to the Treasury Department for forwarding to Japan.

For your further information Order in Council P.C. 7355 dated December 15th, 1945, authorized the Department of Labour to make arrangements for repatriation of Japanese who desired to return to Japan. Very close co-operation was maintained between the Japanese Division of Labour, Treasury Department and the Custodian's Vancouver Office, in regard to this matter.

It was arranged by Mr. F. G. Cobourn, on behalf of the Department of Finance, that funds received by them would be transferred to the United States Government for remittance in Yen. Such funds were to be turned over to the Japanese owners subject to the approval of the Supreme Commander for the Allied Powers and to Japanese Currency Regulations.

Trusting this is the information you require,

K. W. Wright,
Chief Counsel.

KWW/G
Enc.

Y

NOV 13 1951

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

506 Royal Bank Bldg.,
Vancouver (2) B.C.,
November 8, 1951.

File No. 11849

K. W. Wright, Esq., K.C.,
Chief Counsel,
Office of the Custodian,
Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

Dear Mr. Wright:

Re: Mrs. Chiyono KOBAYASHI

Please refer to your letter of November 2nd with enclosures which are returned herein as requested.

It should perhaps be mentioned that the correspondence refers to "Mr" Chiyono Kobayashi, but the matters referred to concern funds dealt with under the name of "Mrs." Chiyono Kobayashi who was the wife of Mr. Kazuo Kobayashi.

We can see no reason why the amounts mentioned in Chiyono Kobayashi's letter should not have been paid to her. The complete picture of the disposition of funds received by this office subsequent to her return to Japan is as follows:

Mrs. Kobayashi was repatriated to Japan on the steamship "Marine Falcon" which sailed from Vancouver on the 2nd of October, 1946. The Treasury issued to her the usual C.T. Jap 2 receipt of $26.23 covering the amount of cash turned over by her just before her departure.

The Treasury Department in accordance with the usual procedure at that time , gave her a draft for $200.00, leaving a balance owing to her of $173.77. This balance was withheld by the Department from additional monies subsequently turned over by us to them for Chiyono Kobayashi's credit. The amounts paid by us to the Treasury are as follows:

K. W. Wright, Esq., K.C.

Nov. 8, 1951.

1946	-	9th Oct	-	$ 26.23
1947	-	29th Jan.	-	322.81
		21st May	-	52.92
		25th Sept.	-	44.78
1948	-	13th April	-	273.51
		8th Sept.	-	52.69
1949	-	25th May	-	263.17
		29th June	-	3.00
		9th Nov.	-	59.94
		29th Dec.	-	127.18
1950	-	5th April	-	26.84
		9th Aug.	-	6.76
		13th Nov.	-	89.42
1951	-	21st Aug.	-	34.07

	$1,383.32
Original Draft handed to her	200.00
Amount sent to J apan by Treasury Department for her account	$1,183.32

The above amounts were all received by us from the Sun Life insurance Company. Her husband was an agent for the Sun Life Co. and had assigned his commissions to his wife. We have a letter from the Sun Life dated 19th July, 1951 stating that the agreement they had with Kazuo had expired and that no further funds were forthcoming for the credit of Mrs. Kobayashi . The amounts specifically mentioned in Chiyono Kobayashi's letter are marked with a cross.

We have no means of knowing what disposition is made of funds after we turn them over to the Treasury for forwarding to Japan.

The husband, Kazuo, went back to Japan at the same time as his wife. He had a "Free balance" in our ledger at that time amounting to $578.00 which amount was paid to him.

We trust that the above information will be helpful.

Yours very truly

"F. G. SHEARS"

Director.

FGS/GN
Encls.

Am.&FE/CEGlover/kb

Ext. 181B

FILE COPY

614-K-1-40

4606-C-13-40

27 | 27

OTTAWA FILE

No. 4606-C-13-40

SECURITY CLASSIFICATION

Letter No....Y-1374.....

Date.....November 13, 1951.

FROM: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

TO: The Canadian Liaison Mission, Tokyo, Japan.

Reference.....Your letter No. 918, October 25, 1951.....

Subject:.....Mrs. Chiyono KOBAYASHI.....

Copies Referred To.....
.....
.....
.....
.....

No. of Enclosures

.....2.....

Post File

No.....

I am enclosing one copy each of a letter from Mr. K. W. Wright of the Custodian's office and a letter to Mr. Wright from F.G. Shears, Director of the Vancouver office of the Custodian, concerning the monies sent to Japan by the Custodian for Mrs. Kobayashi.

2. When questioned by telephone on the various stages in the procedure by which Mrs. Kobayashi's Canadian assets were sent to her, Mr. Wright explained that an enquiry as to why the funds had not been released by the Bank of Japan could be made through the Treasury Department and thence to the United States government but it was his opinion that, since the final answer would undoubtedly come from SCAP, it might be more satisfactory for the enquiry to be made direct from your office. I think that this approach will probably be the more profitable and I am, therefore, sending you the enclosures for assistance in pursuing the matter with SCAP headquarters.

C. A. RONNING

for the
Under-Secretary of State
for External Affairs.

Mr Blair:

Home checked thoroughly for a name card on Mr Murchison but there is nothing on record. I've enclosed all the material on the attached file for your perusal. Upon which this is not the current file please advise — Edgar S/R

COPY/MVS

~~10898-A-40~~
96
614-R-1-40

awa 4/3/52	~~4606-C-13-~~	40
	96	96

L

With reference to a discussion in the Senate regarding the sale of Japanese property on the Pacific Coast during the 2nd war, I would appreciate it if you can give me the following information:

I. The number of properties bought by Mr. Murchison for the D.V.A. for small holdings for returned men?

received by hand Peggy April 4- 1952 Mail distribution.

II. The price paid or agreed to be paid for these properties by Mr. Murchison?

received June 7 MB.

III. The date these properties were bought?

IV. The price set by the Commissioner who later examined the sale and purchase of these properties?

V. The date when the Commissioner finally set the price which he thought a fair price for the said properties?

I may say that I was a member of the Public Accounts committee which investigated the purchase of these properties by Mr. Murchison, but really I have forgotten the important facts in connection with the controversy that took place at that time.

Thanking you for this information, I am

Sincerely yours,

(Sgd.) Senator W.H. Golding,
The Senate
Ottawa, Ontario.

Being sent to affiliated Depts Customs June 16/52 Reply S/R

FILE COPY

A. & F.E./J.J.McCardle/mpa

To see
~~Consular Div.~~
file

614 R-1-40

Ottawa, March 17, 1952.

~~466 C.13~~ 40

27 | 27

The Custodian of Enemy Property,
Department of the Secretary of State,
O t t a w a .

A member of the Japanese Overseas Agency asked this Department on March 15 for any information that we could supply concerning the estate of Mr. Setsuzo MATSUURA, who died at St. Andrews Hospital in Atlin, B.C., on December 31, 1939. Mr. MATSUURA's daughter, now Mrs. Keiko SASAKI, resides in Japan and has made a request through the Japanese Ministry of Foreign Affairs for information concerning the estate.

2. Mrs. SASAKI was informed in June 1948, through the Canadian Liaison Mission in Tokyo and the Diplomatic Section of SCAP, that the proceeds of the estate had been turned over to the Custodian of Enemy Property and that no further action would be taken with respect to the money until after the peace settlement with Japan. It seems likely that the peace treaty may go into effect within a month or two, and it is probably because of this fact that Mrs. SASAKI has made a further request for information. We are informed that Mrs. SASAKI possesses Canadian nationality as well as Japanese nationality.

3. Since responsibility for property matters of this sort is borne by your Department, I would be grateful for your advice as to what reply we should give to the Japanese Overseas Agency.

H. H. Norman

for the
Under-Secretary of State
for External Affairs

COPY

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Diplomatic Section
APO 500

AG 123 (3 July 48) DS 3 June 1948

SUBJECT: Request for Obtaining Information about the Property left a Deceased Japanese in Canada.

TO: Japanese Government

1. Reference is made to the memorandum from the Japanese Government C.L.O. No. 7681(RJ) of 2 October 1947, subject as above, concerning the estate of MATSUURA Setsuzô.

2. There are inclosed two copies of a statement of receipts and expenditures in connection with the aforementioned estate, which this Headquarters has received from the Canadian Liaison Mission in Japan.

3. The Mission has informed this Headquarters that, inasmuch as Mr. Matsuura died intestate and appointed no executor, his estate was turned over to the Official Administrator of Atlin, British Columbia, for disposition and that the balance of the estate, amounting to $2,590,56, was turned over to the Custodian of Enemy Property, who has indicated that no further action will be taken relative to this money until after the peace settlement with Japan.

For the Chief, Diplomatic Section:

Richard A. Poole
Chief, International Liaison Division

Incl:
Two copies of statement.

Received: 7 July 9.50 a.m.
Shukan : F.C.R.
Copy : Chokam M of FA
Jicho
1.2.3. Bucho V.M.
IG D of G

COPY

GENERAL HEADQUARTERS OF THE SUPREME COMMANDER
FOR THE ALLIED POWERS.

FROM: Central Liaison Office, Tokyo.

SUBJECT: Request for obtaining information about the property left by a deceased Japanese in Canada.

2 October 1947.

C.L.O. No. 7681 (RJ)

1. The Japanese Ministry of Foreign Affairs has recently received from Mrs. Keiko Sasaki nee Matsurra, domiciled in Osaka City, Japan, an application concerning the property left by her father, Setsuzo Matsuura, who had resided at Telegraph Creek, British Columbia, Canada and died at St. Andrews Hospital in Atlin, British Columbia on 31 December 1939.

2. Japanese consul at Vancouver informed the Japanese Ministry of Foreign Affairs of the death of Matsuura on 21 March 1940 and requested to be furnished with the name and address of legatee of the property which was then in the process of liquidation by a state administrator of Atlin. The Ministry of Foreign Affairs notified the consul on 31 May 1940 of three legatees, i.e. Mr. Susumu Matsuura, Mrs. Keiko Sasaki and Mrs. Nobuko Tanikaze.

3. The liquidation by the administrator, however, took longer time than expected and on 30 October 1941 the Ministry of Foreign Affairs received a report from the Consul to the effect that a. the administrator had appraised the property as follows:

assets	4,234,23	Canadian dollars
liabilities	694,46	" "
uncollected debts	1,750,41	" "

b. the liquidation could not have been concluded because of the uncertainty of the collectable amount of the last item.

4. Soon after the receipt of the above report, the war broke out and nothing on this matter has been heard since then, and the applicant is anxious to know the present status of the said legacy.

5. It would be much appreciated if the General Headquarters, Supreme Commander for the Allied Powers be good enough to use its good offices so that information on the subject legacy be obtained from the Canadian Government.

FOR THE PRESIDENT:

(T. Katsuno)
Chief of Liaison Section,
Central Liaison Office.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

INSTRUCTIONS TO APPLICANTS FOR RELEASE

Applications to the Custodian for the release of assets under his control must be supported by the following evidence:

A declaration by the owner giving the following information:

(1) His nationality, whether by birth or naturalization and if the latter, the date of such naturalization.

(2) His actual place of residence and particulars of his residence on and since the second day of September, 1939.

(3) If the owner is resident in the ~~British Empire~~ Commonwealth or in any Allied country, a statement that he has not been interned therein.

(4) A list of the assets, giving particulars including their location. In the case of securities the applicant must give the certificate numbers and if registered the name in which they are registered.

(5) A statement that he is the owner and the date on which he acquired ownership.

(6) That no person, corporation or society, residing or established in a country/other which has been at war with Canada, has any interest in the said assets. /then /Japan

REMARKS

(a) Outside the ~~British Empire~~ Commonwealth, an applicant may make his declaration before a responsible officer of a British or Canadian Embassy or Consulate, or before a responsible officer of a banking institution which is a correspondent of a Canadian bank, or before a responsible officer of the National Bank of the applicant's country of residence (including the accredited agencies of that National Bank).

(b) The officer, before whom the declaration is made, must certify that the applicant has identified himself by proper evidence.

(c) The officer before whom the declaration is made must also certify that to the best of his knowledge, information and belief the facts set forth in the applicant's declaration are correct.

(d) **Securities**

(1) If the applicant is applying for the release of securities and if those securities are presently held by the applicant, they must be produced for inspection by the officer before whom the declaration is made.

(2) Where the securities are physically held by or registered in the name of a third party, the applicant must attach to his application a legalized or properly guaranteed certificate signed by that third party indicating that he holds such securities for the applicant and that he has no claim either on the securities or the revenue derived therefrom.

These instructions must be brought to the attention of the person before whom the declaration is made.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE NO. 37369

Victoria Building,
7 O'Connor Street,
Ottawa, 4, Ontario.

March 20th, 1952.

614-R-1-46
~~4006-C-13~~ 40
27 27
29

To: The Under-Secretary of State
for External Affairs, Ottawa.

Re: Estate of Setsuzo Matsuura and Mrs. Keiko Sasaki.

Attention: Mr. E. A. Norman

I have for acknowledgment your communication of the 17th instant.

The residue of the above Estate amounting to $2,590.56 passes to his three children, one third to each including Keiko Sasaki, the daughter.

The Custodian will give consideration to an application for release provided Mrs. Sasaki establishes Canadian nationality.

MAR 21 1952

Enclosed you will find two copies of Instructions to Applicants for release which outline the information required in the form of a declaration to be sworn to by the applicant.

If Mrs. Sasaki was naturalized we will, in due course, check with the Citizenship Branch and ascertain if Canadian citizenship has been revoked.

I suggest that you forward copy of the enclosed instruction sheet to the Japanese Overseas Agency in order that the applicant may proceed to file the necessary papers if she so desires.

K. W. Wright,
~~Chief~~ Counsel.

KWW/G
Encl.

FILE

PTM/cj

614-R-1-4

4606-C-13-40

59

Ottawa, April 10, 1952.

4606-C-40

27 27

Dear Mr. Lett:

Your letter of April 8th reached this office just before Mr. Pearson left Ottawa, but I have discussed the subject matter of it with Mr. Norman.

Mr. Norman would be very glad to see you when you are in Ottawa if you would care to get in touch with him on your arrival. He has pointed out that, as the problem you have raised is quite a technical one, it may also be useful for you to see other officials in this Department and possibly in other Departments as well. In any event, he will be happy to make the necessary arrangements for you in the light of your talk with him.

Yours sincerely,

P. T. Molson,
Secretary to the Minister.

Sherwood Lett, Esq., Q.C.,
Davis, Hossie, Lett, Marshall & McLorg,
Royal Trust Building,
626 Pender Street West,
VANCOUVER, B.C.

10-4-14 (55)

Davis, Hossie, Lett, Marshall & McLorg
Barristers & Solicitors

D. N. HOSSIE, Q.C.
SHERWOOD LETT, Q.C.
GHENT DAVIS
D. G. MARSHALL
E. M. C. McLORG
IRWIN DAVIS
A. B. B. CARROTHERS
G. WRIGHT

TELEPHONE MARINE 8521
CABLE ADDRESS "DAMARELL"
CODES { A I TELEGRAPHIC
WESTERN UNION
BENTLEY'S

Royal Trust Building
626 Pender Street W.
Vancouver 2, B.C.

April 8th, 1952.

614 R-1-40

4606-C-13-40
59 | 59

Hon. Lester B. Pearson,
Minister of External Affairs,
Department of External Affairs,
Ottawa, Canada.

Dear Mr. Pearson: Re: Japanese Peace Treaty
Japan and Canada Trust Savings Company
and S. Tamura Company

I have been retained by the above named companies and requested to make a submission with regard to Article XIV of the Treaty.

Before making the submission I would like to have the opportunity of discussing the matter with one of the officials of your Department. Mr. E. H. Norman has some knowledge of the matter.

I expect to be in Ottawa April 17th to 19th, and possibly on the 21st.

Would it be in order to request that you should designate Mr. Norman or some other official to discuss the matter with me. If so perhaps one of your secretaries could communicate with me or drop a note to me c/o the Chateau Laurier which I would receive on my arrival.

Yours very truly,

Sherwood Lett

SL:HE

10-4-14. (55)

Ext. 182A

OTTAWA FILE
No. 614-R-1-40

2952 14

SECURITY CLASSIFICATION
UNCLASSIFIED

Letter No. 393

Date... April 12th, 1952

E
1
2
3
4
5
6
7
8
9
10

APR 21 1952

Copies Referred To.....
.....
.....
.....
.....
.....

No. of Enclosures
.....

Post File
No. 40-12

FROM: The Canadian Liaison Mission, Tokyo, Japan

TO: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

Reference: Your letter No. E 629 of August 16th, 1950

Subject: Mr. Yuki Sato's Policy No. 20575 of the Monarch Life Assurance Company, Winnipeg.

Mr. Yuki Sato, formerly Acting Consul of Japan at Vancouver B.C. from 1918 to 1925 has inquired of this office as to whether the Custodian is prepared to release to him the proceeds now realizable from his policy No. 20575 of $1,000.00 face value with the Monarch Life Assurance Company, which matured on September 15th, 1946.

2. In paragraph 6 of your letter No. E-66 of January 26th, 1952 concerning the assets of the late Sotomatsu Kato, you state that the Custodian has under his control the assets of six former Japanese diplomatic and consular officials. The six names are given in the attachment to your letter No. E - 76 of January 29th, 1952, but Mr. Sato's name is not one of them. Perhaps there was no equity left in his assurance policy.

3. If, however, the policy had some surrender value and its proceeds are now vested in the Custodian, it seems to us that such assets probably would be regarded as representing property of an investment nature which under the provisions of Article 14, (a), 2,(11), (ii) of the Treaty of Peace with Japan need not be restored to Mr. Sato. We should appreciate it if you would inform us whether there are any proceeds from Mr. Sato's assurance policy now vested in the Custodian and if so, whether the Canadian Government intends to retain them or the Custodian is disposed to consider favourably an application from Mr. Sato for their release.

A.R. Menzies
Head of the Canadian Liaison Mission in Japan

E

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. 55671

Victoria Building,
7 O'Connor Street,
Ottawa, 4, Canada.

Legal Section
DJS:ED

April 28th, 1952.

614-R-1-40
52-1-13 (29)

E
1
2
3 RHC
4
5
6
7
8
9
10

APR 30 1952

To: The Under-Secretary of State for External Affairs,
Ottawa, 4, Canada.
Attention: A. E. L. Cannon, Esq.

Re: Yuki Sato - Japan, Monarch Life Policy 20575,
Your Reference Number: 614-R-1-40.

I wish to acknowledge your transmittal letter of April 22, 1952, with which was enclosed a carbon of your letter #393 dated April 12, 1952, from the Canadian Liaison Mission in, Tokyo.

Pursuant to the request contained in the last sentence of paragraph three of the said letter, I would advise that the proceeds of Yuki Sato's policy 20575 of the Monarch Life Assurance Company, of Winnipeg, Canada, are regarded as an investment and need not be restored to the assured under the provisions of Article 14 of the Treaty of Peace with Japan.

Please be advised that the proceeds of the said policy in the hands of the Custodian amount to $870.00.

D. J. Sinclair,
Solicitor.

E

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

614-R-1-40
52 | 13

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE NO. 17822.

Legal Section
DJS/EMM

Victoria Building,
7 O'Connor Street,
Ottawa, 4, Ontario.

May 14, 1952.

E

MAY 16 1952

Dear Sir,

Re: Tomeji Onami and Wife.

We have received a request from Mr. Tomeji Onami, on the letterhead of the Sendai Bakery, (Concessionaire) of Japan Central Exchange Branch No. 700, CP. Shimmelpfenning, Sendai Miyagi-Ken, Japan. The above named have requested the Custodian to investigate their case with a view to obtaining a release from the Custodian's control of their assets presently in the hands of the Custodian. Mr. and Mrs. Onami formerly resided at 2568 Wall Street, Vancouver, and advise us that they left for Japan in May 1941 on a business trip, which was not completed before the outbreak of World War II. They state that they were compelled to remain in Japan until the present time.

Would you be good enough to lodge an inquiry with the Mission in Tokyo, with a view to seeking data as to the activity of these people during the war? Your co-operation in securing the same would be greatly appreciated.

Yours very truly,

D. J. Sinclair,
Solicitor.

E

The Under-Secretary of State for
External Affairs,
Ottawa, 4, Canada.

IN THE MATTER OF THE JAPANESE PEACE TREATY
AND IN THE MATTER OF JAPAN AND CANADA TRUST SAVINGS COMPANY (IN VOLUNTARY LIQUIDATION) AND TAMURA AND COMPANY (TAMURA SHOKAI)

DAVIS, HOSSIE, LETT, MARSHALL & MCLORG

BARRISTERS AND SOLICITORS

VANCOUVER, B.C.

IN THE MATTER OF THE JAPANESE PEACE TREATY

- and -

IN THE MATTER OF JAPAN AND CANADA TRUST SAVINGS COMPANY (IN VOLUNTARY LIQUIDATION) AND TAMURA AND COMPANY (TAMURA SHOKAI)

SUBMISSION

DAVIS, HOSSIE, LETT, MARSHALL & McLORG
Barristers and Solicitors
626 West Pender Street
Vancouver 2, B. C.

INDEX

		Page
I.	History of Japan and Canada Trust Savings Company	1
II.	History of Tamura and Company (Tamura Shokai)	1
III.	Purpose of this Submission	2
IV.	Special Reasons for Consideration	3
V.	Intention of the Applicants	5
VI.	General Reasons for Consideration	5
	Appendix "A" - Citations	9
	Appendix "B" - List of Shareholders of Japan and Canada Trust Savings Company	11

IN THE MATTER OF THE JAPANESE PEACE TREATY

- and -

IN THE MATTER OF JAPAN AND CANADA TRUST SAVINGS COMPANY (IN VOLUNTARY LIQUIDATION) AND TAMURA AND COMPANY (TAMURA SHOKAI)

This submission is made for and on behalf of Japan and Canada Trust Savings Company (In Voluntary Liquidation) and its shareholders, and Tamura and Company (Tamura Shokai).

I. <u>History of Japan and Canada Trust Savings Company</u>:

(1) The Japan and Canada Trust Savings Company with its head office in the City of Vancouver, Province of British Columbia, carried on the business of a Trust Company in Canada from 1907 until the outbreak of hostilities. Its own assets and assets under administration by it were substantial. Upon the outbreak of hostilities its assets were taken over by the Custodian of Enemy Property and it was placed in voluntary liquidation by a liquidator appointed by the Custodian. It is understood that its assets realized in the liquidation proceedings amounted to the sum of approximately $187,000.00 which was distributed by the liquidator to the said Custodian of Enemy Property.

II. <u>History of Tamura and Company (Tamura Shokai)</u>:

(1) Tamura and Company (Tamura Shokai) was established in 1891 by the late Shinkichi Tamura. It was not incorporated as a Company but carried on business in a manner similar to a partnership. It is presently owned by Tohru Tamura, heir of the late Shinkichi

Tamura. Its head office is in the City of Kobe, Japan, and for many years prior to the war maintained its principal office in Canada in the City of Vancouver, Province of British Columbia. For more than sixty years prior to the outbreak of hostilities Tamura Shokai engaged in foreign trade, mostly in Canada but also in the Pacific Northwest of the United States. It was an importer to Japan from Canada of lumber, logs, grain and other products. Since the beginning of the present Century this Company has pioneered in the establishment of Canadian-Japanese trade relations. Its founder, the late Shinkichi Tamura, and its officers, T. Noritake and the late Mr. Kodama, have endeavoured to promote good relations and amity with Canadian exporters. The extent to which they were successful in this respect has received recognition from various Canadian Government high officials over a long period of years. Upon the outbreak of hostilities the assets of Tamura Shokai were taken over by the Custodian of Enemy Property. The proceeds realized from the liquidation of the aforementioned assets, it is understood, are now held by the Department of the Secretary of State or Treasury Department.

III. <u>Purpose of this Submission:</u>

The purpose of this submission is respectfully to request:

(1) That in giving effect to the provisions of

the Japanese Peace Treaty the Canadian Government should provide that exceptions be made to the strict application of Article XIV of the said Treaty, in cases where it can be established that such exceptions would be in the national interest of Canada and historically justified.

(2) That the assets of Japan and Canada Trust Savings Company and Tamura Shokai, presently situate in Canada, should not be confiscated under the terms of the Treaty.

(3) That the said assets should be released to Tamura Shokai and the former shareholders of Japan and Canada Trust Savings Company upon the express condition that they shall cause the assets to remain and be employed in Canada in the rehabilitation of the business and operations of one or both of the said Organizations, for the promotion of Canadian-Japanese trade activity, and the extension and improvement of trade relations between Canada and Japan in the future, and upon such other conditions as may be deemed appropriate.

IV. <u>Special Reasons for Consideration:</u>

(1) Tamura Shokai and the late Mr. Tamura were the pioneers of Canadian-Japanese trade. Through their efforts initially and over a long period of years, trade relations between Canada and Japan became an important factor in the Canadian economy. Canadian flour products were introduced to Japan by Tamura Shokai. Canadian wheat imports by Japan were initiated by the Tamura organization, and in later years large volumes of high and low grade wheats were imported by this firm in bulk cargo. It was also instrumental in introducing in Japan such Canadian products

as pulp, finished metals, salt fish, logs, lumber and wood products, and many other types of merchandise. It instigated in Japan the baking of bread with Canadian wheat flour, and carried on an extensive educational programme in this matter. Over fifty years ago it opened the Japanese market to Canadian salted salmon and salt herring, and established and maintained in Japan markets for these Canadian products.

It introduced Douglas fir logs and lumber, Cedar and other species, to the people of Japan more than fifty years ago, and succeeded in building up a substantial trade in these with the British Columbia Mills Timber and Trading Company (Hastings Saw Mill), Associated Timber Exporters of B. C. (Seaboard Lumber Sales Company), Victoria Lumber Manufacturing Company, Fraser Mills, Canadian Western Lumber Company and H. R. MacMillan Export Company Limited, all situate in the Province of British Columbia.

(2) When the first Canadian Legation was established in Japan, and for many years thereafter, the late Mr. Shinkichi Tamura, his son, Mr. Tohru Tamura and Mr. T. Noritake rendered most valuable assistance to Dr. H. L. Keenleyside and later to Sir Herbert Marler in their task of promoting trade and fostering amicable relations between Japan and Canada. The Tamuras and Mr. Noritake, in the years that preceded the outbreak of hostilities repeatedly expressed themselves as being

opposed to the aggressive policies advocated in Japan by the military groups.

(3) The late Mr. Tamura and his associates did much to promote friendly business relations between the commercial interests of Japan and Canada. Mr. Tamura was responsible for forming the Japan-Canada Society of Tokyo, and his associates had much to do with the formation of a similar Society in British Columbia. The activities on behalf of Canada and the friendly relations established by the efforts of the late Mr. Tamura were recognized by the late Rt. Hon. W. L. MacKenzie King during his term of office as Prime Minister by the Hon. Randolph Bruce, former Canadian Minister at Tokyo, and by the Speaker of the Legislature of the Province of British Columbia.

V. Intention of the Applicants:

(1) It is the intention of the applicants, should this submission receive favourable consideration, to utilize the said assets, in the promotion of Canadian-Japanese trade. The funds would remain in Canada to be employed for the purposes mentioned herein, which, it is submitted, would be in the national interest of Canada.

VI. General Reasons for Consideration:

(1) The coming into force of the Peace Treaty with Japan marked the commencement of a new period of friendly relations between the two countries. This was

emphasized by a message sent by the Prime Minister of Canada, Rt. Hon. Louis S. St.-Laurent, to the Prime Minister of Japan, Mr. Yoshida, on the occasion of the coming into force of the Peace Treaty, when he said in part,

> "I wish to assure you that at this historic moment when Japan resumes her place as a free and sovereign member of the Community of Nations, we in Canada, putting behind us all thoughts of rancour which the tragic war may have engendered, look to the new Japan to be an effective bastion of peace and freedom in an area afflicted by Communist agression and oppression. It is the deeply felt hope of the Canadian people that Japan will play an honourable and constructive part in helping to re-establish peace, security and friendly relations among the peoples of East Asia. As a prosperous and peaceful Far East is in the best interests of Canada, we expect to find ourselves co-operating with Japan in meeting a great number of common problems in the Pacific area.
>
> .....
>
> For my part, I sincerely welcome the opportunity that now opens up for restoring friendly and mutually profitable relations between our two countries and for strengthening sympathetic understanding between them."

Favourable consideration given to this submission would be a recognition in tangible form of the policy and sentiments expressed by the Prime Minister of Canada.

(2) Dealing with the question of Canadian-Japanese Trade, the Hon. L. B. Pearson, Minister of External Affairs, said at the Peace conference at San Francisco on September 7th, 1951

> "Although we must do our part to assist Japan to build up her economy, I suggest we must not take it for granted that Japan's prosperity, of itself, means peace in Asia. It depends upon how

that prosperity and how that power will be used. It is the purpose of those who drew up this treaty, and it is the hope of those who are in favour of it, that because this is the ending of a chapter Japan will use its new power and developing economic strength not for those purposes which have caused so much damage, so much cruelty and so much suffering in the past but for the purpose of international co-operation in a great area of the world, and which will lead not only to peace but to prosperity for all of us."

It is submitted that effect will be given to this policy by favourable consideration of this submission.

(3) It is respectfully pointed out that Article XIV of the Japanese Peace Treaty is permissive and not mandatory. Precedents have been set by the policies adopted by the Governments of Brazil and India by returning confiscated property to Japanese nationals. Furthermore, the Treaty, by Article XIV (11,iv), recognizes the desirability of the resumption of trade relations between Japan and the allied powers, by exempting from confiscation Japanese property, rights, and interests which have come within the jurisdiction of an allied power subsequent to September 2, 1945, in consequence of the resumption of trade relations, whereas property within the jurisdiction of an Allied Power at the time of the coming into force of the Treaty, not within the said jurisdiction for trade purposes is not so exempted.

(4) It is further respectfully submitted that confiscation of the property of the subjects of a state with whom hostilities have existed,is a policy the wisdom

of which is doubtful in law and equity, and not in accord with the trend of International Law and practice during the last Century.

> "It appears, then, to be the modern rule of international usage, that property of the enemy found within the territory of the belligerent state, or debts due to his subjects by the government or individuals, at the commencement of hostilities, are not liable to be seized and confiscated as prize of war."
>
> Wheaton's International Law, Sixth Edition, Volume II at Page 643.

The above statement is supported by the further citations contained in Appendix "A" attached hereto.

It is submitted that the granting of the application made herein would constitute a prompt and most effective measure in bringing about the restoration of friendly and mutually profitable relations between Canada and Japan.

All of which is respectfully submitted.

DATED at Vancouver, British Columbia, this 11th day of September, 1952.

DAVIS & CO.

Per: Ishwood Lett

APPENDIX "A"
TO SUBMISSION OF DAVIS & CO.

IN THE MATTER OF THE JAPANESE PEACE TREATY

- and -

IN THE MATTER OF JAPAN AND CANADA TRUST SAVINGS COMPANY (IN VOLUNTARY LIQUIDATION) AND TAMURA AND COMPANY (TAMURA SHOKAI)

---

1. "There is however, a strong feeling among civilised states against the retention or exercise of such a right" (of confiscation of the property of enemy aliens)

Arthur Page "War and Alien Enemies", Second Edition, 1915 London at Page 33.

2. "In former times belligerents could confiscate all private and public enemy property, immoveable or moveable, on each other's territory at the outbreak of War and also enemy debts; and the treaties concluded between many States for the withdrawal of their subjects at the outbreak of War provided likewise for the unrestrained withdrawal of the private property of their subjects. Through the influence of such treaties, an international usage and practice grew up that belligerents should neither confiscate private enemy property on their territory nor annual debts due to enemy subjects."

Oppenheim "International Law", Sixth Edition, Volume II, at page 261.

3. "In early days the King's perogative probably extended to seizing enemy property on land as well as on sea. As to property on land, this perogative has long fallen into disuse."

Daimler Company, Limited, v. Continental Tyre and Rubber Company (Great Britain) Limited (1916) 2 A.C. 307 Lord Parker of Waddington at Page 347.

4. "The law of this country does not in general confiscate the property of an enemy. He cannot claim to receive it during war, but his right to his property is not extinguished; it is merely suspended."

Hugh Stevenson and Sons, Limited v. Aktiengesellschaft Fur Corten-Nagen-Industrial (1918) A.C. 239, at page 247 Lord Finlay L.C.

5. "Subject to any legislation to the contrary, and subject to any of the provisions of the Treaty of Peace (Versailles) - - - it may be said that the law of this country does not confiscate the property of an enemy. He cannot claim to receive it during the war, his claim to the property is not extinguished but is merely suspended. That is the general principle."

In the Matter of the War Measures Act 1914
The Synthetic Drug. Company Limited (Petitioner) and In the Matter of the Custodian under the Treaty of Peace (Germany) Order 1920, (1925) Ex. C.R. 196 MacLean J. at Page 199.

APPENDIX "B"

IN THE MATTER OF THE JAPANESE PEACE TREATY

- and -

IN THE MATTER OF JAPAN AND CANADA TRUST SAVINGS COMPANY (IN VOLUNTARY LIQUIDATION) AND TAMURA AND COMPANY (TAMURA SHOKAI)

T. Tamura	300 shares
O. Akiyama	10
G. Kodama	620
T. Wakamori	25
T. Noritake	655
T. Hara	100
I. Ono	65
A. Kondo	225
Y. Nishikawa	200
H. Kido	100
S. Tomita	200
	2500 Shares

4606-C-6-40

Davis, Hossie, Lett, Marshall & McLorg

Barristers & Solicitors

D. N. HOSSIE, Q.C.
SHERWOOD LETT, Q.C.
GHENT DAVIS
D. G. MARSHALL
E. M. C. McLORG
IRWIN DAVIS
A. B. B. CARROTHERS
G. WRIGHT

Royal Trust Building
626 Pender Street W.
Vancouver 2, B.C.

TELEPHONE MARINE 8521
CABLE ADDRESS "DAMARELL"
CODES { A I TELEGRAPHIC / WESTERN UNION / BENTLEY'S

614-R-1-40

September 11th, 1952.

SEP 22 1952

4606-C-13-40
59 59

Hon. L. B. Pearson,
The Secretary of State for External Affairs,
Ottawa, Canada.

Dear Sir: Re: Japanese Peace Treaty and Japan and Canada Trust Savings Company (In Voluntary Liquidation) and Tamura and Company (Tamura Shokai)

Referring further to my letter of April 8th, 1952, and yours of April 10th, 1952, I now enclose herewith in duplicate a Submission on behalf of the above named.

The information contained in this Submission has been supplied to us by Mr. T. Noritake, an officer of Tamura Shokai, and is believed to be accurate and reliable. Mr. Noritake was formerly manager of Tamura Shokai offices in Vancouver and spent some years in Canada prior to the War.

I direct your attention to Paragraph III(3) Page 3 of the Submission, in which it is requested that the assets be released, subject to certain restrictions and upon such conditions as may be deemed appropriate. I have not gone into detail as to the mechanics of ensuring that the assets, if released, would be used for such purposes. There is no doubt that the shareholders are ready and anxious to devote the assets to the purposes set forth in the Submission. The authorities might require an undertaking on behalf of the shareholders to incorporate a new Canadian Company under the Dominion Companies Act and that the assets be released only to that Company, and that its Charter be framed in such a way as to require that the assets be employed in certain activities. Such a Company could be so constituted that it would require certain of its directors to be residents of Canada.

The Trust Company might be similarly reconstituted under a Dominion or Provincial Charter.

I trust this Submission may receive early and favourable consideration.

15-9-12(55)

I expect to be in Ottawa the week commencing September 29th, and if there is any additional information required I would be pleased to supply it at that time.

Yours truly,

Sherwood Lett

SL:HE
Enc.

SUPERFINE
LINEN RECORD
100% RAG-CANADA

FILE COPY

Far Eastern Division/C.E.McGaughey/nf

~~H606-C-40~~ 614-R-1-40

59 | 59

Ottawa, September 23, 1952.

The Deputy Minister,
Department of the Secretary of State,
Ottawa.

For the attention of Mr. K.W. Wright, Q.C.

I attach a copy of a letter to the Secretary of State for External Affairs, dated September 11, 1952, from Brigadier Sherwood Lett, Q.C. of the legal firm of Davies, Hossie, Lett, Marshall & McLorg of Vancouver, B.C., and its attachment, a copy of a Submission on behalf of the Japan and Canada Trust Savings Company, and Tamura and Company.

The Submission requests that the assets of the Japan and Canada Trust Savings Company and of Tamura and Company, now held by the Custodian of Enemy Property should be released.

I am referring these papers to you because I believe they concern matters which fall within your sphere of competence for decision.

Brigadier Lett's letter only reached me yesterday. I am informing him that I have referred his letter and copy of its attachment to you and that he might expect to hear directly from you concerning the Submission.

for the

O. A. RONNING

Under-Secretary of State
for External Affairs.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

614-f-1-40

4006-C-13-40

59 | 59 | 59

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. 16756

Victoria Building,
7 O'Connor Street,
Ottawa 4, Canada.

Legal Section
DJS/EA

September 27, 1952.

SEP 30 1952

TO: The Under Secretary of State for
External Affairs,
East Block, Parliament Buildings,
Ottawa 4, Canada.

Attention: Mr. C. A. Ronning

Dear Sir:

Re: Japan and Canada Trust Savings Company
and Tamura and Company.

I wish to acknowledge your letter of September 23, 1952, with which was enclosed carbon copies of Brigadier Sherwood Lett's letter of September 11, 1952, to the Secretary of State for External Affairs and the submission on behalf of the above named companies.

Article 14 of the Treaty of Peace with Japan, which deals with Japanese property in allied territory does not provide for the return of the assets of claimants such as the above named companies. Furthermore the Appropriations Act No. 4-1952 requires the Custodian to transfer Japanese assets or the liquid proceeds thereof to the Minister of Finance, and pursuant to Order in Council PC-3551 of July 15, 1952, the Custodian has already transmitted three million dollars to The Receiver General.

It is suggested that you show Brigadier Lett the report of the Advisory Commission on War Claims, dated February 25, 1952, and the Appropriations Act No. 4-1952.

The Custodian has no authority to depart from the procedure established under present legislation in the absence of a special order in council.

Yours very truly,

K. W. Wright,
Chairman, Administration Board
and Chief Counsel.

16756

Legal Section
DJS/EA

Victoria Building,
7 O'Connor Street,
Ottawa 4, Canada.

September 27, 1952.

TO: The Under Secretary of State for
External Affairs,
East Block, Parliament Buildings,
Ottawa 4, Canada.

Attention: Mr. C. A. Ronning

Dear Sir:

Re: Japan and Canada Trust Savings Company
and Yamura and Company.

I wish to acknowledge your letter of September 23, 1952, with which was enclosed carbon copies of Brigadier Sherwood Lett's letter of September 11, 1952, to the Secretary of State for External Affairs and the submission on behalf of the above named companies.

Article 14 of the Treaty of Peace with Japan, which deals with Japanese property in allied territory does not provide for the return of the assets of claimants such as the above named companies. Furthermore the Appropriations Act No. 4-1952 requires the Custodian to transfer Japanese assets or the liquid proceeds thereof to the Minister of Finance, and pursuant to Order in Council PC-3031 of July 15, 1952, the Custodian has already transmitted three million dollars to The Receiver General.

It is suggested that you show Brigadier Lett the report of the Advisory Commission on War Claims, dated February 23, 1952, and the Appropriations Act No. 4-1952.

The Custodian has no authority to depart from the procedure established under present legislation in the absence of a special order in council.

Yours very truly,

K. W. Wright,
Chairman, Administration Board
and Chief Counsel.

D R A F T

F.E./C.E.McGaughey/mpa

October 3, 1952.

MEMORANDUM FOR THE MINISTER

Canadian Assets of Japan and Canada Trust Savings Company, and Tamura and Company

Under cover of a letter to you dated September 11, 1952, Brigadier Lett, of the legal firm of Davis, Hossie, Lett, Marshall & McLorg, sent a submission on behalf of the above named companies applying for the release of their assets which, being Japanese, had been vested in the Custodian on condition that these should be left in Canada and used for the promotion of Canadian-Japanese trade. We referred the submission to the Office of the Custodian. The Chief Counsel of that Office has replied that Article 14 of the Treaty of Peace with Japan, which deals with Japanese property in Allied territory, does not provide for the return of the assets of claimants such as these companies, that the Appropriations Act No. 4 - 1952 requires the Custodian to transfer Japanese assets or their liquid proceeds to the Minister of Finance, and that pursuant to Order-in-Council P.C.-3551 of July 15, 1952, the Custodian has already transmitted three million dollars to the Receiver General. He has suggested that we show Brigadier Lett the report of the Advisory Commission on War Claims, dated February 25, 1952, and the pertinent Appropriations Act.

2. Pursuant to the recommendations of the Advisory Commission on War Claims a War Claims Fund has been established to meet claims asserted by Canadians arising out of the Second World War. Assets of Japanese origin seized in Canada, which had been vested in the Custodian, have been the only appropriate source of supply for the War Claims Fund under the Japanese Peace Treaty.

... 2

3. I feel that the general arguments set out in the submission for the release of the assets of these two companies might be made for the release of all Japanese assets in Canada which have been seized. A general release would be contrary to established policy. I also think that the particular arguments - i.e., that officials of these companies pioneered Canadian-Japanese trade in certain lines and that their efforts to promote friendly business relations between the commercial interests of Canada and Japan were recognized by prominent Canadian officials - are not relevant to the point at issue. Such activities undoubtedly served the interests of the companies and afforded no reason why the assets should not now form part of a fund to be used inter alia to compensate Canadians who have suffered from Japan's entry in the Second World War. Moreover, if an exception were made to policy in the case of both companies similar arguments might be used by other Japanese desiring the release of their Canadian assets. As for the proposal that release of the assets should be made conditional on their being left in Canada I submit that no Japanese firm or individual would object to these conditions if their Canadian assets were returned to their control.

4. All Japanese assets which have been seized may be regarded under the Peace Treaty as reparations from Japan. Therefore, rather than seek Canadian release of the assets the companies concerned might more properly apply to the Japanese Government for compensation.

5. As for the assertion that Mr. Noritake and officials of both companies, repeatedly before the war expressed themselves as being opposed to the aggressive

... 3

policies advocated in Japan by the military groups, it might be pointed out that this individual was repatriated to Japan during the war and was not interned there.

6. In the circumstances I recommend that the suggestion of the Custodian's Office be accepted and that Brigadier Lett be informed of the provisions of the report of the Advisory Commission on War Claims, the Appropriations Act No. 4-1952, and that the Custodian has no authority to depart from the procedure established under present legislation. Do you agree?

L.D.W.

DRAFT

F.E./C.E.McGaughey/mpa

October 3, 1952.

MEMORANDUM FOR THE UNDER-SECRETARY

Canadian Assets of Japan and Canada Trust Savings Company, and Tamura and Company

The Minister's Office has requested that a memorandum be done for the Minister, giving our views on the submission of Brigadier Lett, of the legal firm Davis, Hossie, Lett, Marshall & McLorg, advocating the release under certain conditions of the assets in Canada of the above mentioned Japanese companies, which assets had been seized. For your convenience the submission has been flagged on the attached file.

2. I attach our memorandum to the Minister, in which we recommend that the assets concerned should not be released. We also advise that the suggestion of the Custodian's Office should be accepted and Brigadier Lett informed by us of the provisions of the report of the Advisory Commission on War Claims, the Appropriations Act No. 4-1952, and that the Custodian has no authority to depart from the procedure established under present legislation. Legal and Economic Divisions concur in the contents of this memorandum.

Far Eastern Division

FILE COPY

F.E./C.E.McGaughey/mpa

October 3, 1952.

6/4-R-1-48

13-40
4606-C-B
99 99

MEMORANDUM FOR LEGAL DIVISION
AND ECONOMIC DIVISION

Canadian Assets of Japan and Canada Trust Savings Company, and Tamura and Company

At the request of the Minister's Office this Division has drafted a memorandum concerning the submission of Brigadier Lett, requesting that the assets of the above mentioned companies which had been seized should be released subject to certain conditions. I attach the drafts of our memorandum to the Minister and of its covering memorandum to the Under-Secretary, and file 4606-C-13-40, "Treatment of Assets and Property of Japanese in Canada", which contains the relevant correspondence and the submission. We should be grateful to have your comments on both draft memoranda so that they may be incorporated in the final communications which will then go forward.

2
1

C. A. RONNING
Far Eastern Division

FILE COPY

F.E./C.E.McGaughey/mpa 614-R-1-40

~~4606-C-13-40~~
99 99 99

October 10, 1952.

MEMORANDUM FOR THE MINISTER

Canadian Assets of Japan and Canada Trust Savings Company, and Tamura and Company

Under cover of a letter to you dated September 11, 1952, Brigadier Lett, of the legal firm of Davis, Hossie, Lett, Marshall & McLorg, sent a submission on behalf of the above named companies applying for the release of their assets, which, being Japanese, had been vested in the Custodian, on condition that these should be left in Canada and used for the promotion of Canadian-Japanese trade. We referred the submission to the Office of the Custodian. The Chief Counsel of that Office has replied that Article 14 of the Treaty of Peace with Japan, which deals with Japanese property in Allied territory, does not provide for the return of the assets of claimants such as these companies, that the Appropriations Act No. 4-1952 requires the Custodian to transfer Japanese assets or their liquid proceeds to the Minister of Finance, and that pursuant to Order-in-Council P.C.-3551 of July 15, 1952, the Custodian has already transmitted three million dollars to the Receiver General. He has suggested that we show Brigadier Lett the report of the Advisory Commission on War Claims, dated February 25, 1952, and the pertinent Appropriations Act.

2. Pursuant to the recommendations of the Advisory Commission on War Claims a War Claims Fund has been established to meet claims asserted by Canadians arising out of the Second World War. Assets of Japanese origin seized in Canada, which had been vested in the Custodian, have been the only appropriate source of supply for the War Claims Fund under the Japanese Peace Treaty.

3. I feel that the general arguments set out in the submission for the release of the assets of these two companies might be made for the release of all Japanese

... 2

assets in Canada which have been seized. A general release would be contrary to established policy. I also think that the particular arguments - i.e., that officials of these companies pioneered Canadian-Japanese trade in certain lines and that their efforts to promote friendly business relations between the commercial interests of Canada and Japan were recognized by prominent Canadian officials - are not relevant to the point at issue. Such activities undoubtedly served the interests of the companies and afford no reason why the assets should not now form part of a fund to be used inter alia to compensate Canadians who have suffered from Japan's entry in the Second World War. Moreover, if an exception were made to policy in the case of both companies similar arguments might be used by other Japanese desiring the release of their Canadian assets. As for the proposal that release of the assets should be made conditional on their being left in Canada I submit that no Japanese firm or individual would object to these conditions if their Canadian assets were returned to their control.

4. All Japanese assets which have been seized may be regarded under the Peace Treaty as reparations from Japan. Therefore, rather than seek Canadian release of the assets the companies concerned might more properly apply to the Japanese Government for compensation.

5. As for the assertion that Mr. Noritake, an official of both companies, repeatedly before the war expressed himself as being opposed to the aggressive policies advocated in Japan by the military groups, it might be pointed out that this individual was repatriated to Japan during the war and was not interned there.

6. In the circumstances I recommend that the suggestion of the Custodian's Office be accepted and that Brigadier Lett be informed of the provisions of the report of the Advisory Commission on War Claims, the Appropriations Act No. 4-1952, and that the Custodian has no authority to depart from the procedure established under present legislation. Do you agree?

(SGD) L. D. WILGRESS

L.D.W.

Far Eastern Division:
C.E. McGaughey/TP

614-R-1-40 39

File No.: 4606-C-13-40

4606-C-13-40 Files C.E. McGaughey.
99 99 44

October 14, 1952.

Seen by Mr Mackay

MEMORANDUM FOR THE UNDER-SECRETARY (THROUGH LEGAL DIVISION)

Canadian Assets of Japan and Canada Trust Savings Company and Tamura and Company.

Recently Brigadier Lett of the legal firm of Davis, Hossie, Lett, Marshall & McLorg sent a submission to the Minister on behalf of the above named companies applying for the release of their assets which, being Japanese, had been vested in the Custodian. The submission was referred to the Office of the Custodian. In a memorandum for the Minister, dated October 10, 1952, recommendations were made that the assets concerned should not be released and that the suggestions made to us by the Custodian's Office be accepted - namely that Brigadier Lett be informed of the provisions of the report of the Advisory Commission on War Claims, the Appropriations Act No. 4-1952, and that the Custodian had no authority to depart from the procedure established under present legislation.

2. On October 11, 1952 the Minister wrote Brigadier Lett a letter, a copy of which is attached, stating that he had asked the Custodian of Enemy Property to let Brigadier Lett know direct how things stand concerning his submission. The Minister's Office also requested us to inform the Custodian's Office of these views.

I concur
W

. . . 2

18.10.3(551)

— 3. I am attaching for your signature, if you concur, a letter to the Custodian's Office to this effect.

Sent 20.10.52

C.A. Cumings

Far Eastern Division.

I concur
L. Shurtleff
Legal Division

13-40
(9)

COPY

Ottawa, October 11, 1952.

Dear Sherwood,

With reference to your letter of September 11, I have given the case of the Japan and Canada Trust Savings Company and Tamura and Company my personal attention and have asked the Custodian of Enemy Property to let you know direct how things stand. I am afraid that his answer will not be very satisfactory to you, but I must admit I have no quarrel with his views in the matter. I am only sorry that it has not been possible to do more for you.

Best regards.

Yours sincerely,

L.B. Pearson

Sherwood Lett, Esq., Q.C.,
Messrs. Davis, Hossie, Lett, Marshall & McLorg,
Barristers & Solicitors,
Royal Trust Building,
Vancouver 2, B.C.

FILE

PTM:/ar

614-R-1-40

4606-C-13-40

99 99 (9)

Ottawa, October 11, 1952.

Dear Sherwood,

With reference to your letter of September 11, I have given the case of the Japan and Canada Trust Savings Company and Tamura and Company my personal attention and have asked the Custodian of Enemy Property to let you know direct how things stand. I am afraid that his answer will not be very satisfactory to you, but I must admit I have no quarrel with his views in the matter. I am only sorry that it has not been possible to do more for you.

Best regards.

Yours sincerely,

L. B. PEARSON

L. B. Pearson

Sherwood Lett, Esq., Q.C.,
Messrs. Davis, Hossie, Lett, Marshall & McLorg,
Barristers & Solicitors,
Royal Trust Building,
Vancouver 2, B.C.

Mailed
11-10-52
WE

10.10.13(05)

F.E./C.E.McGaughey/mpa

October 10, 1952.

614-R-1-40

~~4606-C-13-40~~

99 99 99

MEMORANDUM FOR THE UNDER-SECRETARY

Canadian Assets of Japan and Canada Trust Savings Company, and Tamura and Company

The Minister's Office has requested that a memorandum be done for the Minister, giving our views on the submission of Brigadier Lett, of the legal firm Davis, Hossie, Lett, Marshall & McLorg, advocating the release under certain conditions of the assets in Canada of the above mentioned Japanese companies, which assets had been seized. For your convenience the submission has been flagged on the attached file.

2. I attach our memorandum to the Minister, in which we recommend that the assets concerned should not be released. We also advise that the suggestion of the Custodian's Office should be accepted and Brigadier Lett informed by us of the provisions of the report of the Advisory Commission on War Claims, the Appropriations Act No. 4-1952, and that the Custodian has no authority to depart from the procedure established under present legislation. Legal and Economic Divisions concur in the contents of this memorandum.

Sent 10.10.52

Far Eastern Division

10.10.13(05)

16756

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.

October 24th, 1952.

Brigadier Sherwood Lett, Q.C.,
Messrs. Davis, Hossie, Lett, Marshall & McLorg,
Barristers & Solicitors,
Royal Trust Building,
626 Pender Street, West,
Vancouver 2, B.C.

Dear Sir:

Re: Japanese Peace Treaty and
Japan and Canada Trust Savings
Company (In Voluntary Liquidation)
and Tamura and Company (Tamura Shokai)

The Under-Secretary of State for External Affairs has requested me to reply to your communication of the 11th ultimo addressed to the Honourable the Secretary of State for External Affairs, enclosing a submission on behalf of the above named.

As you are aware Article 14 of the Treaty of Peace with Japan which deals with Japanese property in Allied territory does not provide for the return of assets of claimants such as the above named. Furthermore, Vote 696 of Appropriations Act No. 4-1952 requires the Custodian to transfer Japanese assets or the liquid proceeds thereof to the Minister of Finance, and pursuant to Order in Council P.C. 3551 of July 15, 1952, the Custodian has already transferred the bulk of assets of former Japanese which came under Custodian control.

Enclosed you will find report of the Commissioner on War Claims dated February 25, 1952.

The Government has completed its review of the report of the Advisory Commissioner and decided to adopt the recommendations in the report subject to a few modifications. In this connection I enclose copy of Order in Council P.C. 4267 dated 9th October, 1952.

You will appreciate that the Custodian has no authority to depart from the procedure established under existing legislation.

Yours very truly,

K. W. Wright,
Chairman, Administration Board
and Chief Counsel.

KWW/G
Encls.

Tobe to Ottawa

[redacted], Hossie, Lett, Marshall & McLorg

Barristers & Solicitors

D. N. HOSSIE, Q.C.
SHERWOOD LETT, Q.C.
GHENT DAVIS
D. G. MARSHALL
E. M. C. McLORG
IRWIN DAVIS
A. B. B. CARROTHERS
G. WRIGHT

TELEPHONE MARINE 8521
CABLE ADDRESS "DAMARELL"
CODES { A I TELEGRAPHIC / WESTERN UNION / BENTLEY'S

Royal Trust Building
626 Pender Street W.
Vancouver 2, B.C.

file RB

November 4th, 1952

614-1-40

4606-C-13-40
58

Hon. R. W. Mayhew,
Her Majesty's Canadian Ambassador
to Japan,
3125 Beach Avenue,
Victoria, B. C.

Dear Bob: Re: Japanese Peace Treaty and Japan and Canada Trust Savings Company (In voluntary liquidation) and Tamura and Company (Tamura Shokai)

You will recall that I left with you a copy of the submission made on behalf of the above.

Mike Pearson very kindly gave it his personal attention and after reading the brief wrote me advising I would hear in due course from the Department of the Secretary of State, Office of the Custodian, and that after looking into the matter he, Mike, felt that he could not quarrel with the action which was proposed by the Custodian.

I am today in receipt of a letter dated October 24th from K. W. Wright,Esq.,Q.,C., Chairman of the Administration Board and Chief Counsel of the Office of the Custodian.

He points out that Article XIV of the Treaty does not provide for the return of assets of claimants such as the above named. Furthermore, Vote 696 of the Appropriations Act No. 4-1952 requires the Custodian to transfer Japanese assets or the liquid proceeds thereof to the Minister of Finance, and pursuant to Order in Council P.C. 3551 the Custodian has already transferred the bulk of assets of former Japanese which came under Custodian control.

He also stazes that the Government has completed its review of the report of the Advisory Commissioner and decided to adopt the recommendations in the Ilsley Report subject to a few modifications.

I have advised Mr. Noritake in Japan.

As you will have had some familiarity with the discussions of the subject which have no doubt taken place in Ottawa, I am writing to ask if you feel any useful purpose would be served in pursuing the matter further, or would you think it is hopeless.

19.11.23(05)

If the above is not a proper question to ask one of Her Majesty's Ambassadors please let me know frankly.

I hope you are enjoying your rest from the labours of the Cabinet Minister, and that you and Mrs. Mayhew are looking forward to the new post abroad.

With kind regards.

Yours sincerely,

J. Harwood Lett

SL:HE

P.S. Will I have an opportunity of seeing you before you leave?

H.

SUPERIOR LINEN RECORD
100% RAG—CANADA

ECW

file 614-R-1-40
B4606-C-13-40
58 58

Ottawa, November 18, 1952.

Y file

Brigadier Sherwood Lett,
Davis, Hossie, Lett, Marshall and McLorg,
Royal Trust Building,
626 Pender Street W.,
Vancouver 2, B.C.

Dear Sherwood,

I acknowledge your letter of November 14 regarding Japanese Peace Treaty and Japan and Canada Trust Savings Company (In voluntary liquidation) and Tamura and Company (Tamura Shokai).

I brought your letter and brief with me to Ottawa and have taken the matter up with officials of this Department. I am assured that they will look into it again and will get in touch with you.

I hope to leave Toronto by 'plane on Thursday morning and will spend a day or two in Vancouver before going on to Victoria. I hope that I will see you.

Yours sincerely,

R.W. Mayhew

Charge d' Affaires, a.i.

Post File

No.....

E

Ext. 18[illegible]

With original enclosure to Office of the Custodian Done Nov 19/52 EKH

OTTAWA FILE
No. 614-R-1-40
71 74

Letter No. 1198

Date November 13, 1952

SECURITY CLASSIFICATION
Unclassified

FROM: THE CANADIAN EMBASSY, TOKYO, JAPAN.

TO: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

Reference None

Subject: Release of Assets - Chonosuke OKUYAMA.

E

1 2 3 4 5 6 7 8 9 10

NOV 18 1952

Copies Referred To..... None .....

No. of Enclosures One

Post File No.....

E

Mr. Haruishi OKUYAMA, a son of Chonosuke OKUYAMA, has made application for the release of his father's assets which are now being held by the Custodian. Mr. Chonosuke OKUYAMA passed away on November 26, 1940.

2. The father willed these assets to his son just prior to his death, which occurred one year before the outbreak of war, but the son maintains that as far as Canadian records are concerned the assets will probably still be registered in his father's name.

3. The assets consist of 550 shares of Canadian Mio Co., stock purchased in 1913 at a cost of $5.00 per share.

4. Attached is an affidavit completed by Mr. Haruishi OKUYAMA for onward transmission to the Office of the Custodian. I would be glad if this office could be informed of the decision reached regarding the release of these assets.

A. R. Menzies,
Charge d' Affaires, a.i.

Affidavit

I, Haruichi Okuyama, of No.4, 3-chome, Miyuki-cho, Miyakojima-ku, Osaka, Japan, make oath and say:

1. That my father, Chonosuke Okuyama, was a Canadian citizen by naturalization until his death which occurred on November 26, 1940.

2. The date of naturalization is not known as my father's naturalization papers were destroyed during the war. During the years he lived in Canada he resided at Steveston, British Columbia.

3. That my father's actual place of residence on September 2, 1939 was No.4, 3-chome, Miyuki-cho, Miyakojima-ku, Osaka, Japan and he resided at this address until his death.

4. That the assets owned by my father are listed below:

Canadian Mio Co., Ltd.

Certificate No.	Registered in the Name of	Amount	Price paid	Date Purchased
151	Chynosuke Oku-	20 shares	$100.00	May 9,1913
152	" yama	20 "	100.00	May 9,1913
153	" "	20 "	100.00	May 9,1913
154	" "	20 "	100.00	May 9,1913
155	" "	20 "	100.00	May 9,1913
156	" "	20 "	100.00	May 9,1913
157	" "	20 "	100.00	May 9,1913
158	" "	20 "	100.00	May 9,1913
159	" "	20 "	100.00	May 9,1913
160	" "	20 "	100.00	May 9,1913
161	" "	20 "	100.00	May 9,1913
162	" "	20 "	100.00	May 9 1913
163	" "	20 "	100.00	May 9,1913
164	" "	20 "	100.00	May 9,1913
165	" "	20 "	100.00	May 9,1913
166	" "	20 "	100.00	May 9,1913
167	" "	20 "	100.00	May 9,1913
168	" "	20 "	100.00	May 9,1913
169	" "	20 "	100.00	May 9,1913
170	" "	20 "	100.00	May 9,1913
171	" "	20 "	100.00	May 9,1913
172	" "	20 "	100.00	May 9,1913
173	" "	20 "	100.00	May 9,1913
174	" "	20 "	100.00	May 9,1913
175	" "	20 "	100.00	May 9,1913
476	" "	20 "	100.00	May 9,1913
477	" "	20 "	100.00	June 30,1913
478	" "	20 "	100.00	June 30,1913
		10 "	50.00	June 30,1913
		550 shares	$2,750.00	

..... 2

5. The above assets as well as all other property owned by my father were left to me in his last Will and Testament. I now hold the above certificates.

6. That I am the sole owner of the above assets having acquired ownership on November 26, 1940, the day my father passed away.

7. That no person, corporation or society, has any interest in the said assets.

Sworn before me
at Tokyo in the country
of Japan this 12th day
of November, 1952.

Haruichi Okuyama
Haruichi Okuyama

Original Signed by
E. R. RETTIE

E. R. Rettie
Vice-Consul of Canada
in Japan.

I, E. R. Rettie, Vice-Consul of Canada in Japan, certify that the applicant has identified himself by proper evidence and to the best of my knowledge, information and belief the facts set forth in the applicant's affidavit are correct.

The applicant has produced for my inspection the certificates itemized above and also the original copy of his father's Will.

Original Signed by
E. R. RETTIE

E. R. Rettie,
Vice-Consul of Canada
in Japan.

Legal/M.Blais/mvs
File: 4606-C-13-40

November 26, 1952.

MEMORANDUM FOR THE UNDER-SECRETARY

Canadian Assets of Japan and Canada Trust Savings Company and Tamura and Company

On October 11, 1952, Mr. Pearson informed Brigadier Sherwood Lett that he would be advised direct by the Custodian of Enemy Property on the matter under reference. On October 24, the Office of the Custodian gave Brigadier Lett all the information it had available.

2. On November 18, Mr. Mayhew, our Ambassador to Japan, replied to a letter of November 4 received from Brigadier Lett and advised him that the Department would be replying to his letter.

3. In view of the fact that this matter is the responsibility of the Custodian of Enemy Property who has already written to Brigadier Lett, I attach for your signature, if you approve, a letter to Brigadier Lett.

Sent 29.11.52

Legal Division

Mr. Erichson Brown.
Presumably a copy of the letter to Lett will go to Mr. Mayhew RAM.

28.11.38 (4.5)

Legal/M.Blais/mvs

File: ~~4606-C-13-40~~ 58

Y file 614-R.1-4

Ottawa, November 29, 1952.

Dear Brigadier Lett:

I refer to your letter of November 4 addressed to Mr. R.W. Mayhew, the Canadian Ambassador to Japan, regarding the case of the Japan and Canada Trust Savings Company and Tamura and Company, and also to the reply which Mr. Mayhew sent to you on November 18.

This matter is the responsibility of the Custodian of Enemy Property who was acting under specific instructions when he transferred to the Minister of Finance the Japanese assets which came under his control. I am afraid, therefore, that I have nothing to add to the information given you on October 11 by the Honourable L.B. Pearson and on October 24 by Mr. K.W. Wright of the Office of the Custodian, Department of the Secretary of State.

I am returning to you the copy of the submission which you left with Mr. Mayhew.

Yours sincerely,

(SGD) L. D. WILGRESS

L. D. Wilgress

Brigadier Sherwood Lett, Q.C.,
Messrs. Davis, Hossie, Lett,
Marshall & McLorg,
Barristers & Solicitors,
Royal Trust Building,
626 Pender Street West,
Vancouver 2, B.C.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

614 - R - 1-40

71 | 76

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.....

Legal Section
GGB/RF
Your Ref: Economic/AELC/eru

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.
December 1st, 1952.

file 74

Memorandum for the Under-Secretary of State
for External Affairs,
O t t a w a.

DEC 2 '52

Attention: Mr. Cannon.

I have your letter of the 19th of November, 1952, enclosing copy of Letter No. 1198 dated November 13th, 1952, from The Canadian Embassy, Tokyo, Japan, re: Release of Assets - Chonosuke Okuyama, with original of enclosure.

This matter is receiving attention and a further communication will be forwarded to you in due course.

K. W. Wright,
Chairman, Administration Board
and Chief Counsel.

E

Economic: A.E.L.Cannon/JS

Ext. 181B

FILE COPY

OTTAWA FILE
614-R-1-40
No......

74 74

SECURITY CLASSIFICATION
Unclassified

Letter No. E. 780

Date. December 12, 1952.

FROM: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

TO: THE CANADIAN EMBASSY, TOKYO, JAPAN.

Reference. Your letter No. 1198 of November 13, 1952.

Subject: Release of Assets - Chonosuke Okuyama

Would you please request Haruishi Okuyama to furnish you with particulars of his residence on and since September 2, 1939, and of his nationality during that period. This should be done in the form of a statutory declaration.

2. On receipt of this information, the Office of the Custodian will be able to give this application further consideration.

B.M. MEAGHER

Acting Under-Secretary of State
for External Affairs.

Copies Referred To.....
Office of the Custodian

No. of Enclosures .....

Post File No.....

STATUTORY DECLARATION

I, Haruichi Okuyama, of the city of Osaka, in country of Japan do solemnly declare:

1. That on September 2, 1939, my actual place of residence was 81 Charles Street, Toronto, Ontario.

2. On May 30, 1940, I left Toronto and took up residence in Vancouver, B.C., and lived in a boarding house on Victoria Drive.

3. I left Vancouver in November, 1940, for Japan and arrived at Yokohama on November 28, 1940. I immediately took up residence in Tokyo at Suginami-ku, Horinouchi, 2-chome. I remained at this address until the end of March, 1942.

4. I then moved to Wakayama Prefecture and lived at Hidaka-gun, Mio-mura village until March 31, 1949.

5. I then took up residence at No.4, 3-chome, Miyuki-cho, Miyakojima-ku, Osaka, Japan and have lived at this address ever since.

6. My citizenship status throughout the period from September 2, 1939, until the present time has been a dual national. I have never renounced my Canadian citizenship.

Sworn before me)
at Tokyo in the country)
of Japan this 9th day)
of February, 1953.)

Haruichi Okuyama
Haruichi Okuyama

E. R. Rettie
E. R. Rettie
Vice-Consul of Canada
in Japan.

Canadian Embassy - Ambassade du Canada
TOKYO
FEB. 9. 1953

Ext. 182A

OTTAWA FILE
No. 614-R-1-40

SECURITY CLASSIFICATION
UNCLASSIFIED

Letter No. 149

Date February 9, 1953

FEB 13 1953

FROM: The Canadian Embassy, Tokyo, Japan.

TO: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

Reference Your letter No.E780 of December 12, 1952.

Subject: Release of Assets - Chonosuke Okuyama.

As requested, I now enclose a statutory declaration made by Mr. Haruichi Okuyama, son of Chonosuke Okuyama, regarding particulars of his residence on and since September 2, 1939, and his citizenship status during this same period.

I trust that you will forward this declaration on to the Office of the Custodian in order that further consideration may be given to his application for the release of his late father's assets.

A.P. Low
The Embassy

Copies Referred To
None

No. of Enclosures
1

Post File
No 120-4

E

614-R-1-40
71 | 35

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO. En. 1715

Legal Section
GGB/RF

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.
February 16th, 1953.

(74) 18/2

Memorandum to the Under-Secretary of State
for External Affairs,
Ottawa.

Attention: Mr. A. E. L. Cannon.

I have your memorandum of the 13th of February, 1953, your reference Economic AELC/S, 614-R-1-40, enclosing Letter No. 149 of February 9th, 1953 from the Canadian Embassy, Tokyo, together with a declaration completed by Mr. Haruichi Okuyama, Osaka, Japan.

I note that Mr. Okuyama claims Canadian citizenship. Upon receipt of more details concerning this particular feature, we shall give the matter immediate attention.

G. G. Beckett,
Vice Chairman, Administration Board
and Associate Counsel.

E
1
3

FEB 17 1953

E

Ext.

OTTAWA FILE
No. 614-R-1-40

71 74

SECURITY CLASSIFICATION
UNCLASSIFIED

Letter No. 274

Date March 5, 1953

FROM: Canadian Embassy, Tokyo, Japan

TO: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

Reference Your letter No.E.103 of February 18, 1953

Subject: Release of assets - Chonosuke Okuyama

E
1
2
3
4
5
6
7
8
9
10

MAR 10 1953

Before we ask Mr. Haruichi Okuyama to furnish particulars of his claim to Canadian citizenship with certified copies of supporting documentation (which might cost Mr. Okuyama some money) we wonder if the Custodian's office would be willing to accept the fact that the Registrar of Canadian Citizenship has issued this man with Certificate of Proof of Canadian Citizenship No. 121908 series "A", dated May 23, 1952. This was forwarded to the Canadian Embassy in Tokyo under cover of a letter dated May 29, 1952. We believe that departmental files 58-BLX-40 and 44-KVL-40 contain references to this man.

A.R. Menzies

The Embassy.

Copies Referred To.....

No. of Enclosures .....

Post File No. 120-4

F

Economic: P.M. Towe: pv

614-R-1 | 40
74 | 74

Ottawa, March 12, 1953.

The Office of the Custodian,
Department of the Secretary of State,
O t t a w a.

Attention: Mr. G.G. Beckett

Your guidance on attached letter No. 274 of March 5, 1953, from the Canadian Embassy in Tokyo, concerning release of assets of Chonosuke Okuyama would be appreciated.

(Signed) A. E. RITCHIE,

for Under-Secretary of State
for External Affairs

No. 120-4

F

614-R-1-40
71 | 74

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE NO.....

Legal Section
GGB/EMM

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.

March 23, 1953.

file 74

MEMORANDUM TO: The Under-Secretary of State
for External Affairs,
O t t a w a.

I have your memorandum of the 12th instant enclosing Letter No. 274 of March 5th from the Canadian Embassy in Tokyo concerning the release of assets of Chonosuke Okuyama, deceased.

I now wish to advise you that on the basis of the evidence submitted and the representations made, the Custodian has released the sum of $279.79 Canadian representing a final distribution of $.508708 per share on 550 Canada Mio Company Limited subject to the payment of his fee of 2% for services rendered. Our fee in this case amounts to $5.59, which has been deducted from the funds held here, leaving a balance of $274.20 Canadian. I, accordingly, enclose the Custodian's cheque number 29170, dated March 19th, in favour of Haruichi Okuyama for $274.20.

Kindly acknowledge receipt of this cheque.

G. G. Beckett,
Vice Chairman, Administration Board
and Associate Counsel.

E

1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

MAR 24 1953

E
24/3/53
GGB

Please Note:
Cheque in the amount of $274.20 payable to Haruichi Okuyama, being held in holding blotter O.R.35125, of March 24/53, pending your correspondence. - E. E. F. (Cashier)

No. 120-4

E

Economic/P.M.Towe/bel

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA. *(FILE COPY)*

NUMBERED LETTER

TO: Canadian Embassy, Tokyo, Japan

FROM: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, OTTAWA, CANADA.

Reference: Your letter No. 274 of March 5, 1953

Subject: Release of Assets - Chonosuke Okuyama

Security: UNCLASSIFIED

No: E- 186

Date: March 25, 1953

Enclosures: Cheque No. 29170 $274.20 (Can.)

Air or Surface Mail: AIR

Post File No: 120-4

Ottawa File No. 614-R-1-40

74 | 35

References

On the basis of the evidence submitted, the Custodian has now released the sum of $279.79 Canadian representing a final distribution of $.508708 per share on 550 Canada Mio Company Limited subject to the payment of his fee of 2% for services rendered. The Custodian's fee in this case amounts to $5.59, which has been deducted from the funds held here, leaving a balance of $274.20 Canadian. I accordingly enclose the Custodian's cheque number 29170, dated March 19, in favour of Haruichi Okuyama for $274.20.

I should be grateful if you would would acknowledge receipt of this cheque.

B.M. MEAGHER

for the Under-Secretary of State for External Affairs.

Internal Circulation

Distribution to Posts

KOKOKU RAYON AND PULP CO., LTD.

HEAD OFFICE: 1 SHIBA-TAMURA-CHO 1-CHOME, MINATO-KU, TOKYO
PHONE (57) 9281 (5), 9331 (5) CABLE ADDRESS: "KOKOP TOKYO"

OSAKA OFFICE: OSAKA BLDG., 1 SOZECHO, KITA-KU, OSAKA
PHONE (44) 2651-2654, 3151-3154

NAGOYA OFFICE: SOGO BLDG., 5 SAKURA-MACHI 2-CHOME, NAKA-KU, NAGOYA
PHONE (4) 1978, 3714

Toyama Rayon Pulp Mill, Toyama City
Yatsushiro Rayon Staple Mill, Yatsushiro City
Gamagori Textile Mill, Gamagori-Machi
Fuji Paper Mill, Yoshiwara City

Manufactures and Sales of
Rayon Pulp, Rayon Staple,
Spun Rayon Yarn, Spun Rayon Fabrics,
Paper Pulp, Paper, etc.

March 30, 1953.

Dr. Hugh L. Keenleyside,
Technical Assistance Administration,
United Nations, New York 17, N.Y.

Dear Sir:

It's a long time since I had the pleasure of writing to you before. I trust that you and your family are all in the best of health.

I have recently heard from Mr. Hirai in Tokyo that he heard from his lawyers in Canada, Briggs, Frost, Birks and Langdon, that the final decision was made by the Canadian Government to dispose of all the assets formerly owned by the Japanese citizen in Canada and that instructions had gone forward to the custodian to proceed without delay to liquidate the remaining assets of the Japanese citizen for the purpose of applying them on account of the large outstanding war claims against Japan.

I believe this is entirely in accord with the provisions of the Peace Treaty and that there would be absolutely nothing to be done for us. However our company had no information from our friends in Canada and I should be very much obliged to you if you would kindly inform me of your valued opinion in this connection. I am sorry to trauble you white you have very arduous matters to handle but would you please do me the favor to enlighten me about this matter.

With sincere personal regards,

Yours very truly,

KOKOKU RAYON AND PULP CO. LTD.

Y. Mikasa

Y. Mikasa, Secretary.

614-R-1-40
Ec 1 30/

Legal/M.Blais/mvs

April 13, 1953

MEMORANDUM FOR INFORMATION DIVISION

It would be in order for you to furnish Dr. H.L. Keenleyside with the following information which he could use in his reply to the letter of March 30, 1953, received from Mr. Y. Mikasa enquiring about the disposal of Japanese assets seized by the Custodian during the Second World War:

> "By Canadian Appropriation Act No. 4, 1952, the Custodian of Enemy Property was authorized to transfer to the Minister of Finance the Japanese assets which were vested in him in respect of the Second World War. These assets will be used to satisfy claims against Japan submitted by Canadians arising out of the Second World War in respect of death, personal injury, maltreatment, and loss of or damage to property. The disposition of these assets is the responsibility of the War Claims Commission which was established in accordance with the recommendations included in the Report of the Advisory Commissioner on War Claims, Chief Justice J.L. Ilsley.
>
> "Chief Justice Thane A. Campbell has been appointed Chief War Claims Commissioner to deal with claims to be paid, in particular with Japanese assets in Canada made available under the Treaty of Peace with Japan. Article 14 of this Treaty of Peace reads in part as follows:
>
> '. . . each of the Allied Powers shall have the right to seize, retain, liquidate or otherwise dispose of all property, rights and interests of
>
> (a) Japan and Japanese nationals,
>
> (b) persons acting for or on behalf of Japan or Japanese nationals, and

. . . 2

(c) entities owned or controlled by Japan or Japanese nationals.

which on the first coming into force of the present Treaty were subject to its jurisdiction.' (The Treaty of Peace with Japan came into force on April 28, 1952.)"

Legal Division

File
[illegible] 614-R-1-40
Sec 11

Ottawa, April 15, 1953.

Dear Hugh:

I have your letter of April 8 with which was enclosed one from Mr. Mikasa.

I referred the matter raised in Mr. Mikasa's letter to our Legal Division and received the following reply which I quote in toto, as follows:

"By Canadian Appropriation Act No. 4, 1952, the Custodian of Enemy Property was authorized to transfer to the Minister of Finance the Japanese assets which were vested in him in respect of the Second World War. These assets will be used to satisfy claims against Japan submitted by Canadians arising out of the Second World War in respect of death, personal injury, maltreatment, and loss of or damage to property. The disposition of these assets is the responsibility of the War Claims Commission which was established in accordance with the recommendations included in the Report of the Advisory Commissioner on War Claims, Chief Justice J.L.Ilsley.

"Chief Justice Thane A. Campbell has been appointed Chief War Claims Commissioner to deal with claims to be paid, in particular with Japanese assets in Canada made available under the Treaty of Peace with Japan. Article 14 of this Treaty of Peace reads in part as follows:

> '. . . each of the Allied Powers shall have the right to seize, retain, liquidate or otherwise dispose of all property, rights and interests of
>
> (a) Japan and Japanese nationals,

(b) persons acting for or on behalf of Japan or Japanese nationals, and

(c) entities owned or controlled by Japan or Japanese nationals,

which on the first coming into force of the present Treaty were subject to its jurisdiction.' (The Treaty of Peace with Japan came into force on April 28, 1952.)"

We are leaving Ottawa in a week's time to sail for New Zealand where I am to be High Commissioner. We are going via Europe and I shall be taking up my post in July. I fear the chances of seeing you in the period while I am there are remote but should your duties ever bring you that way, please let me know.

With best regards,

Yours sincerely,

PAUL MALONE

E. H. Norman.

Ext. [redacted]

legal to see. Letter to Custodian

FILE D.B.W.

Done 26.10.53

OTTAWA FILE
No. 614-R-1-40
71 / 24

Letter No. 1034

Date. October 13, 1953

SECURITY CLASSIFICATION
UNCLASSIFIED

FROM: THE CANADIAN EMBASSY, TOKYO, JAPAN.

TO: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

E

1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	

Reference: Our letter No. 720 dated July 13, 1953

Subject: Claim of Mrs. Nobuko Tanikaze (née Matsuura) for assets now held by the Office of the Custodian.

lv.

OCT 1953

19

Copies Referred To.....
.....
.....
.....
.....
.....

No. of Enclosures
.....

Post File
No.....

L

Mrs. Tanikaze called at this Embassy to enquire about her part of the estate of Mr. Setsuzo Matsuura which was turned over to the Custodian during the war, by the official administrator, at Alten, B.C. By letter of March 26, 1952 from the Department to the Japanese Overseas Agency in Ottawa, it was stated that the Custodian was prepared to give consideration to an application for release, provided that the claimants -- Mrs. Nobuko Tanikaze, her brother Susumu, and her sister Keiko, could establish their Canadian nationality. Mrs. Tanikaze has now been issued with Certificate of Canadian citizenship No. 145824, Series A, dated August 10, 1953. We would appreciate your transmitting this information to the Office of the Custodian, and your requesting a reply which we could communicate to Mrs. Tanikaze.

Richmond Rae

The Embassy.

Economic: D.B. Wilson: pvb

(THROUGH LEGAL DIV.)

Approved JWB (Legal)

614-A-1-40	
16	27

Ottawa, October 26, 1953.

The Chairman,
Administration Board,
Office of the Custodian,
Department of the Secretary of State,
O t t a w a.

Subject: Claim of Mrs. Nobuko Tanikaze
(née Matsuura)

...

I enclose a copy of letter No. 1034 of October 13 from the Canadian Embassy in Tokyo reporting that Mrs. Tanikaze has been provided with a certificate No. 145924, Series A, dated August 10, 1953. which establishes her claim to Canadian citizenship. In the circumstances I presume you would now be willing to consider an application from Mrs. Tanikaze for the release of her assets at present held by your office.

I should be grateful if you would kindly confirm this so that I may notify the Embassy in Tokyo accordingly.

(Signed) J. H. WARREN.

for Acting Under-Secretary of State
for External Affairs

614-R-X-40
11 | 29

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE
PLEASE REFER TO
FILE No. 37369
LL/EMM

Enclosure to Tokyo by letter

FILE D.B.W. (11)

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.

January 21, 1954.

MEMORANDUM TO:

The Under-Secretary of State
for External Affairs,
O t t a w a.

E
1
2
3
4
5
6 ow
7
8
9
10
11
12
26 JAN 1954

Reference is made to your letter of October 26, 1953 regarding the claim of Mrs. Nobuko Tanikaze (nee Matsuura).

Kindly advise our Embassy in Toyko that Mrs. Nobuko Tanikaze should file an application for the release of her interest in the estate of Setsuzo Matsuura, deceased. I enclose herewith the Custodian's Instructions to Applicants for Release.

Upon receipt of this material, I shall be glad to recommend it to our Administration Board for consideration.

L. Legault,
Administrative Officer.

E

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA.

NUMBERED LETTER

TO: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, OTTAWA, CANADA.

FROM: THE CANADIAN EMBASSY
TOKYO, JAPAN

Reference: Your Letter #E-72, January 29, 1954

Subject: Claim of Mrs. Tanikaze

Security: Unclassified

No: 1025

Date: September 23, 1954

Enclosures:

Air or Surface Mail: AIR

Post File No: N-983

Ottawa File No.
614-R-1-40

95 | 24

References

E
1 2 3 4 5 6 7 8 9 10

OCT 4 1954

Internal Circulation

Distribution to Posts

F

In accordance with instructions from the Office of the Custodian, we attach an application completed at this Embassy by Mrs. Tanikaze for the release of her interest in the estate of Mr. Setsuzo Matsuura.

R.L. Rogers
The Embassy.

Refer to Custodian (CAB)

FILE
D.B.W.
OCT 5 1954

Please Oct 5/54

Ext. 182A (Rev. 2/52)

STATUTORY DECLARATION

I, Nobuko Tanikaze, do solemnly declare that:

I am a Canadian citizen by birth and hold Certificate of Canadian Citizenship No. 145824, Series A, issued on August 10, 1953.

My actual place of residence is Tokyo, Japan. The particulars of my residence since the second day of September, 1939, are as follows:

September, 1939 to April, 1947:	27, 3-chome Yokobori, Higashi-ku, Osaka-city
April, 1947 to April, 1951 :	1,190, 2-chome, Uenoshiba-Mukaigaoka, Sakai-city
February, 1951 to October,1951:	28, 5-chome, Hirano-machi, Higashi-ku, Osaka-city
October, 1951 to the present :	395, 4-chome, Ikebukuro, Toshima-ku, Tokyo.

I was not resident in the British Commonwealth or in any Allied country during the war.

A list of the assets I am claiming is attached. These are being held by the Office of the Custodian in Canada.

I am the owner of one-third of these assets on account of my father's death in 1959. N. T.

No person, corporation or society, other than myself, in Japan, has any interest in this part of the above assets.

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

I, Gérard Bertrand, Vice-Consul of Canada in Japan, do hereby certify that the applicant, Nobuko Tanikaze, of Tokyo, Japan, has identified herself by proper evidence. To the best of my knowledge, information and belief, the facts set forth in her application are correct.

Nobuko Tanikaze
(Signature)

G. Bertrand
(Signature)

Canadian Embassy - Ambassade du Canada
TOKYO
SEP. 21 1954

Economic/D.B.Wilson/S

c.c. Tokyo done

NOTED
B.F. JUNE 4/55

Ottawa, May 3, 1955.

Our File No. 614-R-1-40

614-R-1-40
11 29

Office of the Custodian,
Department of the Secretary of State,
Ottawa.

Last October 5 I sent to you, under cover of a transmittal slip, a copy of letter No. 1025 of September 23 from our Embassy in Tokyo, concerning a claim for the release of assets to Mrs. Tanikaze. I should be grateful if you would kindly let me know the present standing of this claim at your early convenience.

(Signed) A. E. RITCHIE.

Under-Secretary of State
for External Affairs.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

614-R-1-40
11 | 29

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. 37369
LL/EMM

Your ref. 614-R-1-40

Refer Tokyo
ref 506 & April 22

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.

FILE 12F
D.B.W.

May 6, 1955.

Done
May 13/55
DBW

Attention: Mr. A. E. Ritchie.

Dear Sir,

Reference is made to your letter of the 3rd instant concerning the application for the release of assets filed by Mrs. Tanikaze.

In her statuatory declaration, dated September 24, 1954, made at the Canadian Embassy in Tokyo, Japan, this person has declared that "A list of the assets I am claiming is attached. These are being held by the Office of the Custodian in Canada." On November 2, 1954 the applicant was advised that this list was not included with her declaration.

Upon receipt of this material the matter of releasing her assets will receive further consideration.

Yours very truly,

L. Legault,
Administrative Officer.

E

1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

MAY 9 1955

The Under-Secretary of State
for External Affairs,
O T T A W A.

E

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA.

NUMBERED LETTER

TO: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, OTTAWA, CANADA.

FROM: The Canadian Embassy, Tokyo, Japan.

Reference: Your transmittal slip of May 13,1955

Subject: Release of Assets of Mrs. Tanikaze.

Security: Unclassified

No: 632

Date: May 25, 1955

Enclosures: 1

Air or Surface Mail: Air

Post File No: N-983

Ottawa File No.
614-R-1-40

11 | 29

References

You attached to your transmittal slip under reference a copy of a letter dated May 6, 1955, from the Office of the Custodian of the Department of the Secretary of State. In that letter the Office of the Custodian required a list of the assets Mrs. Tanikaze claims belong to her. It appears from previous correspondence that the Custodian has detailed information concerning the estate of Mr. Setsuzo Matsuura, in which Mrs. Tanikaze has interest. The references would be as follows:

> Your letter dated March 26,1952 to the head of the Japanese Overseas Agency, Ottawa, to which was attached a statement of the estate, which we assumed you had then received from the Office of the Custodian;
>
> Your despatch No. 564 of May 21, 1948, to the head of the then Canadian Liaison Mission, Tokyo, to which was attached various material concerning the Matsuura estate received from the Office of the Custodian.

2. As it is possible that the list is not available any longer in the Custodian's files we attach a copy of the list of the assets which was provided by Mrs. Tanikaze, and which, incidentally, is a copy of the list attached to the letter quoted above to the Head of the Japanese Overseas Mission in Ottawa.

for The Embassy.

Internal Circulation

1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

MAY 30 1955

Distribution to Posts

E

(Rev. 2/52)

COPY

DIPLOMATIC SECTION
APO 500

3 July 1948

AG123 (3July 48) DS
Subject: Request for Obtaining Information About the Property Left a Deceased Japanese in Canada.
To: Japanese Government

1. Reference is made to the memorandum from the Japanese Government C.L.O. No. 7681(RJ) of 2 October 1947, subject as above concerning the estate of MATSUURA Setsuzo.

2. There are inclosed two copies of a statement of receipts and expenditures in connection with the aforementioned estate, which this Headquarters has received from the Canadian Liaison Mission in Japan.

3. The Mission has informed this Headquarters that, inasmuch as Mr. Matsuura died intestate and appointed no executor, his estate was turned over to the Official Administrator at Atlin, British Columbia, for disposition and that the balance of the estate, amounting to $2,590.56, was turned over to the Custodian of Enemy Property, who has indicated that no further action will be taken relative to this money until after the peace settlement with Japan.

For the chief, Diplomatic Section:

Richard A. Poole
Chief, International Liaison Division

Incl:
Two copies of statement.

			Cr	Dr
Oct.	5	Express charges		1.69
"	26	Accounts paid	60.00	
"	30	Commission charges		3.00
		1943		
Mar.	15	Accounts paid	35.00	
"	31	Commission 1.75, exch. 25 cents		2.00
			24.00	
				1.20
May	30	J. Bob account pd.	5.50	
"	31	Commission charges		.27
"	31	P. Tashoots c/c pd.		
July	21	Commission charges		
		1945	530.42	
				26.52
Mar.	19	Hyland a/c pd		
"	27	Commission charges		
Dec.	28	Bal. of Estate paid to Custodian Dept. Secty of State, 7 O'Connor Street, Ottawa Custodian's file No. 37369		2590.56
			$3526.07	$3526.07

Certified true statement as taken from Estate Ledger.

A.E. Roddis,
Official Administrator.

Economic/J.F.Grandy/S

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA. *(FILE COPY)*

NUMBERED LETTER

TO: Canadian Embassy,
Tokyo

FROM: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, OTTAWA, CANADA.

Reference: Your letter No. 1025 of Sept. 23/54.

Subject: Claim of Mrs. Tanikaze.

Security: UNCLASSIFIED

No: E- 502

Date: July 21, 1955.

Enclosures: 1 cheque.

Air or Surface Mail: Air

Post File No: N-983

Ottawa File No.
614-R-1-40
124 | 29

References

I enclose for transmission to Mrs. Tanikaze the Custodian's cheque No. 32030 dated July 11, 1955, in the amount of $846.25, representing her share in the estate of her father, Mr. Setsuzo Matsuura.

P. A. BRIDLE
Under-Secretary of State
for External Affairs.

Internal Circulation

Distribution to Posts

Ext. 181B (Rev. 2/52)

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

614-R-1-40
4 | 29

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 37369

LL/EMM

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.

July 12, 1955.

The Under Secretary of State for External Affairs,
O T T A W A.

E
1
2
3
4
5
6
7
8
9
10

JUL 13 1955

Reference is made to your memorandum of October 5, 1954, your file number 614-R-1-40, to which was attached numbered letter 1025 from The Canadian Embassy, Tokyo, Japan, enclosing the application of Mrs. Nobuko Tanikaze for the release of her interest in the estate of her father, Mr. Setsuzo Matsuura.

In this connection, I enclose herewith, for transmission to the applicant, the Custodian's cheque No. 32030, dated July 11, 1955, in favor of Nobuko Tanikaze in the amount of $846.25 representing her share in the above mentioned estate.

file

L. Legault,
Administrative Officer.

13/7/55

E

Please Note:

Cheque being held in holding blotter O.R.43834 of July 13th, pending your correspondence.

E.E. F.
Cashier.

Victoria Building,
70 O'Connor Street,
Ottawa 4, Ontario.

July 12, 1955.

37369
LL/EAM

The Under Secretary of State for External Affairs,
O T T A W A.

Reference is made to your memorandum of October 5, 1954, your file number 614-R-1-40, to which was attached numbered letter 1025 from The Canadian Embassy, Tokyo, Japan, enclosing the application of Mrs. Nobuko Tanikaze for the release of her interest in the estate of her father, Mr. Setsuzo Matsuura.

In this connection, I enclose herewith, for transmission to the applicant, the Custodian's cheque No. 32030, dated July 11, 1955, in favor of Nobuko Tanikaze in the amount of $846.25 representing her share in the above mentioned estate.

L. Legault,
Administrative Officer.

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA.

NUMBERED LETTER

TO: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, OTTAWA, CANADA.

FROM: The Canadian Embassy, Tokyo, Japan.

Reference:

Subject: Nishida Tamehito - Release of money deposited with Royal Bank of Canada, Vancouver, B. C.

Security: Unclassified

No: 978

Date: September 6, 1955.

Enclosures: 8m2

Air or Surface Mail: Air

Post File No:

Ottawa File No. 614-R-1-40

11 | 11

References

We attach for onward transmission to the Office of the Custodian, a copy of a translation of a letter from one Tamehito Nishida of the Prefecture of Hiroshima, in which he requests information concerning the release of money deposited in his name with the Royal Bank of Canada in Vancouver, B. C. We should be grateful for an indication of the reply which should be given to Mr. Nishida.

Attached as well is a copy of the letter to Mr. Nishida from the Royal Bank of Canada, to which he refers in his letter.

Refer to Custodian
Filed 124

W Bentinck
for The Embassy.

Internal Circulation

1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

SEP 9 1955

Distribution to Posts

E.

Ext. 182A (Rev. 2/52)

C O P Y

THE ROYAL BANK OF CANADA
EAST END BRANCH

Vancouver, 4, B. C.,

February 11, 1955.

The Sumitomo Bank Ltd.,
Hiroshima Branch,
Hiroshima, Japan.

Dear Sirs:

We are returning your application for the balance of account and securities registered in the name of TAMETO NISHIDA.

All of the above were, in 1942, sent by us through our Ottawa, Ontario Branch, to the Custodian of Enemy Property.

All applications for the return of such property must therefore be made to "The Custodian of Enemy Property, Government of Canada, Ottawa, Ontario." Please forward your application to this department.

Yours truly,

(signed)

A. D. Porper
Pro Manager

Encl.

C O P Y

No. 1561 - 1,
Furuichi, Furnichi-machi,
Asa-gun, Hiroshima-ken.

Dear Sir,

With reference to the War Savs. Cert. $90, deposited in the Royal Bank of Canada, No. 1464, East End Branch, Vancouver, B.C., at the time of my departure from Canada for Japan in Nov., 1941, I have been instructed by the said Bank to contact the Custodian of Enemy Property, Government of Canada.

I shall be very grateful for your instructions as to what steps I have to take for the release of the said amount, as well as $ also deposited. I have the Bank Book with me.

Yours sincerely,

NISHIDA, Tamehito.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. 19419

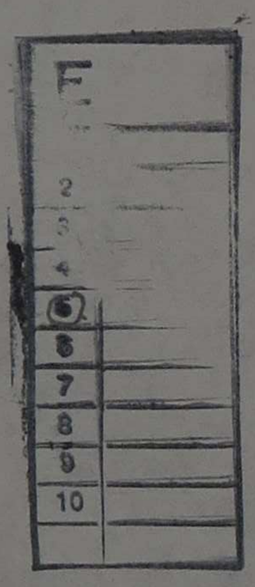
LL/EMM

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.

September 27, 1955.

The Under Secretary of State for External Affairs,
O T T A W A.

614-R-1-40
1361



SEP 28 1955

Reference is made to your Letter No. 978, dated September 6, 1955, from the Canadian Embassy, Tokyo, Japan, to which was attached a letter from Tamehito Nishida requesting information concerning the release of assets deposited with the Royal Bank of Canada, Vancouver, British Columbia.

In this connection I wish to advise that the above named person is a Japanese national and his assets in Canada are subject to Article 14, paragraph 1, of the Treaty of Peace with Japan.

Mr. Nishida should be advised that the release of enemy assets under existing legislation is not permitted.

K. W. Wright,
Chairman of the Administration
Board and Chief Counsel.

E

614-R-1-40

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA. Economic/J.M. Harrington/ym (FILE COPY)

NUMBERED LETTER

TO: THE CANADIAN EMBASSY
TOKYO

FROM: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, OTTAWA, CANADA.

Reference Your letter No. 978 of September 6, 1955

Subject Nishida Tamehito - Release of money deposited with Royal Bank of Canada, Vancouver, B.C.

Security: UNCLASSIFIED

No: E-691

Date: October 31, 1955

Enclosures:

Air or Surface Mail:

Post File No:

Ottawa File No.	
614-R-1-40	
136	

References

The Custodian has now informed us that since Mr. Nishida is a Japanese national his assets in Canada are subject to Article 14, paragraph 1, of the Japanese Peace Treaty. He should therefore be informed that the release of his funds is not permitted under existing legislation.

(Signed) A. E. RITCHIE.
Under-Secretary of State
for External Affairs

Internal Circulation

Distribution to Posts

Ext. 181B (Rev. 2/52)

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA.

NUMBERED LETTER

TO: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, OTTAWA, CANADA.

FROM: The Canadian Embassy,
Tokyo, Japan.

Reference: Your letter dated March 26, 1952 to the Head of the Japanese Overseas Agency

Subject: Estate of Mr. Setsuzo MATSUURA

81

Security: Unclassified

No: 481

Date: June 19, 1956

Enclosures: 1

Air or Surface Mail: Air

Post File No: N-1129

Ottawa File No.
614-R-1-40

75

References

E

1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

JUN 22 1956

Internal Circulation

Distribution to Posts

E

In accordance with the statement of Instructions to Applicants for Release issued by the Custodian of Enemy Property, we append for your necessary action two copies of a statutory declaration and its attachment completed at this Embassy by Mrs. Keiko SASAKI for the release of her interest in the estate of Mr. Setsuzo MATSUURA.

Please enclosure with original and duplicate to Custodian

done 27/6

94

for The Embassy.
gills Lalande

file 1/7/8/9

See file
58-BLX-40
for subsequent letter.
24/8/56
D.N.G.

Ext. 182A (Rev. 2/52)

STATUTORY DECLARATION

I, Keiko SASAKI, do solemnly declare that:

I am a Canadian Citizen by birth and hold Certificate of Canadian Citizenship No.157069, Series A, issued on February 10, 1954.

My actual place of residence is Osaka, Japan. The particulars of my residence since the second day of September, 1939, are as follows:-

September, 1939 to May, 1941:	Dormitory of the Manchuria Telegram and Telephone Co. in Hsinking, Manchuria. (Shinkyo)
May, 1941 to February, 1947 :	Dormitory of the Manchuria Telegram and Telephone Co. in Nagane-cho, Dairen-city, Manchuria.
February, 1947 to May, 1949 :	No.21, 3-chome, Higashi-oji, Akashi-city, Japan.
May, 1949 to November, 1955:	No.96, 1-chome, Tsukamoto-cho, Higashi-yodogawa-ku, Osaka-city.
November, 1955 to present :	No.156, 5-chome, Tsukamoto-cho, Higashi-Yodogawa-ku, Osaka-city.

I was not resident in the British Commonwealth or in any Allied country during the war.

A list of the assets I am claiming is attached. These are being held by the Office of the Custodian in Canada.

I am the owner of one-third of these assets on account of my father's death in 1939.

No person, corporation or society, other than myself, in Japan, has any interest in this part of the above assets.

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

Keiko Sasaki
.....
(Signature)

I, Gilles Lalande, Vice-Consul of Canada in Japan, do hereby certify that the applicant, Keiko Sasaki, of Osaka, Japan, has identified herself by proper evidence. To the best of my knowledge, information and belief, the facts set forth in her application are correct.

Canadian Embassy Ambassade du Canada TOKYO

Gilles Lalande
.....
(Signature)

ESTATE OF SETSUZO MATSUURA, Died December 31st, 1939
Statement of Receipts & Expenditures

				Cr.	Dr.
40				$	$
May	14	Cash on Person		588.16	
"		Paid Dr. Roth			82.21
"		" Hospital			75.00
"		" Special Nursing			60.00
"		" Funeral A/C per Bruce Morton			185.00
"		" Telegrams 8,70			8.70
"		" Express charges personal effects			12.05
"	18	Received sale of stock		444.64	
"		Paid Wages Ned Tate, Watchman			46.50
"		" Bank Exchange			1.50
"		Received Sundry Accounts		202.75	
"		Bank exchange Paid			.25
"		Commission charges Paid			61.77
"	25	Accounts Paid HYland & Carmen		89.52	
Aug.	10	Cash Sales		261.87	
"	30	Bank exchange			.65
Sept	5	Commission charges			13.18
1941					
Mar	28	Credit from malkin coy			
"		Exchange on cheque		9.44	
Apr.	16	Bank of Montreal a/c			.25
"		Paid Bank exchange		945.01	
"		Sale of Rifle			4.73
"	19	Dominion tax on Estate		8.00	
"		Commission charges			171.70
"		Brown & Harvey Legal fees			48.12
June	6	Cash found in effects			92.05
Nov.	7	Sale of tie pin		.50	
Dec.	6	Commission charges		10.00	
1942					.50
Jan.	12	Payment of account w. Hughes			
"		Paid Hudson Bay Account		16.76	
"	30	Charges			20.75
Feb.	23	Rec'd from P. Blue Est.			.84
"	28	Commission charges		19.50	
May	28	E. Smythe a/c pd.			.97
"	30	Commission charges		10.00	
July	28	PIN. WATCH & CHAIN			.50
"	31	Exch on cheque		74.30	
Aug.	1	Commission charges			.37
Sept	23	Sale effects H. Vance			3.71
Oct	5	Commission charges		190.70	
"	"	Express charges			9.53
"	26	Accounts paid			1.69
"	30	Commission charges		60.00	
					3.00

...2

1943				
Mar.	15	Accounts paid	35.00	
"	31	Commission 1.75 exch. 25¢		2.00
May	30	J. Bob account pd.	24.00	
"	31	Commission charges		1.20
"	"	P. Tashoots c/c pd	5.50	
July	21	Commission charges		.27
1945				
Mar.	19	Hyland a/c pd	530.42	
"	27	Commission charges		26.62
Dec.	28	Bal. of Estate paid to Custodian Dept. sectry of State. 7 O'Connor Street Ottawa Custodian's file No.37369		2590.56
		Certified true statement as taken from Estate Ledger.	$3526.07	$3526.07

A. E. Roddis,
Official Administrator.

Internal
Circulatio

Distribution
to Posts

Ext. 181B (Rev. 2/52)

Economic/J.McAvoy/pl

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA. *(FILE COPY)*

NUMBERED LETTER

TO: THE CANADIAN EMBASSY, TOKYO, JAPAN.

FROM: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, OTTAWA, CANADA.

Reference: Your letter No. 481

Subject: Keiko Sasaki.

Security: UNCLASSIFIED

No: E- 504

Date: September 6, 1956.

Enclosures: one

Air or Surface Mail: Air

Post File No:

Ottawa File No. 614-R-1-40

24 | 24

References

Copy on "C" 58-BLX-40

From the attached letter, confirmed by the Department of the Secretary of State, it is evident that Mrs. Sasaki possesses dual nationality. Therefore her application for the release of her interest in the estate of Setsuzo MATSUURA must remain in abeyance pending a report from you covering her wartime activity. It would be appreciated if you could advise us when you have made the investigation.

O. G. STONER

Acting Under-Secretary of State for External Affairs.

Internal Circulation

Distribution to Posts

Ext. 181B (Rev. 2/52)

Economic/J.F.Grandy/S

File

DEPARTMENT OF EXTERNAL AFFAIRS

MEMORANDUM

TO: Mr. Ritchie

FROM: J. F. Grandy

REFERENCE:

SUBJECT:

Security UNCLASSIFIED

Date September 30, 1955

File No. 614-R-1-40

145 — —

To Mr. Ritchie
Thanks
Both cases
T.C.D.

Returned with thanks
W.B.-

There are two Japanese Custodial cases in which Mr. Davis is interested. The first is the release of Mrs. Kittson's assets. On this, we have written to the Custodian's Office re-stating the case and informing them that if the Custodian feels he has no discretion under the Order-in-Council, we will prepare a memorandum for the Cabinet which we would hope the Custodian could support. The Custodian's Office have now replied that they will submit our draft memorandum to the Custodian when they get it. I propose to draft a memorandum now for the Cabinet. The Custodian's Office may not feel so restricted when the Cabinet will be taking the responsibility instead of the Custodian alone.

The other case is Mrs. Kato's bond. She was the wife of a former Japanese Minister in Ottawa. On this, I am writing to the Custodian putting forth some new arguments, with the suggestion that if he cannot deal with this as a unique case, it too should go to Cabinet, probably at the same time as Mrs. Kittson's case. I think we should be able to get something up to Cabinet within the next two weeks.

Also mentioned: Captain Minion
Percy Clark

J. F. Grandy.

Ext. 326
(2/53)

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA.

NUMBERED LETTER

TO: THE UNDER-SECRETARY OF STATE FOR EXTERNAL AFFAIRS, OTTAWA, CANADA.

FROM: The Canadian Embassy, Tokyo, Japan

Reference: Your letter No. E-504 of September 6, 1956

Subject: Keiko Sasaki

Security: UNCLASSIFIED

No: 727

Date: September 28, 1956

Enclosures:

Air or Surface Mail: Air

Post File No: 1129

Ottawa File No. 614-R-1-40

146 | 75

References

Refer Custodian (action) & file Ref Oct 1/56 (24)

E

1 2 3 4 5 (6) 7 8 9 10

OCT 1 1956

Internal Circulation

Distribution to Posts

F

Ext. 182A (Rev. 2/52)

This will refer to your request for a report covering the wartime activity of Keiko Sasaki before consideration can be given to her application for the release of her interest in the estate of Setsuzo MATSUURA.

2. You will agree that Mrs. Keiko Sasaki has already submitted in a statutory declaration, which was referred to you in duplicate under our letter No. 481 of June 19, 1956, relevant particulars of her residence during the war. Our understanding is that she accompanied her husband to Manchuria and established residence in the dormitory of the Manchuria Telegram and Telephone Company in Magane-cho, Dairen-city. We further understand that during the period of her stay in Manchuria she gave birth to a daughter. It is believed that very little information might be added to this if we were to call her in for a detailed report on her wartime activity.

3. We are, therefore, inclined to seek clarification of your intentions before imposing upon Mrs. Sasaki a trip from Osaka - some 350 miles from Tokyo - for the purpose of having her produce another statutory declaration. You will recall that the similar case of Nobuko TANIZAKE (your file 614-R-1-40), who also applied for the release of her interest in the assets of the late Setsuzo Matsuura, was processed by the Custodian on the basis of a statutory declaration similar to the one submitted by Keiko Sasaki, and without further request for a report covering her wartime activity.

4. In any event if a detailed report is still deemed necessary, we shall be pleased to submit one on the basis of a declaration which we would have Mrs. Sasaki make for this purpose.

Gilles Lalande
for The Embassy

NO EVACUEE INTEREST