4606-C-13-40 Pt.2

ACCESS REVIEWED:

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~~VOL/BOX 95~~ 6871

FILE 4606-C-13-40 pt 2

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4606-C-13-40

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Subject:

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Date	Referred To	Returned	Date	Referred To	Returned

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OTTAWA

4606-C-13-40 pt 2

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FILE ✓
MR. TEAKLES
CIRCULATION
...ARY

Far Eastern Division/R.V.Gorham/rz

DEPARTMENT OF EXTERNAL AFFAIRS

MEMORANDUM

TO: Legal Division

FROM: Far Eastern Division

REFERENCE:

SUBJECT: REQUEST BY JAPANESE GOVERNMENT FOR INFORMATION CONCERNING PROPERTY SEIZED BY THE CUSTODIAN OF ENEMY PROPERTY

CONFIDENTIAL

Security

October 3, 1962

Date

File No. 4606-C-13-40

20 | — |

On Tuesday, October 2, Mr. Yanai of the Japanese Embassy and three officials of the Japanese Ministry of Finance and Ministry of Justice called on the Far Eastern Division to discuss a legal suit against the Japanese Government by a Canadian citizen, Mr. T. Shimotakahara of Montreal.

2. Mr. Shimotakahara alleges that a Japanese government "dollar" bond owned by him was deposited for a time with a Japanese trust firm in Vancouver before the outbreak of war with Japan in 1941. He claims to have possession of this bond and is suing the Japanese Government for having paid the proceeds of the bond to two Japanese individuals in Japan during the war. The two individuals in question are Mr. T. Noritake and Mr. T. Hara who were officials of the Nikko Company, a Japanese trust company in Vancouver before the war. These gentlemen were repatriated to Japan on the Gripsholm in May, 1942. In Japan they claimed that the bond was actually owned by their company but was left with Mr. Shimotakahara for safekeeping prior to their repatriation to Japan. On the basis of the evidence submitted to the Japanese authorities at that time, the cash value (in yen) of the bond was paid to these two gentlemen. When Mr. Shimotakahara learned of this after the war he brought a suit against the Japanese Government.

3. The assets of the Nikko Company were seized by the Custodian of Enemy Property upon the outbreak of war with Japan and were subsequently liquidated. Mr. Yanai and his colleagues were told on Monday by the Deputy Custodian that the account books and other business ledgers of the company are still held in the office of the Custodian but that these could not be revealed. The Japanese officials are anxious to examine the Nikko Company's books to ascertain whether there is any record of the bond in question being owned by the company or whether it was owned by the plaintiff and merely deposited temporarily with the company as he alleges.

4. Mr. Yanai drew our attention to a section of the Trading With The Enemy Act which indicates that the Custodian must reveal the records of all property administered by him. Mr. Yanai said he was

. . .2

told by the Deputy Custodian that the ledgers in question did not constitute "property" within the meaning of the Act and could not, therefore, be revealed. Mr. Yanai would like to know if this decision is correctly based on Canadian law or government policy and whether there is any means by which the Japanese authorities can obtain the information they desire.

5. Mr. Yanai was told that the matter did not come within the competence of Far Eastern Division and would be referred to the Legal Division which would advise him of what action he might take.

6. We should be grateful if you would look into this matter and advise the Japanese Embassy accordingly.

J. M. TEAKLES

Far Eastern Division.

4606-C-40

4606-C-13-40

DEPARTMENT OF FINANCE
CANADA

To Napier
FEB 23 Rec'd
REGISTRY
4606-C-13-40

Ottawa, February 22, 1960.

Your File No.
4606-C-13-40

Refer Canadian Embassy Tokyo
M. Sicotte
Dear Sir: 24/60

The Under-Secretary of State
for External Affairs,
East Block,
Ottawa, C a n a d a.

Attention: Mr. Gilles Sicotte

Dear Mr. Sicotte:

I refer to your letter of February 15th, 1960, with enclosures concerning a Miss (or Mrs.) Hanaya Suguro.

I believe that Mr. Robitaille's letter to you of February 18th, 1960, takes care of the type of answer which you might supply. We have nothing to add to the information contained therein.

Yours very truly,

H. D. Clark.

H. D. Clark.

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE
PLEASE REFER TO
FILE No.....

Legal Section

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

MR/fb

262 Wellington St., Ottawa 4.

February 18, 1960.

Mr Napier
TO
FEB 19 Recd
REGISTRY
4606-C-13-40
88

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

Refer Canadian Embassy Tokyo
Mr Shields Done 24-2-60
Mr Napier to file
C. V. COFF

Would you please refer to your reference slip of February 15, 1960, to which were annexed copy of your letter of same date to the Deputy Minister, Department of Finance, under your file No. 4606-C-13-40, and copy of letter No. 94 dated February 5, 1960, from the Canadian Embassy, Tokyo, Japan, with respect to an Acknowledgement Slip No. 871 dated July 23, 1946 issued at Slocan City, B.C., by the Department of Finance in the name of Hanaya Suguro.

It would appear that Hanaya Suguro has been repatriated to Japan in July or August 1946 pursuant to Order-in-Council P.C. 7355 dated December 15th, 1945. In accordance with the Order-in-Council, an advance of $200.00 was made to Hanaya Suguro at the time of repatriation and any amount so advanced was recoverable from the person to whom it was paid, from any money to the credit of such person with the Custodian of Enemy Property. The amount of $95.05 represented one half of the funds in a joint account held by the Bank of Montreal to the credit of Hanaya Suguro and Shichitaro Suguro and this amount had been sent to this office by the Bank of Montreal. Subsequently and as provided for in the Order-in-Council, the amount of $95.05 was remitted either to the Department of Finance or to the Department of Labour, and I am enclosing herewith copy of a letter dated October 22nd, 1946, addressed to the Custodian of Enemy Property of Vancouver. This copy was made from a microfilm; unfortunately, there is no heading on that letter which would indicate the Department from which it emanates but it may be that the Department of Finance, to which copy of the present as well as copy of the letter of October 22nd, 1946 are sent, will be able to identify its source.

You will therefore appreciate that the Custodian holds no assets for Hanaya Suguro and that on the contrary, she is indebted in the amount of $104.95 for advances made when she was repatriated.

M. Robitaille
Assistant Deputy Custodian
and Counsel.

4606-C-13-40

4606-C-13-10

COPY/fb

711 Stock Exchange Bldg.,
475 Howe Street,
Vancouver, B.C.,

October 22nd, 1946.

Custodian of Enemy Property,
Royal Bank Building,
Vancouver, B.C.

TREASURY DEPT. CLAIM $104.95

Dear Sir:

Re: Suguro, Hanayo No. 2620
12059

Please note that the above has been repatriated to Japan. At the time of repatriation, the following transaction took place:

Cash turned in ----------$ 95.05

Draft issued----------$ 200.00

It will be seen that this Japanese is indebted to the Department on account of repatriation in the amount of $104.95. Therefore, should you receive further funds on this account such funds should be turned into this office. It will be applied first to recoup the expenditure made and, second, if there is any surplus such surplus will be remitted to Japan for the account of the Japanese in question.

Yours truly,

(Sgd.) F. G. Coburn,
Supervising Treasury Officer.

PGC/EJ.

Legal/C.V.Cole/JO

c.c. Dept. of the Secretary of State
(custodian's Office)

Refer Tokyo cwc 24/2/60 Done JO Jul. 24/60 file J4 cwc

4606-C-13-40
88 5-

Ottawa, February 15, 1960.

Our File No: 4606-C-13-40

The Deputy Minister,
Department of Finance,
Ottawa, Ontario.

...

I attach a copy of letter 94 of February 5, 1960 from The Canadian Embassy, Tokyo, reporting an enquiry by a Miss (or Mrs.) Hanaya Suguro whether she can apply for release of assets held in her name in the amount of $95.05. The enclosure to the Embassy's letter, namely, copy of Acknowledgement Slip No. 871 dated July 23, 1946 issued at Slocan

...

City, B. C. by your Department, is also attached. I should be grateful if you could advise me as to the reply that the Embassy should send to Miss (or Mrs.) Suguro.

A copy of this letter is being sent to the Department of the Secretary of State (Custodian's Office) for their information.

GILLES SICOTTE

Under-Secretary of State
for External Affairs

4606-C-13-40

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA.

NUMBERED LETTER

THE UNDER-SECRETARY OF STATE FOR
EXTERNAL AFFAIRS, OTTAWA, CANADA.

FROM: The Canadian Embassy,
Tokyo, Japan.

Reference:

Subject: Release of Vested Assets in Canada to
Miss (or Mrs.) Hanaya SUGURO

Security: UNCLASSIFIED

No: 94

Date: February 5, 1960

Enclosures: One

Air or Surface Mail: Air

Post File No: 5-6-1-2

Ottawa File No.
4606-C-13-40
56 5

L TO: Mr Napier
FEB 10 Rec'd
REGISTRY

References

The above-mentioned person has submitted to this Office Acknowledgement Slip No. 871 dated July 23, 1946 issued at Slocan City, B. C. by the Department of Finance (copy attached), with a request to let her know whether she can apply for release of assets held in her name by the Custodian's Office in the amount of $95.05. Miss (or Mrs.) Suguro explained in her letter that she had lost for some time this document and consequently was unable to produce it before. She also claims that she returned to Japan in 1946. Her present address is Yu-u, Towa-machi, Oshima-gun, Yamaguchi-ken.

2. We assume that you will let us know what reply should be sent to Miss (or Mrs.) Suguro.

Gitts Lalande

The Embassy.

Internal Circulation

L

Distribution to Posts

Ext. 182A (Rev. 2/52)

4606-C-13-40

PLEASE REFER TO
FILE No.....

CS/MR/pc

4606-C-13-40 pt 2
88 5

VEUILLEZ CITER NOTRE
Nº.....

For Eastern Division
To see, and file, please.
27/1/60. AN

Legal Div.
Mr Napier
AN. 27/1/60 Semple

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
SECRÉTARIAT D'ÉTAT

OTTAWA, January 21, 1960.

Mr. Marcel Cadieux,
Assistant Under-Secretary of State
and Legal Adviser,
Department of External Affairs,
East Block,
Ottawa, Ontario.

Please refer to your letter dated December 17, 1959, with which there was enclosed a list of seven questions submitted by the Japanese Government concerning Japanese external assets vested in the Canadian Custodian of Enemy Property.

In the course of a recent conversation the Assistant Deputy Custodian and Counsel informed Mr. Napier, of your department, that, due to the amount of work involved, it would take several weeks to furnish replies to all the questions. Mr. Napier thereupon suggested that a reply be given immediately to question No. 5, leaving the other six questions to be answered later.

I accordingly enclose herewith my draft of the answers which I think you might give to the four parts of question No. 5, together with a copy of our printed "Instructions to Applicants for Release" and a copy of order in council P.C. 7355, dated December 15, 1945. I leave it to you to decide whether a copy of the order in council should accompany the answer.

a copy of reply to question 5
together with copy of "Instructions to Applicant for Release" and a copy of order in Council P.C. 7355
given by hand to Mr Katayama from Japanese Embassy
29/1/60 JS

C. Stein,
Under Secretary of State
and Deputy Custodian.

Encl.

22.1.20(US)

trace the whereabouts of the former owners of the assets, which total $2,112.91.

4606-C-13-40

January 21, 1960.

I

Question No. 5 asked by the Embassy of Japan in Canada
re: Japanese external assets vested in the Canadian Custodian.

5.(1) Q. To whom have restitutions been made.

A. See the answers to subquestions (2), (3) and (4) of present question 5.

(2) Q. Qualifications necessary to obtain restitution and the procedure for filing claims.

A. In order to obtain the release of his assets a former owner must satisfy the Custodian that his assets come within the exception provisions of article 14 of the treaty of peace with Japan and he must file an application in accordance with the printed "Instructions to Applicants for Release", a copy of which is attached hereto.

(3) Q. Assuming a claimant, by establishing his Canadian citizenship, may demand restitution, is there any regulation limiting the place of residence of the claimant.

A. The assets may not be released where their former owner is either only a Japanese national or both a Japanese national and a Canadian citizen (whose residence in an enemy country during the war usually was the reason for the vesting of his assets in the Custodian) and his case does not come within order in council P.C. 7355, referred to in the answer to subquestion (4) hereof.

(4) Q. Could repatriates from Canada, now residing in Japan, by establishing their Canadian citizenship, file claim for restitution.

A. No, except in those cases which come within the provisions of order in council P.C. 7355 dated December 15, 1945. This order in council vested in the Custodian the assets of Japanese repatriates unsold at the time of their departure from Canada and provided for the liquidation of same and the release of their proceeds by the Custodian to their former owners. There are only two of such cases outstanding; we have not been able to trace the whereabouts of the former owners of the assets, which total $2,112.91.

4606-C-13-40-2

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

TO: Mr Napier
Jan 4 Recd
REGISTRY

OJC/emm

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 57711

Volume I.

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

December 30, 1959.

4606-C-13-40-2
88 | 26

MEMORANDUM TO:

The Under-Secretary of State
for External Affairs,
O T T A W A.

D-7

Phoned Ceappy. Register was received by him to-day. File AN 5/1/60.

Attention: Mr. A. Napier

I would refer to my letter of October 27th last in connection with the Family Register of the late Kazuichi Shiraishi.

A firm of solicitors in Vancouver have been urgently requesting a decision in this case and I would appreciate it if you would ask our Embassy in Japan if they expect to obtain this Family Register within the near future.

O. J. Ceappy,
Administrative Officer.

0967/amm

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 57711

Volume I.

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

December 30, 1959.

MEMORANDUM TO: The Under-Secretary of State
for External Affairs,
O T T A W A.

Attention: Mr. A. Napier

I would refer to my letter of October 27th last in connection with the Family Register of the late Kazuichi Shiraishi.

A firm of solicitors in Vancouver have been urgently requesting a decision in this case and I would appreciate it if you would ask our Embassy in Japan if they expect to obtain this Family Register within the near future.

O. J. Ceappy,
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: Your letter No. L-411 of Oct. 29, 1959

Subject: Family Register of the late Mr. Kazuichi Shiraishi

Refer copy to the Office of the Legislative Assistant and file, please. Ma. D. Leach 4/11/60

31/12/59.

TO: Mr. Hopkins
10 Dec 28 Recd
REGISTRY

Security: UNCLASSIFIED

No: 837

Date: December 23, 1959

Enclosures: One

Air or Surface Mail:

Post File No: 648

Ottawa File No.
4606-C-13-40

88 | 88

References

In reply to your letter under reference, I am attaching a copy of the family register of the late Mr. Kazuichi Shiraishi, together with a translation by the Ministry of Foreign Affairs.

J. E. Bryson
The Embassy

Internal Circulation

L

Distribution to Posts

Ext. 182A (Rev. 2/52)

(Translation)

HOYA TOWN OFFICE
TOKYO METROPOLIS

EXTRACT FROM STRUCK-OFF FAMILY REGISTER

Permanent domicile: # 558/1, Oaza Kamihoya, Hoya-machi, Kitatama-gun, Tokyo.

Head of family: Kazuichi Shiraishi
(crossed off)
Father: Torakichi Shiraishi
Mother: Hina
Relationship: 2nd son
Born: 28 January 1884

Date of receiving birth report as well as name of birth place, status and name of person submitting birth report not being ascertained by report on transfer of domicile, entry relating to birth omitted.

Report on establishment of a branch family by subject, 2nd son of Torakichi Shiraishi, head of family, # 1, Oaza Umeda-machi, Mitsuhama-machi, Onsen-gun, Ehime-ken, received on 14 January 1918.

Report on marriage to Hisako Watanabe received on 25 January 1918.

Report on divorce from Hisako, wife, by agreement received on 3 November 1919.

Report on marriage to Yasu Matsuda received on 2 June 1925.

Report on transferring domicile from # 2519, Aza Niitachi, Mitsuhama-machi, Onsen-gun, Ehime-ken, received on 4 June 1935.

Due to change of place-names effected on 10 November 1940, in column of permanent domicile, "Hoya-mura" amended as "Hoya-machi".

Died at # 2221, Takahama-cho Itchome, Matsuyama-shi, Ehime-ken, on 9 July 1945 at 1:50 p.m.; report on death received from Masuo Shiraishi, inmate, on 16th same month.(This entry deleted as it was made by an oversight.)

Upon receipt on 14 August 1945 of report on succession to headship of family by Masuo Shiraishi, this register struck off.

Entry relating to death having been made by an oversight, with permission of court dated 3 December 1959, same entry deleted on 5th same month.

Lost Japanese nationality on 2 February 1940 through acquisition of Canadian citizenship at own wishes; report thereof received from Director of Civil Affairs Bureau, Ministry of Justice, on 5 December 1959: name thereby struck off register.

—

Wife: Yasu

(Entries omitted)

—

Adoptive daughter: Kimi

(Entries omitted)

—

Certified that the foregoing is a true and correct extract from the entries related in the Official Struck-off Register of Families.

Akitoshi Harada (Official Seal)
Mayor of Hoya Town, Kitatama County,
Tokyo Metropolis.

December 14, 1959

—

Examined and authenticated by the Ministry of Foreign Affairs.

DEC. 21. 1959

Toru Mori
Secretary,
Ministry of Foreign Affairs.
(Archives Section)

Note for Mr. Napier

file AN 16/12/59.

4606-C-13-40
88 ✓

[illegible] surmised, the Japanese Embassy would like to receive information about our laws and regulations dealing with the seizure of enemy property. Attached are two copies of a questionnaire, to which they would appreciate answers in due course. (There is no deadline).

You may wish to send a reply to the Embassy direct or through us for onward transmission. Many thanks.

A.E. B[illegible]

Far Eastern Division,
December 10, 1959.

4606-C-13-40

4606-C-13-HD

1. Under what laws and regulations and how seizure of enemy property conducted in Canada.
2. Total number of Japanese property seized.

   Types of property: (a) corporate
   (b) private
   (c) movable
   (d) immovable

3. Total value of disposed property.
4. Total number of restitutions made since the end of the war -- types and value.
5. To whom have restitutions been made.

   Qualifications necessary to obtain restitution and the procedure for filing claim.

   Assuming a claimant, by establishing his Canadian citizenship, may demand restitution, is there any regulation limiting the place of residence of the claimant.

   Could repatriates from Canada, now residing in Japan, by establishing their Canadian citizenship, file claim for restitution.
6. According to the minutes submitted to the Privy Council on July 15, 1952, the total value of Japanese assets transferred to the Ministry of Finace was $3,000,000 ($2,680,000 in bonds and $320,000 in cash). Did these assets include both private and corporate.
7. Treatment of German property in Canada. (Were they handled on similar basis as Japanese property.)

4606-C-13-40

TRANSMITTAL SLIP

TO: Under Secretary of State for External Affairs

FROM: The Canadian Embassy, Tokyo.

The documents described below are for your information.

Despatching Authority: Guy Choquette

Security: Unclassified

Date: November 18, 1959

Air or Surface:

No. of enclosures: 1

4606-C-13-40 2
88 88

Copies	Description	Also referred to:
4	For transmission to the Office of the Custodian. Refer copy to the Office of the Custodian (Attention: Assistant Deputy and file, please 23/11/59.	Custodian Custodian),

Guy Choquette
Second Secretary

Miss Shizue Maikawa,
No. 375, Matsubara-cho,
Hikone-shi, Shiga-ken.

Ext. 250 (Rev. 10/51) *(Instruction on Reverse Side)*

for informational purposes
vice versa.
documents requiring action.
authorizing the despatch
"Despatching

Guy Choquette/ps

Tokyo, November 16, 1959.

file #18
23/11/59
Done
24/11/59
G. C.

Dear Miss Maikawa,

I have your letter of November 5 and enclosures in which you state that the Office of the Custodian in Canada is holding, in the name of your father Tomekichi Maikawa, a residue of estate amounting to $441.50.

It appears from the Custodian's letter of March 13, 1955 to you that, in order to obtain the release of the above-mentioned sum, you should complete and forward to the Custodian the draft declaration which he sent to you. I would, therefore, suggest that you comply with this procedure. If you have lost the draft declaration form, I would suggest that you ask the Custodian to send you another one.

Yours sincerely,

Guy Choquette

Guy Choquette
Second Secretary

Miss Shizue Maikawa,
No. 375, Matsubara-cho,
Hikone-shi, Shiga-ken.

4606-C-13-40

c.c. Office of the Custodian Legal/A.Napier/ES

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:

Subject: Family Register of the late Mr. Kazuichi Shiraishi

Security: UNCLASSIFIED

No: L- 411

Date: October 29, 1959

Enclosures:

Air or Surface Mail:

Post File No:

Ottawa File No.
4606-C-13-40

47 | 47

References

I am attaching a copy of a self-explanatory letter of October 27, 1959, from the Office of the Custodian. Would you please try to obtain a copy of the Family Register of the late Mr. Kazuichi Shiraishi.

for G. C. LANGILLE
Under-Secretary of State
for External Affairs

Internal Circulation

Distribution to Posts

Ext. 181B (Rev. 2/52)

4606-C-13-40

OJC/AD

CANADA
DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN
Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.
October 27th, 1959.

TO: Mr. Napier
OCT 28 Rec'd
REGISTRY

4606-C-13-40 1
88 88

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 57711 Vol. I

MEMORANDUM TO THE UNDER SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,
O T T A W A.

File A.O 25/10/59.

For sometime now the Custodian has been endeavouring to obtain a copy of the Family Register of the late Kazuichi SHIRAISHI, who died in Japan in 1945.

We have been informed that the legal domicile of the late Mr. Kazuichi Shiraishi was No. 558 Kamihoya, Hoyamachi, Kitatama-gun, Tokyo, and the daughter of the deceased is presently residing at No. 61 Shoen Minami-cho, Suginami-ku, Tokyo.

Would you kindly contact our Embassy in Japan and request them to obtain a copy of the late Mr. Kazuichi Shiraishi's Family Register. The Custodian is being pressed for a release in this case, but without this document no final decision can be made.

O.J. Ceappy

O.J. Ceappy,
Administrative Officer.

L

4606-C-13-40

4606-C-13-40

KWW/emm

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

CONFIDENTIAL

BY HAND

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.....

Refer copy to the Canadian Embassy, Tokyo, and file. 20/5/59. Done 23/5/59 please

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

May 14, 1959.

4606-C-13-40
55 36

TO: Mr. Napier
MAY 15 Rec'd
REGISTRY

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

Attention: Mr. J. L. Delisle

Re: Release of Japanese Assets
in Canada to Repatriates
Your file 4606-C-13-40

I have for acknowledgment your communication of 28th ultimo, attaching -

Letter No. 299 from the Canadian Embassy, Tokyo, Japan.

Translation - House of Councillors' Foreign Affairs Committee Minutes for March 12, 1959.

Translation - House of Councillors' Foreign Affairs Committee Minutes for March 19, 1959.

Translation - House of Councillors' Foreign Affairs Committee Minutes for March 26, 1959.

The following is a summary of authorizations and steps taken by the Custodian to control assets of persons of the Japanese Race:

1. The declaration of war with Japan on December 7th, 1941, created the immediate need for control by the Custodian of Japanese Enemy Assets.

2. Early in 1942, the Government decided to evacuate some 23,000 persons of the Japanese Race from an area in British Columbia, the boundaries of which were defined by Government Notice of February 27, 1942. To implement supervision and direct the evacuation from this area, Order in Council P.C. 1665 dated March 4, 1942, was passed, establishing the British Columbia Security Commission under the Department of Labour, with wide powers in regard to the movement of all persons of the Japanese Race, within and without the Protected Area. The Order in Council also provided for the vesting and control by the Custodian, as a protective measure, of all property delivered up or upon which evacuation was left in the Protected Area. (See Section 12).

The section referred to was amended by Order in Council P.C. 2483, dated 27th March, 1942.

By Order in Council P.C. 469, passed on the 19th day of January, 1943, provision was made for liquidation of the Japanese property.

..... 2.

4606-C-13-40

3. Repatriation

About the middle of July 1943 the Custodian was informed of the possible repatriation of a number of Japanese who had applied to the Spanish Government Authorities for this purpose. The final list contained sixty-one names. Arrangements were made for the assembly of these people in Winnipeg and The Western Trust Company, Agents of the Custodian in that City, were furnished with all information we had regarding available cash and property of such persons under Custodian control. Each adult was allowed to take from Canada $333.00 in the form of $300.00 U. S. funds. The balance of their assets vested in the Custodian and their accounts and files were transferred to the "Enemy Section" of the Custodian records. All persons holding naturalization certificates surrendered same prior to departure. This group sailed on the "Gripsholm" from New York on September 2nd, 1943, en route to Mormugao, Portuguese East India. According to our records the assets formerly owned by these repatriates amounted to approximately $140,000.

4. Deportation

In March, 1945 the Custodian was advised regarding a policy designed to encourage any Japanese desiring to do so, to ask for repatriation. According to officials of the Department of Labour, Japanese Division, many requests had been made to the Spanish Consular Authorities, acting as the Protecting Power in Canada for the Japanese Government, and also to your Department, expressing a desire to be repatriated during the war. The Department of Labour conducted a survey and secured signed applications from those desiring to return to Japan.

Order in Council P. C. 7355 (copy attached) dated December 15th, 1945 authorized the Department of Labour to make necessary arrangements for repatriation of:

Nationals who requested repatriation.

Naturalized Canadians who requested repatriation and did not revoke prior to September 1st, 1945.

Natural born Canadians who requested repatriation and who did not revoke prior to the signing of order for deportation.

The Order in Council provided for the deposit of money in the possession of the Japanese requesting repatriation or standing to his credit in Canada, with the Custodian, for the purpose of suitable foreign exchange and transfer of same to such Japanese whenever reasonably possible.

There were five sailings from Vancouver as follows:

May 31st, 1946	-	"Marine Angel"	668 persons
June 17th, 1946	-	"General Meigs"	1,106 "
Aug. 2nd, 1946	-	"General Meigs"	1,377 "
Oct. 2nd, 1946	-	"Marine Falcon"	523 "
Dec. 24th, 1946	-	"Marine Falcon"	290 "
		Total number returned to Japan	3,964.

..... 3.

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In addition to provisions in Order in Council P.C. 7355 relative to cash available at the time of departure for Japan, property not sold or otherwise disposed of, such as real and personal property, vested in the Custodian and after liquidation the proceeds were to be available for transfer whenever reasonably possible.

No Real Estate which remained unsold was owned by any Repatriate and household effects and chattels which they owned and were using at the time of deportation, were all disposed of by themselves prior to sailing.

The balance of proceeds from liquidation of personal assets realized since their departure and still held to their credit amounts to $3,162.52. The present whereabouts of the owners is unknown.

Disposition of funds received from Japanese enemies is covered by Order-in Council P.C. 1953-434, (copy enclosed). See also The Appropriation Act, No. 4, 1952, 1 Elizabeth II, Chapter 55, Vote 696, which reads as follows:

"To authorize

(a) the Custodian of Enemy Property to transfer to the Minister of Finance such property, including the proceeds and earnings of property, that is vested in the Custodian in reppect of World War II as the Governor in Council prescribes,

(b) the Minister of Finance to hold, sell or otherwise administer property received by him from the Custodian under paragraph (a) or from other sources by way of reparations by former enemies (except Italy) in respect of World War II, and

(c) the Minister of Finance to establish a special account in the Consolidated Revenue Fund to be known as the War Claims Fund, to which shall be credited all money received by him from the Custodian under paragraph (a) or from other sources by way of reparations by former enemies (except Italy) in respect of World War II, the proceeds of sale of property under paragraph (b), the earnings of property specified in paragraph (b) and amounts recovered from persons who have received overpayments in respect of claims arising out of World War II;

and, notwithstanding section 35 of the Financial Administration Act, to provide for payment out of War Claims Fund in the current and subsequent fiscal years, in accordance with regulations of the Governor in Council, to persons who claim compensation in respect of World War II, for the payment out of the War Claims Fund in the current and subsequent fiscal years of expenses incurred in investigating and reporting on claims of those persons and for the repayment out of the War Claims Fund to Vote 128 (miscellaneous minor and unforseen expenses) of all amounts that have been paid out of that Vote pursuant to The War Claims Interim Compensation Rules established by Order in Council, P. C. 667 of February 4, 1952.

I trust this is the information you require.

Yours very truly,

K. W. Wright,
Chairman of the Administration Board
and Chief Counsel.

Encls.

OH-13-C-906

COPY
emm

Order in Council re deportation of Japanese

P.C. 7355.

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 15th day of December, 1945.

PRESENT:

HIS EXCELLENCY

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS during the course of the war with Japan certain Japanese nationals manifested their sympathy with or support of Japan by making requests for repatriation to Japan and otherwise;

AND WHEREAS other persons of the Japanese race have requested or may request that they be sent to Japan;

AND WHEREAS it is deemed desirable that provisions be made to deport the classes of persons referred to above:

AND WHEREAS it is considered necessary by reason of the war, for the security, defence, peace, order and welfare of Canada, that provision be made accordingly;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, concurred in by the Secretary of State for External Affairs, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to make and doth hereby make the following Order,-

- O R D E R -

1. In this Order, unless the context otherwise requires:

(a) "deportation" means the removal pursuant to the authority of this Order of any person from any place in Canada to a place outside Canada;

(b) "deported" means removal or sent from Canada pursuant to the authority of this Order;

(c) "Minister" means the Minister of Labour;

(d) "request for repatriation" means a written request or statement of desire, to be repatriated or sent to Japan.

2./

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2. (1) Every person of sixteen years of age or over, other than a Canadian national, who is a national of Japan resident in Canada and who,

(a) has, since the date of declaration of war by the Government of Canada against Japan, on December 8th, 1941, made a request for repatriation: or

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(b) has been in detention at any place in virtue of an order made pursuant to the provisions of the Defence of Canada Regulations or of Order in Council P.C. 946, of the 5th day of February, 1943, as amended by P.C. 5637, of the 16th day of August, 1945, and was so detained as at midnight of September 1st, 1945;

may be deported to Japan.

(2) Every naturalized British subject of the Japanese race of sixteen years of age or over resident in Canada who has made a request for repatriation may be deported to Japan: Provided that such person has not revoked in writing such request prior to midnight the first day of September, 1945.

(3) Every natural born British subject of the Japanese race of sixteen years of age or over resident in Canada who has made a request for repatriation may be deported to Japan; Provided that such person has not revoked in writing such request prior to the making by the Minister of an order for deportation.

(4) The wife and children under sixteen years of age of any person for whom the Minister makes an order for deportation to Japan may be included in such order and deported with such person.

3. Subject to the provisions of section 2 of this Order, a request for repatriation shall be deemed final and irrevocable for the purpose of this Order or any action taken thereunder.

4. The Minister may

(a) make orders for the deportation of any persons subject to deportation;
(b) take such measures as he deems advisable to provide or arrange for the deportation of such persons, and for their transportation, detention, discipline, feeding, shelter, health or welfare, pending their deportation;
(c) make such orders, rules or regulations as he deems necessary for the purpose of carrying out the provisions of this Order;
(d) subject to the approval of the Governor in Council, employ such officers and other employees as are necessary to assist him in carrying out this Order and fix their remuneration;
(e) authorize from time to time any person to exercise on his behalf any power vested in him under paragraph (b) of this section.

5. An order for deportation made by the Minister shall be in force and effect from the date of the order.

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6. (1) Any person for whom an order for deportation is made or who, having made request for repatriation, is proceeding to Japan without the issue of such an order, shall be entitled, in so far as circumstances at the time permit.

(a) at or immediately prior to the time of his deportation from Canada, to purchase suitable foreign exchange to the extent of any money in his possession or standing to his credit in Canada or advanced to him by the Minister pursuant to section seven and to take such foreign exchange out of Canada with him;
(b) to deposit any money in his possession or standing to his credit in Canada with the Custodian of Enemy Property, who shall provide such person with a receipt therefor and purchase foreign exchange therewith, and transfer the same, less transfer charges, to such person whenever reasonably possible following upon his deportation;
(c) at the time of his deportation to take with him such other personal property belonging to him as may be authorized by the Minister;

and the Foreign Exchange Control Board shall do such things and issue such permits as may be required to implement these provisions.

(2) Where real or personal property of a person (who has been deported to Japan or) who, having made a request for repatriation, has proceeded to Japan (without the issue of an order for deportation), has not been sold or otherwise disposed of prior to departure such real and personal property shall, as of the date of deportation of such person, be vested in the Custodian of Enemy Property, who shall sell the same as soon as in his opinion it is reasonably practicable to do so, and in the meantime he may take such measures as he deems proper for the care, maintenance and safeguarding of such property, and the net proceeds realized from such sale, after the deduction of reasonable charges of handling shall be placed to the credit of such person and dealt with as provided in paragraph (b) of subsection (1) of this section.

7. (1) The Minister may at or immediately prior to the time of departure advance to or for a person who is being deported to Japan or who, having made a request for repatriation, is proceeding to Japan without the issue of an order for deportation, an amount in suitable foreign exchange equivalent to the following:

(a) Where such person is sixteen years of age or over and does not possess at least two hundred dollars, the difference between the amount he possesses and two hundred dollars which shall be paid to such person;

(b) Where such person has one or more dependants under sixteen years of age and does not possess at least two hundred dollars together with a further amount computed on the basis of fifty dollars for each such dependent, the difference between the amount he possesses and the total of two hundred dollars and the amount so computed, to be paid to such person.

(2) Any amount advanced as provided for in subsection (1) of this section shall be recoverable from the person to whom it is paid, from any money to the credit of such person with the Custodian of Enemy Property.

.....

8. (1) The Minister may make arrangements with any department or agency of the Government of Canada to assist him in carrying out the provisions of this Order.

(2) The Department of National Defence shall provide any military guard personnel which may be required in carrying out the provisions of this Order.

(3) The Commissioner of the Royal Canadian Mounted Police shall give all assistance which may be required of him by the Minister in the carrying out of the provisions of this Order.

9. Any person for whom an order for deportation is made and who is detained pending deportation or who is placed under restraint in the course of deportation by virtue of any order or measure made or taken under Section 4 of this Order shall, while so detained or restrained, be deemed to be in legal custody.

10. Any person who resists or obstructs or attempts to resist or obstruct any peace officer or other person from carrying out his duties with respect to any order made pursuant to the provisions of this Order shall be guilty of an offence against this Order.

11. Any person who contravenes or omits to comply with any of the provisions of this Order or any order made or given pursuant thereto is guilty of an offence and liable upon summary conviction to a fine not exceeding Five Hundred Dollars or to imprisonment for a term not exceeding twelve months or to both such fine and such imprisonment.

12. Every document purporting to be or to contain or to be a copy of an order, certificate or authority made or given by the Minister in pursuance of the provisions of this Order and purporting to be signed by the Minister shall be received as evidence of such order, certificate or authority without proof of the signature or of the official character of the person appearing to have signed the same and without further proof thereof.

GENERAL

13. The costs involved in the administration of this Order shall be paid from the amounts allotted from the war appropriation to the Department of Labour for Japanese administration.

A. D. P. HEENEY,

Clerk of the Privy Council.

H606-C-13-HD

COPY/emm

P. C. 1953-434

PRIVY COUNCIL

CANADA

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 26th March, 1953.

The Committee of the Privy Council, on the recommendation of the Secretary of State concurred in by the Minister of Finance, advise that, under the authority of Vote 696, The Appropriation Act, No. 4, 1952, Your Excellency may be pleased to order as follows:-

1. The Custodian shall liquidate as expeditiously as possible all unliquidated assets (other than bonds of Canada) that are vested in him in respect of World War II and that were formerly owned by German or Japanese enemies.

2. Subject to the provisions of sections five, six and seven and after deduction of his administration charges, the Custodian shall from time to time transfer to the Minister of Finance,

   (a) bonds of Canada and cash which are vested in him in respect of World War II and were formerly owned by German or Japanese enemies:

   (b) bonds of Canada which were purchased by the Custodian with the proceeds of the liquidation of such vested assets;

   (c) the proceeds of the liquidation of assets so vested and formerly owned; and

   (d) the earnings from unliquidated assets so vested and formerly owned.

3. The Custodian shall forthwith, in compliance with section two, transfer to the Minister of Finance the following assets that are vested in the Custodian in respect of World War II,

   (a) bonds of Canada of the total par value of $17,150, being securities formerly owned by German enemies or acquired by the Custodian with earnings from or the proceeds of liquidation of assets so formerly owned;

   (b) bonds of Canada of the total par value of $126,050 being securities formerly owned by Japanese enemies or acquired by the Custodian with the earnings from or the proceeds of the liquidation of assets so formerly owned;

(c) .....

The Secretary of State.

4606-C-13-40

(c) cash in the amount of $82,850, of which $22,349.30 represents assets formerly owned by German enemies or earnings therefrom or proceeds of their liquidation, and of which $60,500.70 represents estimated earnings from such assets the proceeds of the liquidation of which have already been transferred; and

(d) each in the amount of $273,950, representing assets formerly owned by Japanese enemies or earnings therefrom or proceeds of their liquidation.

4. The Minister of Finance shall, upon receiving the assets specified in section two, pay the proceeds and earnings into the Consolidated Revenue Fund to the credit of the War Claims Fund.

5. The Custodian may release to their former German enemy owners assets vested in him (or the proceeds of their liquidation) including any earnings therefrom in such cases as in his opinion come within the exclusion provisions of Rules 5 and 6 of the Rules of Accounting for German External Assets made by the Inter-Allied Reparation Agency established under the Paris Agreement on German Reparations less any administration charges and expenses.

6. The Custodian may release to their former Japanese enemy owner assets vested in him (or the proceeds of their liquidation) including any earnings therefrom in such cases as in his opinion come within the exception provisions of Article 14 of the Treaty of Peace with Japan less any administration charges and expenses.

7. The Custodian may pay out of assets (or earnings therefrom or the proceeds of the liquidation thereof) which are vested in him and which were formerly owned by German or Japanese enemies in rem charges on or against such assets, but he shall not pay any unsecured claims against the former owner of the assets.

"J. W. Pickersgill"
Clerk of the Privy Council.

46-06-C-13-HD

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: Release of Japanese Assets in Canada

File AN.

L TO: McCole REGISTRY

Security: CONFIDENTIAL

No: 299

Date: April 24, 1959.

Enclosures: 3 (in duplicate)

Air or Surface Mail: Air

Post File No: 5-6-1

Ottawa File No.

46606-C-13-40

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28/4/59.

References

We are attaching for your information translated excerpts from the minutes of the House of Councillors' Foreign Affairs Committee meetings for March 12, 19 and 26, 1959. These excerpts contain questions asked by Mrs. Shizue KATO (Socialist) and Mr. Kichisaburo NOMURA (Liberal-Democrat; former Admiral and former Ambassador to the United States) concerning the release of assets owned in Canada by Japanese nationals which were seized at the outbreak of World War II. You will note that both Diet members have appealed to the Japanese Government to take some action to remedy the present situation. In reply, Government spokesmen expressed reluctance to make any official representations but Foreign Minister Fujiyama did agree to look into the matter and to try to take some informal action.

2. As the two Diet members explained, most of the persons in Japan who are concerned about the matter reside in Wakayama Prefecture, the constituency of Councillor Nomura. One of our officers happened to be in that area a few days ago and this problem was raised by officials of the Prefectural Government. However, the persons most directly concerned in Mio village, the so-called "America Village" did not touch on this problem but rather seemed more interested in matters concerning possible emigration to Canada.

3. There is no doubt that persons in Japan who claim a release of assets held in Japan have taken new interest in the problem and they have very likely drawn encouragement from Foreign Minister Fujiyama's remarks. Just this morning we received a telephone call from the Bank of Tokyo enquiring about Mrs. Sotomatsu KATO's (no relation to Councillor Kato) claim (your letter No. Y-27 of January 16, 1957 refers). — Not on file

4. You will also note from the transcript of March 19 that Councillor Kato asked the Parliamentary Vice Minister to work for the admission of a greater number of Japanese emigrants to Canada. To the best of our knowledge this is the first time that this matter has been discussed in the Diet. As we have pointed out to you before, however, the problem of greater Japanese emigration to Canada is likely to command more and more attention among official Japanese circles as time goes on.

5. Any comments you would care to make on these matters would be greatly appreciated.

The Embassy

Internal Circulation

2

Distribution to Posts

Ext. 182A (Rev. 2/52)

46606-C-13-40

(Translation)

House of Councillors' Foreign Affairs Committee Minutes for March 12, 1959

Mrs. Shizue KATO:

Seeing that the Chief of the Immigration Bureau is here, I have a question to pose. A considerable number of Japanese emigrants, who have long resided in Canada, are now on a sightseeing tour to their home country, and Canadian nisei here are going to meet to discuss various plans for the benefit of these sightseers. From the information I have gathered from them, emigrants and nisei in Canada were, as elsewhere, moved to concentration camps for the duration of the /Pacific/ War, but no special measure at all has been taken in their favour after the War, while their counterparts in California, in the United States, have subsequently been accorded a fairly obliging treatment by the American Government and are at present more or less content with their lot. According to information on hand, no such consideration seems to have been shown by the Canadian side, and I am much interested in knowing the views of the foreign affairs authorities on this matter.

Government Delegate (Mr. Yujiro IZEKI /Chief of the Immigration Bureau/):

As a matter of fact, the question at issue is outside the jurisdiction of my office; it should properly be handled by the American Affairs Bureau. Therefore, I am not in a position to make a reply.

Mrs. Shizue KATO:

For an adequate reply, if such is not forthcoming today, I can wait till next session. I wished to have it now since those Canadian nisei are going to meet today, and since I am sure they are all greatly concerned over the question. I wish I had a chance to ask for the Foreign Minister's views while he was here....

Government Delegate (Mr. Shunkichi TAKEUCHI /Parliamentary Vice-Minister for Foreign Affairs/):

The reply shall be made at our next meeting either by the Chief of the American Affairs Bureau or by some appropriate officer in charge.

(Translation)

House of Councillors' Foreign Affairs Committee Minutes, March 19, 1959.

Chairman (Mr. Kota SUGIHARA):

With reference to the question of Japanese emigrants in Canada, on which the Government reserved its response to our committee member Mrs. KATO's interpellations in our previous session of 12 instant, the Committee now grants the floor to Mr. Hirota TANAKA, who will explain the situation.

Mr. Hiroto TANAKA (Counsellor for Foreign Affairs):

Immediately after the outbreak of the Pacific War, Japanese residents in Canada who lived very close to the western coast were compulsorily moved to the hinterland, more than one hundred miles away from the coast, and their properties were seized and sold by the Canadian Government. When the War ended, refunds were made only to those with Canadian citizenship, while non-Canadian citizens have been granted no compensation. We are well aware of the fact how in this respect some of the Japanese resident in Canada have been placed in an extremely distressing situation, as compared with their counterparts in the United States. Yet, in view of the nature of the question, it is deemed somewhat difficult, as a matter of principle, for the Japanese Government openly to negotiate with the Canadian Government. In the case of the United States, the Japanese Americans' Associations and so on made excessive efforts to persuade the Congress to adopt such compensation measures. With reference to Canada, too, it seems to us that the only way to solve this problem would be to have recourse, within Canada, to procedures similar to those followed in the United States. In this connection, should we, as an agency of the Japanese Government or of the Gaimusho, be of any help, we should by all means be ready to extend cooperation.

As for the question of internal compensation, which business is handled by the Repatriation Relief Bureau of the Welfare Ministry, an allowance of about ¥15,000 to ¥20,000 per capita is being paid to repatriated persons, in accordance with the Law on the Payment of Allowances, etc., to Repatriates. On account of certain doubtful points, however, the view has for a time been prevalent that the said Law is not applicable to repatriates from Canada. More recently, the parties concerned have talked over the matter and have come around to the idea that a like method of compensation may be applicable. The point is now under deliberation and we are hoping that a conclusion will be reached before long.

Mrs. (Shizue) KATO:

May I ask what those doubtful points are, to which reference has just been made in connection with repatriation relief allowances?

Mr. Hiroto TANAKA:

In principle, these allowances are to be granted to those who, as the result of the termination of the War, have been repatriated to Japan for unavoidable reasons, such as orders of foreign government authorities, loss of means of subsistence, and so forth. So, one of the points at issue is that repatriation from Canada was at the time a voluntary step.

There is also the question, though not a legal one, of the confirmation of repatriates from Canada. Due to the chaotic nature of the period concerned, we understand that certain difficulties are confronting the Repatriation Relief Bureau in the definite confirmation of those then repatriated.

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Mr. Kichisaburo NOMURA:

May I speak in this connection? I have been to Stevenson, in Vancouver, Canada. A group of Japanese immigrants there are now back in their native place near Gobo City, Wakayama Prefecture, and have formed what they themselves call "America Mura" or "American Village". In view of their frequent dispatches of delegates with petitions, the officers concerned in the Welfare Ministry have lately been making a fairly close study of the situation, and are looking into the matter in a sympathetic manner. We have heard that a certain Gaimusho officer who happened to hold the post of a consul or an assistant consul in the days in question has recently returned to the Main Office, with fairly detailed first-hand information at the time. I earnestly request that the parties concerned will kindly make further investigation and give the issue due consideration. Petitions are constantly coming in.

Mrs. (Shizue) KATO:

There is also the Canadian Nisei Association, though it does not yet seem to be a very influential organization. In view of the reported existence of those in dire need, I should certainly hope that contact would be made also with such an organization and further attention would be paid to this problem.

By the way, am I right in concluding from what I have heard that the actual number of the so-called repatriates is utterly unknown to the Gaimusho?

Mr. Hiroto TANAKA:

We have a roughly estimated figure, though I do not have it here. Only, I have been told by the Relief Bureau circles that there are certain individual cases where confirmation may be difficult.

Mrs. (Shizue) KATO):

In the course of the explanation given earlier, it has been pointed out how the restoration of, or compensation for, those temporarily confiscated properties, which has already been accomplished in the United States, has not been effected in Canada, and how it is difficult for the Japanese Government itself to work for this unless those /Japanese/ on the other side start spontaneous action. Still, I don't think it a sort of problem where the Japanese Government should remain completely indifferent or assume a "no-touch" attitude. Should action be commenced in some form, it rather seems to me that the Japanese Government should then provide positive assistance so that at least the example of America might be followed /by Canada/. Or it might accord indirect assistance, or extend cooperation wherever necessary. Have you any plans in this respect?

Mr. Hiroto TANAKA:

As I have already explained, thenature of the problem seems to preclude the Japanese Government from officially taking it up as a subject of negotiation with the Canadian Government. So far as our investigation has covered, there seems to have been no sign of what may be called a movement, such as initiated in America by Mike MASAOKA and so on, among Japanese residents in Canada or Japanese Canadians there. In case such a movement is started, I am of the opinion that the Japanese Government should certainly extend cooperation in an appropriate way, though it may still be better not to do so too openly.

Mrs. Shizue KATO:

So it seems from the reply just given that no sign of such a development has been reported. The other day those who are called "pioneers" in Canada, or those who had resided there for thirty or forty or even fifty years came to visit postwar Japan. The Nisei Association, too, offered their welcome and voluntarily took the opportunity to discuss what measures may be taken with reference to various problems; they are

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very anxious to realize their desires. I should certainly think it more appropriate for the Gaimusho officials, too, to acquaint themselves with such issues and talk over possible plans for assistance. From the tone of the reply, there seems to be no prospect for any immediate inception of regular negotiations, through diplomatic channels, with the Canadian Government. It none the less seems to me desirable for the Foreign Minister to resort to what may politically be termed diplomatic negotiations, to approach either the Canadian Government or the Canadian Ambassador in Japan, to call their attention to the case at issue. While the matter has already been taken care of by the United States, Canada, fully capable of taking similar steps, has so far left the case wholly unattended to. It is a great pity. May I ask for the Parliamentary Vice-Minister's opinion in this connection?

Chairman (Mr. Kota SUGIHARA):
I should like to call on the Vice-Minister to reply to Mrs. KATO's question just posed, and also, to give his opinion, if any, on the wishes previously expressed by Mr. NOMURA.

Parliamentary Vice-Minister (Mr. Shunkichi TAKEUCHI):
As for the points brought forth by Mrs. KATO, I intend to lay them before Foreign Minister FUJIYAMA, so that the senior Gaimusho officers in charge may deliberate on measures best suited to the occasion. The same course will be followed also with reference to the views set forth by Mr. NOMURA, and efforts will be made adequately to deal with the situation.

Mrs. Shizue KATO:
Since Mr. ISHIGURO [a member of the Committee] is also here, I should like to refer to the three-year plan for agricultural immigration to the United States, which I hear is in progress. I myself have just had a chance to see it. What has the Gaimusho to do with such a plan?

Mr. Hiroto TANAKA:
The plan just referred to may be in connection with agricultural apprentices sent to America every year. There are also a considerable number of short-term emigrants. At any rate, there are these two cases. For the agricultural apprentices the Ministry of Agriculture and Forestry is chiefly responsible, though the Gaimusho, too, cooperates with reference to their passage and procedures required after their arrival there. Matters concerning the short-term emigrants come under the jurisdiction of the Immigration Bureau, though, needless to say, the screening of candidates at this end is taken care of by the Ministry of Agriculture and Forestry, and the Gaimusho assumes full responsibility for them on the spot.

Mrs. Shizue KATO:
I am sure Mr. ISHIGURO has much to say on these problems. I have referred to them, for I do wish to request the Gaimusho to take them up as matters for deliberation. I have another point, which I am hoping to lay before Foreign Minister FUJIYAMA himself some day. Canada has such a vast territory, and besides, there exists such mutual friendship between Canada and Japan. This fact makes it rather difficult for me thoroughly to understand why, in connection with the question of the confiscated properties, referred to earlier, as well as the question of having new immigrants permitted in some form or other [into Canada], the Gaimusho should persist in its attitude of remaining so completely indifferent till the matter should come to a head. Fortunately, the present Ambassador of Canada has a very deep understanding of Japan. So I earnestly hope the occasion should be fully improved to take up such matters in the form of positive political negotiations.

/or top-level negotiations,

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04-13-0906

Parliamentary Vice-Minister (Mr. Shunkichi TAKEUCHI):

No formal negotiations whatsoever have so far been entered into with the Canadian Embassy in Tokyo concerning these questions. With the Gaimusho, however, much thought has been given them in the meantime. On the basis of what has been brought forth today, we will make a comprehensive case-by-case investigation and study of the entire situation and will endeavour to convey to the other side, through appropriate channels, the wishes of those sufferers.

Mrs. Shizue KATO:

Of course I have had those particularly distressed persons, too, in mind. However, inasmuch as Canada is such a friendly state and has, in addition, such "space to spare", my overall wishes are that political approaches be made to Canada in future to ask for her friendly cooperation in Japan's quest for a way to ease her really heavy burden of over-population.

Parliamentary Vice-Minister (Mr. Sunkichi TAKEUCHI):

The views just set forth seem to introduce a new point, not covered previously. An endeavour may nevertheless be made, through appropriate channels, to meet such wishes too.

01-13-0906-4D

(Translation)

House of Councillors' Foreign Affairs Committee Minutes for March 26, 1959.

Mrs. Shizue KATO: I would like to ask a question of the Foreign Minister. Previously, when the Foreign Minister was pressed for time and had to leave, I received a reply from the Foreign Ministry officials about the problem concerning Japanese residents in Canada and I was told about the various problems and procedures involved. Still, as it is a political problem, I think I would like to ask the Foreign Minister's opinion about it at this time. The problem is about persons who emigrated to Canada. The number of them is a great deal less than the number who have gone to the United States and they don't have such a great deal of influence. At the beginning of the war their property and other possessions which they had created with some effort were taken from them or forcibly sold. After the war in the United States such expropriated property was returned or there was monetary compensation paid and I hear that those people now have a very stable livelihood. However, the treatment of the Japanese living in Canada who seem to be in the same category, has been different and the Canadian Government has not handled it in that way. Because of this it is very troublesome for the people living over there. Even the Canadian nisei have not yet fully settled on a method of taking up this problem. I think that this type of problem could be taken up by the Japanese Foreign Minister with the Canadian Government or with the Canadian Embassy in Japan and to recommend that something be done about the problem, especially something similar to what was done in the United States. As my first question I would like to ask whether there is any idea of taking such action?

Foreign Minister Fujiyama: Well, it is a very difficult problem, I think. I think first of all it is a domestic problem for Canada. However, I do not believe that the conditions you have pointed out do not exist, and in accordance with the actual conditions it may not be appropriate to interfere. I think I would like to consider the matter with a great deal of prudence.

Mrs. Shizue KATO: When I received a reply from the officials previously, they said that this was not something which the Japanese Government could easily take up with Canada. It is certainly a problem which must first be taken up by the Canadian Parliament. Now a number of first generation Japanese who had their property confiscated and who now have considerable hardship, have returned to Japan. The Canadian nisei should take the opportunity to form a Nisei Association and gradually work together on this problem. That is one thing that could be accomplished. Furthermore, from May there will be opened in Japan an international conference -- an MRA international conference -- and for this purpose a number of Canadian members of parliament will take the opportunity to visit Japan. Canadian politicians and ordinary people have a great lack of understanding about Japan to an extent which we do not realize. Therefore, because Canadian members of parliament have a desire to attend a non-official international conference as a delegation, the Foreign Minister especially should take the opportunity to meet these people and explain Japan to them, especially the problem which I raised a moment ago. I think this would be a very good opportunity for the Foreign Minister to deal with the situation. What does the Foreign Minister think of using this opportunity to follow this plan and take up the problem in this way?

Foreign Minister Fujiyama: That is a very good idea and if there is an opportunity as you have suggested, I will most certainly seize that opportunity and explain to the gentlemen from the other side the situation as you have mentioned.

Legal/A. Napier/mvs

Our file: 4606-C-13-40

RESTRICTED

Your files: 58697
58019

Ottawa, October 10, 1958

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

Attention: Mr. K.W. Wright, Q.C.,
Office of the Custodian.

Would you please refer to your letter of October 8, 1958, with enclosures, concerning the vested assets of Matsuki Sakai and Sekiji Sakai.

The only relevant question appears to be whether either of these two individuals possessed Japanese nationality at any time during the period from December 7, 1941, until April 28, 1952. In the last resort this is something which could only be settled by rulings from the Japanese Government itself which must be presumed to be competent to interpret its own nationality laws. The evidence so far produced appears to be inconclusive. In their letter of September 11, 1958, the Consulate of Japan in Vancouver states that Sekiji Sakai lost his Japanese nationality on becoming a Canadian citizen but the date of acquisition of British subject status or Canadian citizenship is not given, and no information is volunteered regarding the status of Matsuki Sakai. Moreover, in neither case is there any information regarding possible reacquisition of Japanese nationality after return to Japan or whether either was treated as an enemy alien and interned as such during the war.

J. L. DELISLE

Under-Secretary of State
for External Affairs

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4606-C-13-40

OJC/AD

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 58697 & 58019

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.
October 8th, 1958.

4606-C-13-40
29 | 3

4606-C-13-40

MEMORANDUM FOR THE UNDER SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,
O T T A W A.

File AND IWR
10/10/58.

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OCT 10 1958

The Sun Life Assurance Company of Canada issued a policy on the life of Matsuki Sakai on September 1, 1936. This policy was a 20-year endowment plan in the amount of $1,000.00. The beneficiary of this policy was the assured's father, Sekiji Sakai. The assured Matsuki Sakai died on September 17, 1945, and the proceeds of the policy amounting to $619.78 were paid to this office on November 9, 1956. The beneficiary of this policy died in Japan in March 1953. Both the assured and the beneficiary returned to Japan in November of 1939.

The Consul of Japan in Vancouver wrote to this office in January 1957, requesting a release of the proceeds of the policy, and forwarded the nationality certificate of the late Sekiji Sakai. Subsequently, the Consul forwarded a copy of the Sakai (Uchimura) Family Register, and this document shows that the late Sekiji Sakai was the head of the family until his death in 1953.

We informed the Consul of Japan that although Mr. Sekiji Sakai was a naturalized Canadian he was recognized as the head of the family in Japan, and it would seem that he had retained his Japanese nationality. Attached hereto is a copy of a letter dated September 11, 1958, from the Consul of Japan in reply to our letter.

The Administration Board is not inclined to grant a release in this case because of the circumstances set out above and as this case is similar to others where releases were refused on the basis that the claimant was a dual national.

For your further information, I enclose herewith a copy of a letter dated November 28, 1957, from your Department to this office, dealing with the Kazuichi Shiraishi file, also copy of your letter of May 16, 1956, relative to the Reinichi Nagao case.

Your comments would be appreciated.

K.W. Wright,
Chairman of the Administration Board
and Chief Counsel.

4606-C-13-40

COPY/AD

CONSULATE OF JAPAN
1401 - 510 Hastings St., (West)
Vancouver 2, B.C.,
Canada.

September 11, 1958.

O.J. Ceappy, Esq.,
Administrative Officer,
Office of the Custodian,
Department of the Secretary of State,
Ottawa, Ontario.

Dear Sir,-

Re: Matsuki Sakai and Sekiji Sakai
File #58697, Insurance Section

With reference to your letter of August 28, I would like to quote the following articles from the former Nationality Act of Japan and the new Nationality Act of Japan which took effect from July 1, 1950:

OLD NATIONALITY ACT (until July 1, 1950)

Article 20 - Persons voluntarily acquiring the nationality of a foreign country lose their Japanese nationality.

NEW NATIONALITY ACT (from July 1, 1950)

Article 8 - Japanese nationals who voluntarily acquire the nationality of a foreign country lose their Japanese nationality.

Sekiji Sakai, therefore, lost his Japanese nationality on the day he was naturalized as a Canadian citizen. The fact that his name still appears on the Japanese Family Register indicates that he neglected to inform the Japanese authorities of his naturalization, but this, of course, would in no way affect his status from a strictly legal point of view.

In view of the above, it would seem that Sekiji Sakai lost his Japanese nationality under the Nationality Act.

Yours very truly,

Sgd. M. Tanabe,

Consul of Japan.

4606-C-13-HD

COPY/AD

RESTRICTED

DEPARTMENT OF EXTERNAL AFFAIRS

O T T A W A

November 28th, 1957.

Office of the Custodian,
Dept. of the Secretary of State,
Ottawa.

Your file 57711

I refer to your letter of November 7, 1957 concerning the disposition of assets of Japanese/Canadian dual nationals with particular reference to the case of Kazuichi Shiraishi. I have noted that you have been informed by the Japanese Embassy that under the present Japanese Nationality Law and its predecessor, a Japanese citizen who voluntarily acquires a foreign nationality, automatically loses his Japanese citizenship.

It seems to me that this statement of Japanese law effectively disposes of the problem of dual nationality in the case of Mr. Shiraishi and of similar persons who have been naturalized in Canada. We, in this Department, cannot attempt to interpret the provisions of a Japanese law and I think you can only take the statement of the Japanese Embassy as representing the facts of the matter. If a naturalized Canadian citizen of Japanese origin returned to Japan before the war and never de jure acquired or re-acquired Japanese nationality, (even though he may in practice have been treated as a Japanese national) then he was either a British subject or stateless during the war and his vested assets would presumably not be available as reparation under Article 14 of the Treaty of Peace with Japan and the implementing Order in Council. Although there seems to be no further problem in the case of naturalized Canadian citizens of Japanese origin, you may wish to consider whether there is a problem of genuine dual nationality in the case of persons born in Canada whose births were registered at a Japanese Consulate and who returned to reside in Japan before or during the war. It would seem to me that such persons might be genuine dual nationals and if they are continuing to reside in Japan, there might possibly be a case for paying into the War Claims Fund any assets held on their behalf. If there are such cases, you may still wish to consider the desirability of an amendment to the relevant Order in Council so as to bring our policy toward Japan into line with that pursued vis-a-vis Germany.

Sgd. L.E. Couillard,

for Under Secretary of State
for External Affairs.

H606-C-13-HD

COPY/AD

RESTRICTED

Economic/J.M. Harrington/ym

Your File 18135-54
DNI

cc Consular Div.

Office of the Custodian

Ottawa, May 16, 1956.

The Registrar of Canadian Citizenship,
Department of Citizenship and Immigration,
Ottawa.

I refer to your letter of February 1, 1956 concerning the national status of Renichi Nagao. I enclose a copy of letter No. 385 of May 9 from our Embassy in Tokyo giving the results of their enquiries into this case. Also enclosed is a copy of the booklet mentioned which gives a rough translation of Japanese Laws concerning nationality.

As you will see this letter confirms the view you expressed that Japanese Law on the subject is uncertain: the relevant law definitely provided for loss of citizenship as a result of naturalisation abroad yet since no steps were taken to remove Nagao's name from the family register he is considered in Japan as a Japanese national. The situation might almost be described as that Nagao lost his Japanese citizenship de jure but retained it on a de facto basis.

I should in due course appreciate being informed of your final decision on this case.

Sgd. A.E. Ritchie

for Acting Under Secretary of
State for External Affairs.

I606-C-13-40

OJC/AD

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. Evac. #8638

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.
June 3rd, 1958.

4606-C-13-40
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Kuper

JUN 4 1958

MEMORANDUM FOR THE UNDER SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,
O T T A W A.

Re: Masso SATO - Your file 4606-~~V~~-13-40.

Re copy to the Canadian Embassy, Tokyo, and file, please. 5/6/58. Done 6/6/58 DOT/mp.

I acknowledge receipt of your memorandum of the 14th ultimo, with enclosures as referred to therein.

According to our records, Mr. Sato was the owner of a small farm of nine acres which was sold to the Veterans Land Act for $514.00. We have a valuation on file, dated July 28th, 1942, stating that this property is worth $524.50. Mr. Sato's chattels were sold for $70.00.

We paid four claims which had been filed against Mr. Sato, for the following amounts: $240.00, $6.47, $100.00 and $48.00. The balance of Mr. Sato's account, amounting to $129.81, was released to him on April 25th, 1945.

Mr. Sato was repatriated to Japan in 1946, and the Treasury Department advanced $400.00 to Mr. Sato on his repatriation which has not been repaid.

The Bird Commission appointed by Order-in-Council P.C. 1810 of July 18th, 1947, as amended by Orders-in-Council P.C. 3737 of September 17th, 1947 and P.C. 242 of January 22nd, 1948, was only authorized to inquire into claims of persons of the Japanese race who were resident in Canada on the date of the first Order-in-Council, i.e., July 18th, 1947.

I trust that with the above information, the Canadian Embassy in Tokyo will be in a position to reply to Mr. Sato.

K. W. Wright,
Chairman of the Administration Board
and Chief Counsel.

4606-C-13-40
L

4606-C-13-40

Legal/A. Napier/mvs

Refer to: Tokyo
Done
14/5/58
MVS

Our file: 4606-C-13-40

15 86

Ottawa, May 14, 1958

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

Attention: Office of the Custodian

I am attaching a copy of letter No. 399 of May 1, 1958, from the Canadian Embassy, Tokyo, with photostatic copies of the enclosures thereto, concerning a claim by a Mr. Masao Sato for compensation in respect of assets sequestrated by the Canadian Custodian.

Would you please let me know the nature of the reply which should be sent to Mr. Sato.

G. SICOTTE

FOR THE

Under-Secretary of State
for External Affairs

4606-C-13-40

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: Release of Japanese Assets

Security: UNCLASSIFIED

No: 399

Date: May 1, 1958

Enclosures:

Air or Surface Mail: Air

Post File No: 5-6-1-2

Ottawa File No. 4606-C-13-40

15 | 3

References

File AN 7/5158

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1 2 3 4 5 6 7 8 9 10 11 12

MAY 6 1958

Mr. Masao SATO, residing at No. 17, Wakabayashi, Ishimori, Nakata-cho, Toyome-gun, Miyagi-ken has written to us requesting that compensation be paid to him by the Canadian Government for the confiscation of the property he owned in Canada at the outbreak of the Pacific War.

2. Mr. Sato states that he had resided in Canada for 26 years, and was engaged in agricultural work at R. R. No. 1, Gibson Road, New Westminster, when the War broke out. He further states that he was moved to Slocan City, B. C. in June, 1941; left Canada in June, 1946 on board the S.S. MEIGS and arrived in Japan on the 28th of the same month.

3. We attach for the Custodian's information documents relating to this case which Mr. Sato has sent us for our information.

4. We should be grateful if you would ask the Custodian to look into this matter and advise us what sort of reply we should make to Mr. Sato. As the attached documents are Mr. Sato's property we should appreciate your returning them to him through us in due course.

for Embassy

Internal Circulation

Ret'd to Tokyo by enclosed despatch 13/5/58 MvanS

Distribution to Posts

Ext. 182A (Rev. 2/52)

fixtures, equipment, machinery, stock in trade and effects.

4606-C-13-40

Report to Custodian

1 A

Name ~~Isaac Sato~~ Sex Male Married yes - - -

Occupation ~~Farmer~~ -- Employer - - - - - - - - - -

Name of husband or wife wife -- Address ~~R.R. 1 Mattsminster~~ B.C.

Name and ages of living children ~~Keiko Sato~~ - 15 - -
~~Kiko Sato~~ 13 -- ~~Kaoru Sato~~ 9 - ~~Yuriko Sato~~ 7
-- ~~Izumi Sato~~ - 3 - - - - - - - - - - - - - - - - -
- -

Address of children R.R. #1 - ~~Mattsminster~~ B.C. - - -

Statement of Real property (Each parcel must be mentioned and particulars given)
- Lot - 69 - and 70, - D.L. - 440, - Group 2. - - - - -
- - - - - - - - - - - - - - - - - - - -

8 chairs, 4 tables, 2 China Cabinet
6 dressers, 5 beds, 2 sofa, 1 gramaphone
1 Kitchen stove, 1 heater, 2 coat closet
4 flower stand.

4 muddigger, 2 picks, 1 hand cultivator
6 shovels, 3 bars, 4 manure forks,
2 rake, 6 china grate, 1 wheel barrel
2 cross cut saw, 5 axes, 2 big hammers.

OH-31-C-906-HD

Horses, livestock and other animals, poultry and pet

3/ Give name and address of any person having any interest, or claim on any such property

4/ Insurance carried on above property

5/ Mortgages, liens and other claims on property in possession of others.

6/ Money owing to you (state if any of those debts assigned, and if so to whom?

7/ Bonds, debentures, shares, stocks or other securities. War Savings.

8/ Bank account.

9/ Life insurance

10/ Interest in any estate or trust

11/ Safety deposit box.

Liabilities

1 Personal debts.

2 Trade debts.

Remarks

I certify that the above information is true and complete and fully discloses all my property of every description in any protected area in B.C. and set forth all my liabilities direct and indirect.

Dated this day of 1942

4606-C-13-HD

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131
PLEASE REFER TO 8638
FILE NO.

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

July 16, 1942.

Mr. Masao SATO, #08661,
Slocan, B.C.

Dear Sir:

Re: Chattels, R. R. #1, Gibson Rd.,
New Westminster, B.C.

Enclosed please find list in duplicate of chattels found by our agent when he investigated your premises recently. Would you kindly confirm this list, if correct, by signing your name where indicated and returning to this office in the enclosed envelope.

Would you also indicate on the list whether these chattels are for the use of the tenant during the period of leasehold.

We note that your declaration to the Custodian dated May 7, included carpenter tools, 6 shovels and 2 crow bars in addition. We presume that you have made some disposition of these particular articles. Kindly state if this is correct.

Yours truly,

H. F. Green,
Manager, Protection Department.

AGM:AS
encl.

Slocan City, B.C.
July 20, 1942

Dear Sir:

We have brought the carpenter tools but left the 6 shovels and the 2 crow bars. Besides the kitchen chairs we have left 8 other chairs

H606-C-13-40

4606-C-13-HD

File No. 8638

Name: SATO, Masao

Address: Gibson Rd., New Westminster, B. C.

Reg. No: 08661

INVENTORY OF CHATTELS LEFT ON PEROPERTY

IN HOUSE

1	heater
4	chests of drawers
~~34~~	beds
2	linoleum rugs
2	tables (small) and 3 big tables
1	bureau
2	wardrobes
1	mantle clock
1	dresser
1	gramophone
1	bed couch
1	kitchen range
2	kitchen chairs
2	kitchen cabinets
1	China cabinet
1	high chair
	cooking utensils (few)
1	cooler
8	Chairs.
6	Shovels.

2	cross-cut saws
3	mattocks
1	pick
1	pickaroon
2	sledge hammers
1	hand cultivator
1	bdle. of garden tools
1	crow bar
1	lantern

IN SHED (Being used)

1	bed
1	air-tite heater
1	wheelbarrow
2	kitchen chairs
1	suitcase (old, empty)

IN ROOT HOUSE

3	water barrels (steel)
2	wooden barrels

Confirmed:

DATE: July 30 1942 **Signed:** Masao Sato

DM

4606-C-13-HD

Economic/JM Harrington/mk

LEGAL DIVISION

RESTRICTED

November 12, 1957

ECONOMIC

4606-C-13-40
145

POLICY TOWARD VESTED ASSETS OF DUAL NATIONALS

original on 614-R-1-40

As you are aware, we have for some time been discussing with the Office of the Custodian the policy to be followed toward the vested assets of certain persons who held both Canadian citizenship and the citizenship of an enemy country during the Second World war. The case of German-Canadian dual nationals is already covered by the Paris Agreement and the Rules of Accounting for German External assets and the only other cases known to the Office of the Custodian involve persons apparently dual nationals of Canada and Japan.

Although we, in this Division, were originally inclined to the view that where such a person had a bona fide claim to Canadian citizenship, his Canadian status should prevail and the assets should be released, we finally agreed, after discussion with your Division and the other interested Departments, that Japanese-Canadian dual nationals should be accorded same treatment as that prescribed for Germans under the Rules of Accounting. This would mean in essence that such assets would be confiscated as enemy property in accordance with the Treaty of Peace unless the former owners could demonstrate that they suffered serious hardship during the war as the result of asserting their Canadian

Far Eastern Division.

...2

citizenship. In fact, it appears the overwhelming majority of Japanese-Canadians who spent the war years in Japan suffered no hardship of any kind and were treated by the Japanese Government as unhyphenated Japanese for all ordinary purposes.

At a recent meeting at the Office of the Custodian, we were shown some correspondence, copies of which are on the attached file 614-R-1-40, which would seem to indicate that whatever the practice followed by the Japanese Government, the legal position in Japanese law is somewhat different. As you will see, the Japanese Embassy have informed the Custodian's Office in letter dated October 23, 1957 that both the Nationality Law of 1950 and its predecessor declare that a Japanese national, who voluntarily acquires foreign citizenship, automatically forfeits his status as a Japanese citizen. Thus, it would appear that no naturalized citizen of Japanese origin is a dual national unless on returning to Japan for permanent residence, he has become re-naturalized in that country. In practice we gather that Japanese acquiring Canadian citizenship by naturalization, seldom, if ever, notify the Japanese Government of their action and consequently their names were not removed from their Family Register; in consequence, when they returned to Japan, they were in fact accorded all the rights of a Japanese citizen and were so regarded, even though they had legally lost their entitlement to that status. On examining file 4606-C-13-40, also attached, we have noticed some correspondence with our Embassy in Tokyo and with the Registrar of Canadian Citizenship on this question; we would draw your attention in particular to Mr. Mutt's comment on the file copy of our letter of May 16, 1957 to the Registrar of Canadian Citizenship.

We should appreciate your guidance on what further steps might be taken to resolve this difficulty. For our part, we see no very strong case for holding the assets of Japanese-Canadians in the category described above; there is probably a case for not granting them more favourable treatment than was accorded German-Canadians, but on the other

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4606-C-13-40

hand, 12 years after the end of the war it may be politically desirable to take a more lenient position toward these people even if it is for the reason that they are not Japanese citizens! We had originally thought of consulting our Embassy in Tokyo on the legal problem but our examination of the two attached files would seem to indicate that there is little more for the Embassy to say on the matter.

L. E. COUILLARD

Economic Division.

411.06-C-13-HD

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. 548 of August 1, 1957

Subject: Japanese Repatriate -
Matsuo Matsumiya

Security: Unclassified

No: B- 399

Date: September 17, 1957

Enclosures: 1

Air or Surface Mail:

Post File No:

Ottawa File No.
4606-C-13-40
141 | 74

References

Attached for transmittal to Mr. Matsumiya is official cheque No. 32874 dated September 9, 1957 issued by the Custodian of Enemy Property in the amount of $73.82. This represents the balance of Mr. Matsumiya's account held by the Custodian. We should be grateful if you would arrange to forward this sum to Mr. Matsumiya either directly or through the appropriate Japanese authorities.

2. Any information which may come to light concerning the whereabouts of Kosaku Yamanobe would be appreciated since, as pointed out earlier, funds are also held for his account by the Office of the Custodian.

L. E. COUILLARD

Acting Under Secretary of State

Internal Circulation

Distribution to Posts

Ext. 181B (Rev. 2/52)

4606-C-13-40

OJC/ad

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

P.R.O.F.

4606-C-13-40
74 | 68

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO
FILE No. 58717-58718
Japanese Evacuees

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.
September 11th, 1957

MEMORANDUM TO THE UNDER SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,
O T T A W A.

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SEP 13 1957

I acknowledge receipt of your memorandum of the 7th ultimo, enclosing copy of a letter from the Canadian Embassy, Tokyo, Japan, and the translated copy of the Note Verbale No. 114/AA1, dated July 29th, 1957, from the Japanese Foreign Office.

As the Japanese Ministry of Foreign Affairs has been successful in locating Mr. Matsuo Matsumiya, I enclose herewith the Custodian's Official cheque No. 32874, dated September 9th, 1957, payable to the order of "Matsuo Matsumiya" in the amount of $73.92. This represents the balance of Mr. Matsumiya's account held by the Custodian.

I trust that our Embassy will have no trouble in delivering the enclosed cheque.

O.J. Ceappy,
Administrative Officer.

Cheque for $73.92

Please Note:
Cheque being held in holding blotter #52374 of Sept.13th, pending your onward correspondence.

E. E. F.
Cashier.

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 Letters E-90, March 5, 1957
E-276, July 15, 1957

Subject: Japanese Repatriates: Kosaku YAMANOBE and Matsuo MATSUMIYA

Security: UNCLASSIFIED

No: 548

Date: August 1, 1957

Enclosures: 1

Air or Surface Mail: Air

Post File No: 5-6-1-2

Ottawa File No.

4606-C-13-40	
74	68

Refer with encl to Custodian + file

done 17 Aug 7/57

References

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AUG 6 1957

Enclosed please find a translated copy of the Note Verbale No. 114/AA1, dated July 29, 1957, from the Japanese Foreign Office, concerning the whereabouts of the above-mentioned persons.

E. Smith
The Embassy.

Internal Circulation

Distribution to Posts

E

Ext. 182A (Rev. 2/52)

4606-C-13-40

4606-C-13-40

Translation

COPY

No. 114/AA1

NOTE VERBALE

The Ministry of Foreign Affairs presents its compliments to the Canadian Embassy and, with reference to the latter's Notes Verbales No. 80 and No. 102 of June 12 and July 24 respectively of 1957, requesting of the Ministry information on the whereabouts of Matsuo MATSUMIYA and Kosaku YAMANOBE, both Japanese nationals repatriated from Canada in 1946, has the honour to inform the Embassy of the results of investigations conducted through the Repatriation Relief Bureau, Ministry of Health and Welfare and Maizuru Repatriation Relief Bureau, as follows:

1. Matsuo MATSUMIYA

It is indicated in the List of Repatriates that a man by the name of Masuo MATSUMIYA repatriated from Canada on June 28, 1946, on board the General Meigs. His present address is No. 303-3, Kaido-Ima-machi, Hikone-city, Shiga Prefecture.

2.

2. Kosaku YAMANOBE

There is no man with the said name entered in the List of Repatriates. Accordingly, his whereabout is unknown.

Tokyo, July 29, 1957.

4606-C-13-40

Economic/J.M.Harrington/hl

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: Our Letter E-90 of March 5, 1957.

Subject: Japanese Repatriates: Kosaku Yamanobe and Mitsuo Matsumiya.

Security: UNCLASSIFIED

No: E- 276

Date: July 15, 1957.

Enclosures:

Air or Surface Mail:

Post File No:

Ottawa File No. 4606-C-13-40

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References

Office of the Custodian (Att: Mr. Leappy)

We have had a further enquiry from the Custodian's Office and should be grateful to learn whether you have had any success in locating these two repatriates.

L. E. COUILLARD

Under-Secretary of State for External Affairs

Internal Circulation

Distribution to Posts

Ext. 181B (Rev. 2/52)

4606-C-13-40

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CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

Please return to file
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ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 58717
OJC/rf

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.
July 10th, 1957.

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JUL 12 1957

MEMORANDUM FOR THE UNDER SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,
Ottawa 4, Ont.

Re: Kosaku Yamanobe

I would appreciate receiving a reply to our memorandum of the 1st of March, 1957, in connection with tracing the present whereabouts of Mr. Yamanobe, who was repatriated to Japan on December 24th, 1946, aboard the SS "Falcon".

O. J. Ceappy,
Administrative Officer.

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4606-C-13-40

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CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 58718
OJC/rf

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.
July 10th, 1957.

MEMORANDUM FOR THE UNDER SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,

O T T A W A 4, ONT.

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JUL 12 1957

Re: Matsuo Matsumiya

I would appreciate receiving a reply to our memorandum of the 1st of March, 1957, in connection with tracing the present whereabouts of Mr. Matsumiya, who was repatriated to Japan on June 17th, 1946, aboard the SS "General Meigs".

O. J. Ceappy,
Administrative Officer.

E

Economic/J.M. Harrington/LM

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:

Subject: CASH HELD IN THE NAMES OF JAPANESE REPATRIATES

Security: UNCLASSIFIED

No: E- 90

Date: MARCH 5, 1957

Enclosures:

Air or Surface Mail: AIR

Post File No:

Ottawa File No. 4606-C-13-40

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References

Internal Circulation

Distribution to Posts

We have been approached by the Office of the Custodian concerning small sums of money held in the names of two Japanese repatriated from Canada to Japan after the last war. Kosaku Yamanobe was repatriated to Japan on December 24, 1946 aboard the S.S. "Falcon", and the Custodian is now holding to his credit a sum of $117.86; a sum of $73.92 is held in the name of Matsuo Matsumiya who was repatriated on June 17, 1946 aboard the S.S. "General Meigs".

2. We should be grateful to learn whether you have or can obtain information about the present whereabouts of these two persons. If you are successful in locating them the Office of the Custodian will be forwarding cheques for delivery to them.

L. E. COUILLARD

Under-Secretary of State for External Affairs

Ext. 181B (Rev. 2/52)

4606-C-13-40

OJC/mcd

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. 58718

file

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.
March 1, 1957.

4606-C-13-40
33 | 51

To: The Under Secretary of State
for External Affairs,

Ottawa 4, Ontario.

Re: Matsuo Matsumiya

The Custodian is holding a credit balance in the amount of $73.92 in the name of Matsuo Matsumiya, a Japanese evacuee. Under Order in Council P.C. 7355 dated the 15th day of December, 1945, paragraph 6 therein directs the Custodian to remit such funds to the former owner. A copy of Order in Council P.C. 7355 is enclosed.

Our file reveals that Mr. Matsumiya was repatriated to Japan on June 17, 1946, aboard the S.S. "General Meigs".

As the Custodian is anxious to clear this balance from his books, would you kindly request the Canadian Embassy in Japan to endeavour to ascertain Mr. Matsumiya's present whereabouts. If the Embassy is successful in locating this man, a cheque will be sent to you for delivery to Mr. Matsumiya by the Embassy.

K. W. Wright,
Chairman of the Administration Board
and Chief Counsel.

Encl.

pursuant to the authority of this Order;

(c) "Minister" means the Minister of Labour:

(d) "request for repatriation" means a written request or statement of desire, to be repatriated or sent to Japan.

2./

4606-C-13-40

COPY
EMM

Order in Council re deportation of Japanese.

P.C. 7355.

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 15th day of DECEMBER, 1945.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS during the course of the war with Japan certain Japanese nationals manifested their sympathy with or support of Japan by making requests for repatriation to Japan and otherwise;

AND WHEREAS other persons of the Japanese race have requested or may request that they be sent to Japan;

AND WHEREAS it is deemed desirable that provisions be made to deport the classes of persons referred to above;

AND WHEREAS it is considered necessary by reason of the war, for the security, defence, peace, order and welfare of Canada, that provision be made accordingly;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, concurred in by the Secretary of State for External Affairs, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to make and doth hereby make the following Order,-

- O R D E R -

1. In this Order, unless the context otherwise requires:

(a) "deportation" means the removal pursuant to the authority of this Order of any person from any place in Canada to a place outside Canada;

(b) "deported" means removed or sent from Canada pursuant to the authority of this Order;

(c) "Minister" means the Minister of Labour:

(d) "request for repatriation" means a written request or statement of desire, to be repatriated or sent to Japan.

2./

4606-C-13-HD

2. (1) Every person of sixteen years of age or over, other than a Canadian national, who is a national of Japan resident in Canada and who,

(a) has, since the date of declaration of war by the Government of Canada against Japan, on December 8th, 1941, made a request for repatriation: or

(b) has been in detention at any place in virtue of an order made pursuant to the provisions of the Defence of Canada Regulations or of Order in Council P.C. 946, of the 5th day of February, 1943, as amended by P.C. 5637, of the 16th day of August, 1945, and was so detained as at midnight of September 1st, 1945;

may be deported to Japan.

(2) Every naturalized British subject of the Japanese race of sixteen years of age or over resident in Canada who has made a request for repatriation may be deported to Japan: Provided that such person has not revoked in writing such request prior to midnight the first day of September, 1945.

(3) Every natural born British subject of the Japanese race of sixteen years of age or over resident in Canada who has made a request for repatriation may be deported to Japan; Provided that such person has not revoked in writing such request prior to the making by the Minister of an order for deportation.

(4) The wife and children under sixteen years of age of any person for whom the Minister makes an order for deportation to Japan may be included in such order and deported with such person.

3. Subject to the provisions of section 2 of this Order, a request for repatriation shall be deemed final and irrevocable for the purpose of this Order or any action taken thereunder.

4. The Minister may

(a) make orders for the deportation of any persons subject to deportation;
(b) take such measures as he deems advisable to provide or arrange for the deportation of such persons, and for their transportation, detention, discipline, feeding, shelter, health or welfare, pending their deportation;
(c) make such orders, rules or regulations as he deems necessary for the purpose of carrying out the provisions of this Order;
(d) subject to the approval of the Governor in Council, employ such officers and other employees as are necessary to assist him in carrying out this Order and fix their remuneration;
(e) authorize from time to time any person to exercise on his behalf any power vested in him under paragraph (b) of this section.

5. An order for deportation made by the Minister shall be in force and effect from the date of the order.

.....

H606-C-13-HD

6. (1) Any person for whom an order for deportation is made or who, having made request for repatriation, is proceeding to Japan without the issue of such an order, shall be entitled, in so far as circumstances at the time permit.

(a) at or immediately prior to the time of his deportation from Canada, to purchase suitable foreign exchange to the extent of any money in his possession or standing to his credit in Canada or advanced to him by the Minister pursuant to section seven and to take such foreign exchange out of Canada with him;
(b) to deposit any money in his possession or standing to his credit in Canada with the Custodian of Enemy Property, who shall provide such person with a receipt therefor and purchase foreign exchange therewith, and transfer the same, less transfer charges, to such person whenever reasonably possible following upon his deportation;
(c) at the time of his deportation to take with him such other personal property belonging to him as may be authorized by the Minister;

and the Foreign Exchange Control Board shall do such things and issue such permits as may be required to implement these provisions.

(2) Where real or personal property of a person (who has been deported to Japan or) who, having made a request for repatriation, has proceeded to Japan (without the issue of an order for deportation), has not been sold or otherwise disposed of prior to departure such real and personal property shall, as of the date of deportation of such person, be vested in the Custodian of Enemy Property, who shall sell the same as soon as in his opinion it is reasonably practicable to do so, and in the meantime he may take such measures as he deems proper for the care, maintenance and safeguarding of such property, and the net proceeds realized from such sale, after the deduction of reasonable charges of handling shall be placed to the credit of such person and dealt with as provided in paragraph (b) of subsection (1) of this section.

7. (1) The minister may at or immediately prior to the time of departure advance to or for a person who is being deported to Japan or who, having made a request for repatriation, is proceeding to Japan without the issue of an order for deportation, an amount in suitable foreign exchange equivalent to the following:

(a) Where such person is sixteen years of age or over and does not possess at least two hundred dollars, the difference between the amount he possesses and two hundred dollars which shall be paid to such person;

(b) Where such person has one or more dependants under sixteen years of age and does not possess at least two hundred dollars together with a further amount computed on the basis of fifty dollars for each such dependent, the difference between the amount he possesses and the total of two hundred dollars and the amount so computed, to be paid to such person.

(2) Any amount advanced as provided for in subsection (1) of this section shall be recoverable from the person to whom it is paid, from any money to the credit of such person with the Custodian of Enemy Property.

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4606-C-13-HD

8. (1) The Minister may make arrangements with any department or agency of the Government of Canada to assist him in carrying out the provisions of this Order.

(2) The Department of National Defence shall provide any military guard personnel which may be required in carrying out the provisions of this Order.

(3) The Commissioner of the Royal Canadian Mounted Police shall give all assistance which may be required of him by the Minister in the carrying out of the provisions of this Order.

9. Any person for whom an order for deportation is made and who is detained pending deportation or who is placed under restraint in the course of deportation by virtue of any order or measure made or taken under Section 4 of this Order shall, while so detained or restrained, be deemed to be in legal custody.

10. Any person who resists or obstructs or attempts to resist or obstruct any peace officer or other person from carrying out his duties with respect to any order made pursuant to the provisions of this Order shall be guilty of an offence against this Order.

11. Any person who contravenes or omits to comply with any of the provisions of this Order or any order made or given pursuant thereto is guilty of an offence and liable upon summary conviction to a fine not exceeding Five Hundred Dollars or to imprisonment for a term not exceeding twelve months or to both such fine and such imprisonment.

12. Every document purporting to be or to contain or to be a copy of an order, certificate or authority made or given by the Minister in pursuance of the provisions of this Order and purporting to be signed by the Minister shall be received as evidence of such order, certificate or authority without proof of the signature or of the official character of the person appearing to have signed the same and without further proof thereof.

GENERAL

13. The costs involved in the adiministration of this Order shall be paid from the amounts allotted from the war appropriation to the Department of Labour for Japanese administration.

A. D. P. HEENEY,

Clerk of the Privy Council.

H606-C-13-HD

4606-C-13-40

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

OJC/mcd

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 58717

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.
March 1, 1957.

4606-C-13-40
33 51

TO: The Under Secretary of State
for External Affairs,

Ottawa 4, Ontario.

Re: Kosaku Yamanobe

The Custodian is holding a credit balance in the amount of $117.86 in the name of Kosaku Yamanobe, a Japanese evacuee. Under Order in Council P.C. 7355 dated the 15th day of December, 1945, paragraph 6 therein directs the Custodian to remit such funds to the former owner. A copy of Order in Council P.C. 7355 is enclosed.

Our file reveals that Mr. Yamanobe was repatriated to Japan on December 24, 1946, aboard the S.S. "Falcon".

As the Custodian is anxious to clear this balance from his books, would you kindly request the Canadian Embassy in Japan to endeavour to ascertain Mr. Yamanobe's present whereabouts. If the Embassy is successful in locating this man, a cheque will be sent to you for delivery to Mr. Yamanobe by the Embassy.

K. W. Wright,
Chairman of the Administration Board
and Chief Counsel.

Encl.

4606-C-13-40

Far Eastern/W.T.Delworth/dc

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OTTAWA, January 11, 1957.

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

Attention: Mr. M. Robitaille

Estate of late Sotomatsu Kato

In reply to your inquiry of January 7, we wish to inform you that the question of the release of assets held in the name of the above is still under review by this Department. As soon as a final decision has been reached, we shall inform you accordingly.

R. L. ROGERS

for the UNDER-SECRETARY OF STATE
FOR EXTERNAL AFFAIRS

4606-C-13-40

MR/rl

CONFIDENTIAL

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 33308

Legal Section,

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario,
January 7, 1957.

4606-C-13-40
146 | 51

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

Attention: Mr. Harrington

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JAN 8 1957

Re: Estate of the late Sotomatsu Kato

Would you please refer to our previous correspondence in connection with the application for release of assets held in the name of the above.

We would appreciate your letting us know if we may consider the matter closed, in so far as your Department is concerned.

Yours very truly,

M. Robitaille,
Member of the Administration Board
and Associate Counsel.

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4606-C-13-40

Economic/J.M. Harrington/ym

RESTRICTED

4606-C-13-40	
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Ottawa,
November 28, 1956.

The Office of the Custodian,
Department of the Secretary of State,
Ottawa.

I refer to your letter of July 23, 1956 and to subsequent correspondence which have been referred to you for information concerning release of the Canadian assets of Mr. Kazuo Kado. At your request we have asked the Canadian Embassy in Tokyo to obtain a further statement on Mr. Kado's wartime activities and those of the Heiyo Industry Company of which he was President.

Attached is a copy of Letter No. 838 of November 22 from Tokyo, together with enclosures mentioned therein. You will notice that the Heiyo Industry Company was in fact engaged in flour milling and sale of groceries rather than industrial production as the term is generally understood. As you may be aware Mr. Kado's foster son is a Mr. Joe Ohori, employed at the Japanese Embassy in Ottawa, who has been in touch with us on this matter. When the statement from Mr. Kado was mislaid at the Embassy Mr. Ohori received a similar statement from Mr. Kado which is available for examination if required. Since, however, it contains substantially the same information as is in the enclosures to this letter I doubt that it will be necessary for your purpose. I am sure however that Mr. Ohori would be ready to supply clarification of any points on which you might be still uncertain.

I should be grateful to learn at your convenience whether you are prepared to release Mr. Kado's assets.

(Signed) A. E. RITCHIE

Under-Secretary of State
for External Affairs

4606-C-13-40

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: Our letter No. 794 of November 8, 1956

Subject: Kazuo KADO

Security: RESTRICTED

No: 838

Date: November 22, 1956

Enclosures: 3

Air or Surface Mail: Air

Post File No:

Ottawa File No.

4606-C-13-40

146. 94

References

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NOV 26 1956

9.7

We are now in receipt of a letter from Mr. Kazuo KADO, dated November 13, 1956, enclosing as requested a short report on his activities during the war. This we trust will be found to the satisfaction of the Custodian.

2. In addition, we have to report that while this document was being processed in our translation office one of our translators uncovered an earlier and more detailed report made in Japanese by Mr. Kado on August 26 last which he had temporarily lost sight of. The delay in transmittal of this first report is very much regretted.

3. Appended for your attention and necessary action are copies of our translation of Mr. Kado's letter of November 13, 1956, and its attachment together with our translation of his first report dated August 26, 1956.

gilles Lalande

The Embassy

Internal Circulation

Distribution to Posts

E

Ext. 182A (Rev. 2/52)

4606-C-13-40

To : Mr. G. Lalande,
Vice-Consul,
Canadian Embassy, Tokyo.

From: KADO Kazuo
No.1, Moto-machi, Hiroshima-shi,
Hiroshima-ken.

November 13, 1956

Dear Sir,

Please excuse me for troubling you so often.

Since subsequent perusals of your letter of November 8, have inclined me to fear my reply may have been out of focus, I am enclosing another Report. In case it is so, please do pardon me for having imposed on your kindness and caused you extra trouble.

As to my activities in the wartime, I ought to have made it clear that my activities then was limited purely to those as the President of the Heiyo Shokusan Co., Ltd., and that I was never engaged in any other activities worth mentioning.

I am, therefore, enclosing a short Report to that effect, Canada, thought I am not certain whether or not required. If you need any other report, please instruct me to that effect.

Yours sincerely,

KADO Kazuo

I, Miss H. Nagahama, official translator at the Canadian Embassy, Tokyo, Japan do solemnly and sincerely declare that I well understand the Japanese language and that the above is a full, true and faithful translation made by me this 21st day of November, 1956.

In testimony whereof I hereunto set my hand this 21st day of November, 1956.

H. Nagahama

Miss H. Nagahama

I, G. Lalande, Canadian Vice-Consul at Tokyo, Japan do hereby certify that the above declaration was made in my presence by Miss H. Nagahama, official translator at this Embassy.

In testimony whereof I have herunto subscribed my name and consular seal this 21st day of November, 1956.

G. Lalande

G. Lalande
Vice-Consul of Canada in Japan

4606-C-13-HD

4606-C-13-HD

Report on Wartime Activities

In my previous Report I described my activities as the President of the Heiyo Shokusan Co.,Ltd., and I hope I have made my situation clear so far as this is concerned.

I hereby make a supplementary report concerning my activities other than those as the President of the Heiyo Shokusan Co., Ltd., which were not covered by my previous Report.

(1) I never held office in the Government or public service;

(2) I never served in the Armed Forces of Japan or engaged myself in any activities connected there with;

(3) I was never a member of the Imperial Rule Assistance Association (Yokusankai) or any other military-minded or militaristic Association;

(4) I was never a member of a political association such as mentioned in the previous item;

(5) My whole effort was concentrated on the management of the Heiyo Shokusan Co.,Ltd.

I hereby swear the foregoing report to be true and correct.

On this 13 November, 1956

KADO Kazuo

I, Miss H. Nagahama, official translator at the Canadian Embassy, Tokyo, Japan do solemnly and sincerely declare that I well understand the Japanese language and that the above is a full, true and faithful translation made by me this 21st day of November, 1956.

In testimony whereof I hereunto set my hand this 21st day of November, 1956.

H. Nagahama

Miss H. Nagahama

I, G. Lalande, Canadian Vice-Consul at Tokyo,Japan do hereby certify that the above declaration was made in my presence by Miss H. Nagahama, official translator at this Embassy.

In testimony whereof I have herunto subscribed my name and consular seal this 21st day of November, 1956.

G. Lalande

G. Lalande
Vice-Consul of Canada in Japan

4606-C-13-HD

Translation

REPORT REQUIRED BY THE ENEMY PROPERTY
CUSTODIAN COMMITTEE IN CANADA THROUGH
THE CANADIAN EMBASSY IN TOKYO

With reference to the paragraph, "During the years that Canada was at war with Japan, I served as President of the Heiyo Industry Company and that during these years I did not serve at any time in the Armed Forces of Japan nor was I interned by the Japanese Government", contained in my "Declaration to the Custodian of Enemy Property" submitted on November 10, 1955, I have been required by the Enemy Property Custodian Committee in Canada, through the Canadian Embassy in Tokyo, to lodge a detailed report.

I regret to have to inform you that I am deprived of accurate data on which to base my report, partly because the papers kept at the Main Office, in Hiroshima, of the Heiyo Shokusan Co., Ltd., were completely destroyed as the result of the atomic bombard-
1945 ment of 1934 (sic), and partly because Yoshio KADO, Managing-Director and Plant-Superintendent of the Company, was killed by a bomb at the war-front in the Philippines, where he had been drafted.

I, the then President of the said Company, therefore, have been forced to depend entirely upon my poor memory for the following statements:

(1) In 1937, as the Sino-Japanese hostilities began increasingly to assume the aspect of a long drawn-out war, thereby paralysing Japan's international trade, the business of the Heiyo Boeki Co., Ltd., came to a standstill, for the Company had been engaged

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exclusively in exporting provisions to Japanese nationals resident in Canada, the United States, and the Hawaiian Islands. With the restrictions on foreign trade, the Government had come to order purely export traders to suspend their business.

(2) The Heiyo Kogyojo or Plant situated at No. 432, Komatsugawa-machi, Edogawa-ku, Tokyo, and run privately by my younger brother Yoshio KADO, was also doomed to closure because of a shortage of raw materials.

(3) Founding of the Toyo Shokusan Co., Ltd.

With their business thus suspended, the Heiyo Boeki and the Heiyo Kogyojo were amalgamated and a new company was created, that is, the Heiyo Shokusan Co., Ltd., engaged in flour milling. Around October, 1939, the old Heiyo Kogyojo building was remodelled and four mills were purchased.

(4) Outline of the New Company

Capital:	¥ 100,000;
Main Office:	Higashisenda-machi, Hiroshima-shi;
Plant:	Komatsugawa-machi, Edogawa-ku, Tokyo;
Main Business:	Milling
Equipment:	Two Nakajima-style mills and two Nakamura-style mills
President:	Kazuo KADO
Managing-Director and Plant-Superintendent:	Yoshio KADO
Number of Employees:	17
Vehicle:	1 small truck

(5) State of Business

Although the destruction by fire of books and records makes a detailed profit and loss statement impossible, I may roughly divide the period in question into two parts:

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the first covering the years between 1939, when the Company was created, and 1941, when the Pacific War broke out; and the second from 1941 to 1945, the year the hostilities were terminated.

First Period (1939 - 1941)

Despite the enforcement of the National General Mobilization Law and the consequent strengthening of various wartime controls, private purchase of wheat was still possible. Sale, therefore, of flour, too, to the general public was still possible. In view of an increasing dearth of foodstuffs and other commodities, the demand for flour was rapidly growing. No small amount of our business then consisted also in the processing of flour brought in from unofficial quarters to be milled. Even wheat bran sold as feedstuff, as well as confectionery material. As my memory runs, the net profit of the Company in the period in question was some 50,000 yen yearly.

(6) Second Period (1941 - 1945)

In 1941, the Staple-Food Management Law was promulgated, followed by numerous laws and regulations strengthening control over foodstuffs. With the creation of the Food Cooperation, under the Staple-Food Management Law, flour was newly added to the list of rationed goods, so that the importation, transportation, compulsory purchase, and so on, of flour were placed under the control of the Government.

So far as the milling industry was concerned, in each prefecture a Milling Industry Guild was organized, compulsorily incorporating all private enterprisers. Wheat was now allotted through the Guild to each plant, in proportion to its capacity. Private purchase became gradually impossible.

4606-C-13-HD

The Heiyo Shokusan joined the Tokyo-to Seifun Kogyo Kumiai (Tokyo Prefecture Milling Industry Guild), and its Plant retained its former equipment. The Nakajima-style mill being capable of grinding 3 to 4 straw bags of wheat (1 bag containing 4 "to" or nearly 15.9 gallons) daily, and the Nakamura-style mill 6 bags, the daily allotment to the Plant was 20 bags. The processing fee being ¥ 10 per bag, the daily income through this channel was ¥ 200. By-products, too, sold at high prices, unofficially. With the daily wage of a male labourer ¥ 1.2 and a female ¥ 0.7 - 0.9, the Company was able to make both ends meet. (For the first year or so of the Pacific War.)

By 1943 the labour management came to be enforced with utmost severity. All youths and men, unless disabled, were either called to the colours or drafted to war industries. Women, too, were drafted. The Heiyo Shokusan being no exception, most employees were called away, and even Yoshio KADO, Managing-Director and Plant-Superintendent, and this necessitated frequent changes in employees throughout the Second Period, until finally we had only three old men and two old women, though being a provisions industry, we escaped the fate of having our equipment, material, labourers and so on, completely absorbed by more important industries.

The Second Period, unlike the First one, brought us no profits. We, however, managed on the whole to keep our profit and loss somehow balanced.

(7) The termination of hostilities in 1945 left us in the depths of misery. With no material on hand, and no wheat to grind, we were obliged to close our Plant.

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4606-C-13-HD

(8) I should like to add that although our translation of our Company's name "Heiyo Shokusan" as "Heiyo Industry" may have given the impression of its being a war industry, ours was purely a civilian industry, at no stage cooperating with the Army.

(sgd.) Kazuo KADO

No. 1, Moto-machi,
Hiroshima-shi

August 26, 1956

I, H. Nagahama, Official Translator at the Canadian Embassy, Tokyo, Japan do solemnly and sincerely declare that I well understand the Japanese language and that the above is a full, true and faithful translation made by me this 15th day of November, 1956.
In testimony whereof I hereunto set my hand this 15th day of November, 1956.

Hiroko Nagahama
Hiroko Nagahama

I, G. Lalande, Canadian Vice-Consul at Tokyo, Japan do hereby certify that the above declaration was made in my presence by Miss H. Nagahama, Official Translator at this Embassy. In testimony whereof I have hereunto subscribed my name and consular seal this 15th day of November, 1956.

G. Lalande
G. Lalande
Vice-Consul of Canada
in Japan

4606-C-13-HD

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA.

NUMBERED LETTER

THE UNDER-SECRETARY OF STATE FOR
EXTERNAL AFFAIRS, OTTAWA, CANADA.

FROM: The Canadian Embassy,
Tokyo, Japan

Reference: Your letter No. E-584 of
October 29, 1956

Subject:
Kazuo Kado

Security: RESTRICTED

No: 794

Date: November 8, 1956

Enclosures:

Air or Surface Mail: Air

Post File No: 1342

Ottawa File No.
4606-C-13-40
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4606-C-13-40

Copy to Custodian Done Nov 13/56 pm

References

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1 2 3 4 5 6 7 8 9 10

NOV 12 1956

You will be interested to learn that we wrote to Mr. Kazuo KADO in Hiroshima, Japan on August 9 last, requesting him to produce for the Custodian a written statement on his activities during the war but that as of today no reply has been received in this office. On the basis of your letter under reference we have sent to Mr. Kado a reminder, on November 8, stressing that the release of his assets by the Custodian is conditional, upon submission of the requested evidence.

2. We shall, therefore, report to you again on this situation as soon as a reply is received. In the meantime you may find it useful to bring Mr. Kado's foster-son, Mr. Joe Ohashi, up to date on these developments.

OHORI

Gilles Lalande
Embassy

Internal Circulation

Distribution to Posts

E

182A (Rev. 2/52)

NO ENCLOSURES

Economic/J.M.Harrington/pr

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA. *(FILE COPY)*

NUMBERED LETTER

TO: THE CANADIAN EMBASSY
TOKYO

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

Reference: Our Letter No. E-443 of Aug. 2/56

Subject: Kazuo Kado

Security: RESTRICTED

No: E- 584

Date: October 29, 1956.

Enclosures:

Air or Surface Mail:

Post File No:

Ottawa File No.
4606-C-13-40
24 | 146

References

We should be grateful to receive this report on Mr. Kado's activities as soon as possible. Mr. Kado's foster son, Mr. Joe Ohashi who is employed by the Japanese Embassy in Ottawa, has made a number of enquiries lately about release of Mr. Kado's assets, which is conditional upon receipt of your report.

(Signed) A. E. RITCHIE
Under-Secretary of State
for External Affairs

Internal Circulation

Distribution to Posts

Ext. 181B (Rev. 2/52)

4606-C-13-40

4606-C-13-HD

TRANSMITTAL SLIP

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

FROM: The Canadian Embassy,
Tokyo, Japan

The documents described below are for your information.

Despatching Authority G. Lalande/ms 96

Security UNCLASSIFIED

Date October 23, 1956

Air or Surface Air

No. of enclosures 1

4606-C-13-4d.
146 | 2

Copies	Description	Also referred to:
E 1 1 2 3 4 5 6 7 8 9 10 OCT 26 1956	Receipt signed by Miss Shizue Hayashi of Tokyo, Japan, that the Canadian Embassy, Tokyo, Japan has handed to her on October 19, 1956 Imperial Japanese Government 4% Bonds, Series - 32-439770/72, Series-30-414398/9, 414402, 414395/7 (9 x 500) valued at 4,500 Francs, which have been released by the Custodian of Enemy Property on behalf of Torao Hayashi, a former Japanese resident of Canada. (Reference your letter No. E-539 of September 24, 1956)	~~Mr. Cumberbatch~~ file (74) E

Ext. 250 (Rev. 10/51) *(Instruction on Reverse Side)*

Received from Mr. G. Lalande, Vice-Consul for Canada in Japan, at the Canadian Embassy, Tokyo, Japan on this 19th day of October, 1956, Imperial Japanese Government 4% Bonds, Series-32-439770/72, Series-30-414398/9, 414402, 414395/7 (9 x 500) valued at 4,500 Francs, which have been released by the Custodian of Enemy Property on behalf of Torao Hayashi, a former Japanese resident of Canada.

Shigeo Hayashi

Witness Honor Currie

H606-C-13-40

LL/emm

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. 58203

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

October 1, 1956.

file

Spoke to Robitaille about this - he said let us know if they want enquiries made

4606-C-13-40
146 | 75

The Under-Secretary of State
for External Affairs,
O T T A W A.

Dear Sir:

Re: Ichigoro TAKANO.

The above named person declared before an Officer of the Canadian Embassy in Japan, on December 28, 1955:

"that I am a British Subject having been naturalized on December 22, 1914 at Vancouver, British Columbia, certificate no. 2248-14.

that I have never renounced my status as a British subject.

that in the year 1937 I returned to Japan to visit my relatives and was prevented from returning to Canada by the state of war.

that I am presently residing at:

Nigata Ken
Nishikubiki Gun, No machi
9 Ku, Japan."

This person has applied to the Custodian for the release of $645.35.

Beofre granting a release, it would be desirable that a report be made to the Custodian concerning his wartime activities.

It would also be appreciated if you would ask your Embassy, in Tokyo, to make the necessary investigation.

Yours very truly,

L. Legault,
Administrative Officer.

E

OCT 3 1956

E.

4606-C-13-40

Economic/J.M.Harrington/pr

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA. *(FILE COPY)*

NUMBERED LETTER

TO: THE CANADIAN EMBASSY

TOKYO

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

Reference:

Subject: Japanese Government Bonds of Miss Shizue Hayashi

Security: RESTRICTED

No: E- 539

Date: September 24, 1956

Enclosures: 9

Air or Surface Mail Diplomatic Bag

Post File No:

Ottawa File No.
4606-C-13-40

24 | 75

References

I should be grateful if you would forward the attached Imperial Japanese Government 4% Bonds, Series-32-439770/72, Series-30-414398/9, 414402, 414395/7 (9 x 500) valued at 4,500 Francs to Miss Shizue Hayashi, c/o Mrs. M. Nishigaya, Okusawa-machi 1-243, Setagaya-ku, Tokyo. These bonds have been released by the Custodian of Enemy Property on behalf of Torao Hayashi, a former Japanese resident of Canada.

L.F. GRANDY

Under-Secretary of State
for External Affairs

Internal Circulation

Distribution to Posts

Ext. 181B (Rev. 2/52)

4606-C-13-40

FORM S.D.D. 1

Department of Finance

SECURITIES DEPOSIT DIVISION

Ottawa, September 20, 1956

Dear Sir:

I enclose herewith the undermentioned securities amounting to ----------

held in safekeeping for Department of the Secretary of State a/c Custodian of Enemy Property.

by the Minister of Finance and Receiver General of Canada.

Kindly acknowledge receipt.

Yours very truly,

F. D. Slemmon.
Chief of Securities Deposit Division
Per D Lamoureux
H. M. McDonald

Registered

Department of External Affairs,
Ottawa, Ontario.

Attention: Mr. J. F. Grandy.

DESCRIPTION	AMOUNT
Gouvernement Imperial du Japon Bonds. Payable May 15, 1920/70. Series 30 — No. 414395-99, 414402 — Value 6 @ 500 fcs. Series 32 — No. 439770-72 — Value 3 @ 500 fcs. 9 @ 500 francs - 4,500 francs.	----------
Dated May 15, 1910. Interest 4%, May 15, November 15. With November 15, 1941 and subsequent coupons attached.	

H606-C-13-HD

4606-C-13-40

Please send
welcome
back to Finance
Ltd

Ans. Ltr
Oct 1/56

DEPARTMENT OF FINANCE
CANADA

Ottawa, September 20th, 1956

4606-C-13-40
175 | 75

Department of External Affairs,
Ottawa, Ontario.

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SEP 24 1956

Attention: Mr. J. F. Grandy

Dear Sir:

In accordance with instructions received from the Custodian's Office we are forwarding to you today, under separate registered cover, the undermentioned securities:

4,500 francs Imperial Japanese Government 4% Bonds due 1970.

These securities are for transmission to The Canadian Embassy, Tokyo, Japan, to be remitted to Miss Shizue Hayashi, c/o Mrs. M. Nishigaya, Okusawa-machi 1-243, Setagaya-ku, Tokyo, Japan.

Kindly acknowledge receipt on the tissue copy of this letter.

Yours very truly,

F. D. Slemmon,
Chief of Securities Deposit Branch

DH/vs

4606-C-13-40

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

4606-C-13-40
146 | 75

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE NO. 15156

Financial Section
EA/RF

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.
September 14th, 1956.

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SEP 19 1956

MEMORANDUM FOR THE UNDER SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,
O T T A W A.

Attention: Mr. J. F. Grandy,
Economic Division.

Further to our telephone conversation of this afternoon, I attach hereto copy of our letter of today's date to the Chief of Securities Deposit Division, Department of Finance, Ottawa 4, for your file.

E. Arpin,
Acting Chairman of the Administration Board
and Comptroller.

E

"DUPLICATE"

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 15156,
Securities Section,
OCW/WD.

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario,
September 14, 1956.

Dear Sir:

Re: Torao Hayashi, Japanese Evacuee

Will you kindly forward bond numbers Series-32-439770/72, Series-30-414398/9, 414402, 414395/7 (9x500) covering Fcs. 4,500 Gouvernement Imperial du Japon 4% de 1910, due May 15, 1970 or earlier, bearer, to the Department of External Affairs, Ottawa, Attention: Mr. J. F. Grandy, for transmission to The Canadian Embassy, Tokyo, Japan, to be remitted to Miss Shizue Hayashi, c/o Mrs. M. Nishigaya, Okusawa-machi 1-243, Setagaya-ku, Tokyo, Japan.

Your co-operation in this matter will be greatly appreciated.

Yours very truly,

E. Arpin,
Vice-Chairman of the Administration Board and Comptroller.

F. D. Slemmon, Esq.,
Chief of Securities Deposit Division,
Department of Finance,
Ottawa 4, Ontario.

46-06-C-13-HD

4606-C-13-40

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA. (FILE COPY)

NUMBERED LETTER Economic/J.M. Harrington/ym

TO: THE CANADIAN EMBASSY
TOKYO

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

Reference: Your letter No. 580 of July 26

Subject: Release of Assets Held by the Custodian of Enemy Property in the Name of Kazuichi SHIRAISHI

Security: UNCLASSIFIED

No: E- 464

Date: August 15, 1956

Enclosures:

Air or Surface Mail:

Post File No:

Ottawa File No. 4606-C-13-40

145 | 75

References

The Custodian has informed us that on June 1, 1956, a letter was sent to Miss Kimiko Shiraishi requesting some additional information. I am attaching duplicate copies of this letter, one of which you may wish to forward to Miss Shiraishi, since it is possible that she did not receive the original.

No action is being taken to release the assets in question until this information is received.

(Signed) A. E. RITCHIE.
Under-Secretary of State for External Affairs

Internal Circulation

Distribution to Posts

Ext. 181B (Rev. 2/52)

LL/emm

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE
PLEASE REFER TO
FILE No. 57711

145

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

August 8, 1956.

4606-C-13-40
146 | 75

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

AUG 9 1956

Dear Sir:

Reference is made to your memorandum of August 7, 1956 to which was attached a copy of Numbered Letter 580, dated July 26th, from the Canadian Embassy, Japan.

I enclose herewith a copy of our letter of June 1st, 1956 to Miss Kimiko Shiraishi. Her application for release of assets is being withheld pending receipt of the required information.

Yours very truly,

L. Legault,
Administrative Officer.

E.

L. Legault,
Administrative Officer.

4606-C-13-40

COPY

AIRMAIL

57711
LL/EMM

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

June 1, 1956.

Miss Kimiko Shiraishi,
No. 61, Shoanminamimachi,
Suginami-Ku,
TOKYO,
Japan.

Dear Madam:

Reference is made to your application for release of assets now held by this Office.

It is essential that your mother, Yasu Shiraishi, establish that she was admitted to Canada for permanent residence in order to obtain a release of the sum of $1,886.02 now standing to her credit.

We hold to the credit of your father, Kazuichi Shiraishi, now deceased, the sum of $7,482.18.

If the heirs of your father's estate can qualify under the exceptions outlined in Article 14 of the Treaty of Peace with Japan they are, therefore, entitled to the release of the above sum. It will be necessary for them to nominate a personal representative in British Columbia to administer the estate.

If your father left a will a certified copy should be forwarded to this Office. If he died intestate you should communicate with The Public Trustee for the Province of British Columbia in Vancouver, British Columbia.

When this material is received your application for release of assets will receive further consideration.

Yours very truly,

L. Legault,
Administrative Officer.

Economic/J.M.Harrington/jd

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA. *(FILE COPY)*

NUMBERED LETTER

TO: THE CANADIAN EMBASSY, TOKYO

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

Reference: Your Letter No.461 of June 13, 1956

Subject: Kazuo Kado

Security: Restricted

No: E- 448

Date: August 2, 1956.

Enclosures: 2

Air or Surface Mail:

Post File No:

Ottawa File No.
4606-C-13-40

8 | 8

References

Attached is the copy of a further letter, with enclosure, from the Custodian of Enemy Property. I should be grateful if, as suggested by the Custodian, you would endeavour to obtain some information about Mr. Kado's wartime activities and the Heiyo Industry Company of which he was president.

O. G. STONER

Under-Secretary of State
for External Affairs

Internal Circulation

Distribution to Posts

Ext. 181B (Rev. 2/52)

4606-C-13-40

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: Our.letter No.21.of..January.6,.1956..

Subject:.Release.of..the.assets.held.by..the.....
.Custodian..of..Enemy.Property.in..the.name of..
Kazuichi.SHIRAISHI.....

Security: Unclassified

No: 580

Date: 26 July 1956

Enclosures: A

Air or Surface Mail: Air

Post File No: W-648

Ottawa File No.

4606-C-13-40

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JUL 31 1956

Internal Circulation

Distribution to Posts

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Refer to Custodian (action) & file
Done 2/52 Aug

B.F Aug 15 with file

noted

Miss Kimiko SHIRAISHI called on us recently to enquire about the progress made in the case of her application for the release of the assets of her late father, Kazuichi. It would be gratefully appreciated if we could receive a report from the Office of the Custodian concerning the present status of this application.

Gilles Lalande
for The Embassy.

NO ENCLOSURES

Ext. 182A (Rev. 2/52)

4606-C-13-40

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.....

Victoria Building,
70 Connor Street,
Ottawa, 4, Ontario.

July 23rd, 1956.

4606-C-13-40
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JUL 25 1956

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

Re: Kazuo Kado

Reference is made to your letter of June 19th, 1956, enclosing copy of Letter No. 461 of June 13th, from the Canadian Embassy, Tokyo.

The Registrar of Citizenship and Immigration was recently asked if the letter from the Canadian Embassy provided sufficient evidence to show that Kazuo Kado had retained his Canadian Citizenship. In this connection I enclose copy of his reply dated July 9, 1956.

In an application for release of assets, dated November 10, 1955, and signed before an official of the Canadian Embassy in Tokyo, Mr. Kado declares that:

> "During the years thatCanada was atwar with Japan I served as President of the Heiyo Industry Company and that during these years I did not serve at any time in the armed forces of Japan nor was I interned by the Japanese Government."

The Custodian hesitates to grant a release pending a further report from the Embassy coveringKado's war time activities.

Your attention is directed to the Report of the Advisory Commission prepared by the Honourable J. L. Ilsley on War Claims. Pages 24, 25 and 26 of this Report deals with persons who are dual nationals.

Furthermore the general rule is that where there was any voluntary collaboration or assistance to an enemy during the war the claimant, regardless of his nationality, did not receive anything out of the War Claims Fund.

It appears appropriate for us to give consideration to the same principle when the matter of releasing assets of persons possessing dual nationality is under review.

It would be appreciated if you would ask your Embassy in Tokyo to make the necessary investigation.

Our decision will be deferred until we hear from you.

E. 4606-C-13-40

K. W. Wright,
Chairman of the Administration Board
and Chief Counsel.

KWW*G
Encl.

4606-C-13-40

COPY/G

Department of Citizenship and Immigration

Canadian Citizenship Registration Branch

JED:BH

File No. 3821-56

L. Legault, Esq.,
Administrative Officer,
Office of the Custodian,
Victoria Bldg., 7 O'Connor St.,
Ottawa 4, Ontario.

Dear Mr. Legault:

I have received your further letter of July 3, 1956 concerning the citizenship of Kazuo Kado.

It has always been a very common occurance for Japanese people to register with the Japanese authorities the fact of the births of their children outside of Japan. As you are probably aware, the family tree is a metter of considerable importance to persons of the Japanese race and, particularly in the past, they have been careful to register these children, not only for the purpose of having their names entered in the Japanese family register but also to have the status of citizens of Japan.

In cases where children are born in Canada, this procedure has resulted in dual citizenship and, of course, it does not mean that a child born in Canada ceases to be a British subject or a Canadian citizen when his parents register his birth with the Japanese auth orities.

I would be of the opinion, therefore, that Kazuo Kado, who was born at Vancouver, B.C. on February 13, 1901, did not cease to be a natural-born British subject by reason of the registration of his birth at the Japanese Consulate in Vancouver on February 14, 1901. There is nothing in our files to indicate that Mr. Kado might have ceased to be a British subject or a Canadian citizen subsequent to the registration of his birth with the Japanese authorities. In fact, Mr. Kado was issued with a certificate of proof of his Canadian citizenship on June 21, 1956. The certificate was sent to the Canadian Embassy in Tokyo on that date.

Yours sincerely,

J. E. DUGGAN
Registrar of Canadian Citizenship

4606-C-13-40

Economic/H.A. Jenness/ym

Your File 57008 Vol. I

4606-C-13	-40
24	75

Ottawa, June 19, 1956.

The Office of the Custodian,
Department of the Secretary of State,
Ottawa.

Re: Kazuo Kado

I refer to your letter of February 20, 1956 in which you requested that our Embassy in Tokyo interview Mr. Kado in order to ascertain whether he had taken any steps which would cause him to lose his Canadian citizenship.

I am attaching a copy of letter No. 466 of June 13 from our Embassy in Tokyo, in which they set out the results of their interview with Mr. Kado. You will note that it appears he still retains his Canadian citizenship.

(Signed) A. E. RITCHIE.

Under-Secretary of State
for External Affairs

4606-C-13-40

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA.

NUMBERED LETTER

THE UNDER-SECRETARY OF STATE FOR
EXTERNAL AFFAIRS, OTTAWA, CANADA.

FROM: The Canadian Embassy,
Tokyo, Japan.

Reference: Your letter No. E-181 of March 20, 1956

Subject: Estate of Mine. KADO

Security: Unclassified

No: 466

Date: June 13, 1956

Enclosures:

Air or Surface Mail: Air

Post File No:

Ottawa File No.
4606-C-13-40

146. | 75.

References

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JUN 15 1956

Internal Circulation

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As requested in your letter under reference we interviewed Mr. Kazuo KADO in order to ascertain whether he has acquired any other nationality or taken any other steps which would cause him to lose his Canadian citizenship.

2. We obtained from him a copy of his family register which certifies that his father, Saroku KADO, reported his birth to the Japanese Consulate in Vancouver on February 14th, 1901, and that the documents of registration were received by the Mayor of Furui-ichi-machi, Asa-gun, Hiroshima-ken on March 18, 1901. Under Japanese law, Kazuo KADO acquired Japanese nationality by the fact of this registration of his birth with a representative of the Japanese government in Canada. We understand that since he became a dual-national he has taken no steps to alter this situation. Furthermore, so far as we have been able to ascertain, Kazuo KADO has taken no other steps which would cause him to lose his Canadian citizenship.

19/6/56

Gills Lalande
for The Embassy.

Ext. 182A (Rev. 2/52)

4606-C-13-40

NO SUCH IMPORTANT
IN DOCUMENT

Economic/J.M. Harrington/ym

Your File 18135-54
DNI

cc Consular Div.

Office of the Custodian

RESTRICTED

Ottawa, May 16, 1956.

E

4606-C-13-40

64 | 10

The Registrar of Canadian Citizenship,
Department of Citizenship and Immigration,
Ottawa.

24

I refer to your letter of February 1, 1956 concerning the national status of Renichi Nagao. I enclose a copy of letter No. 385 of May 9 from our Embassy in Tokyo giving the results of their enquiries into this case. Also enclosed is a copy of the booklet mentioned which gives a rough translation of Japanese Laws concerning nationality.

As you will see this letter confirms the view you expressed that Japanese Law on the subject is uncertain: the relevant law definitely provided for loss of citizenship as a result of naturalisation abroad yet since no steps were taken to remove Nagao's name from the family register he is considered in Japan as a Japanese national. The situation might almost be described as that Nagao lost his Japanese citizenship de jure but retained it on a de facto basis.

I should in due course appreciate being informed of your final decision on this case.

Ref Article VIII
provides for
automatic loss
of Japanese citizenship
upon naturalization
abroad then the
fact that his name was
still on the register
could not be
However this involves
an interpretation
Japanese law which
we cannot say
until
[illegible]

Signed A. E. RITCHIE

Acting Under-Secretary of
State for External Affairs

May 18/56
L. E. Beaupré
Legal Division

4606-C-13-40

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA.

NUMBERED LETTER

THE UNDER-SECRETARY OF STATE FOR
EXTERNAL AFFAIRS, OTTAWA, CANADA.

FROM: The Canadian Embassy,
Tokyo, Japan.

Reference: Your Letter No. E-134 of February 27, 1956

Subject:

Security: RESTRICTED

No: 385

Date: May 9, 1956

Enclosures: 1

Air or Surface Mail: Air

Post File No: N-1061

Ottawa File No. 4604-C-13-40	
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MAY 11 1956

Internal Circulation

Distribution to Posts

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Ext. 182A (Rev. 2/52)

Copy on 58-CWD-40 "C"

We append for your information a copy of a booklet issued by the Civil Affairs Bureau, Ministry of Justice, giving a rough translation of the Japanese laws concerning nationality.

2. You will see that, in accordance with Article VIII of Law No. 147 - Nationality Law - Renichi Nagao lost his Japanese citizenship when he acquired Canadian citizenship by naturalization on April 19, 1956. So far as we were able to ascertain from the Ministry of Justice, Mr. Nagao has taken no steps to recover Japanese citizenship, but we were told informally that he may not have to do so for the reason that he failed to notify the Japanese Ministry of Justice of his acquiring of the nationality of a foreign country. The Japanese authorities, who have had no record of this, have, therefore, taken no steps to have his name removed from his family register. It has meant in practice that Mr. Nagao is considered in Japan as a Japanese national.

3. You may be interested to know that the Nationality Law in Japan provides that the only way for a person who is not a Japanese national by birth to acquire Japanese nationality is by naturalization. It follows that the process whereby Japanese nationality is re-acquired by those who have lost it through naturalization abroad is to be found in Articles III, IV, V, VI, and VII of the said Law which outline the conditions under which an alien may be granted naturalization in Japan.

Gilles Lalande
for The Embassy

4604-C-13-40

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA. *(FILE COPY)*

NUMBERED LETTER

Economic/J.M. Harrington/ym

TO: THE CANADIAN EMBASSY
TOKYO

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

Reference:

Subject: Estate of Mine Kado.

Security:

No: E- 181

Date: March 20, 1956

Enclosures:

Air or Surface Mail:

Post File No:

Ottawa File No. 4606-C-13-40	
13	13

References

Office of the Custodian

Attached is a copy of a letter of February 20, 1956 with enclosures from the Custodian of Enemy Property concerning the citizenship of Kazuo Kado, heir to the above mentioned estate. Mr. Kado's present address is:

1, Motomachi,
Hiroshima-shi,
Japan.

It would appear that Kazuo Kado has not lost the Canadian citizenship he acquired by birth but I should be grateful if you would, as requested by the Office of the Custodian, arrange to interview him and endeavour to ascertain whether he has acquired any other nationality or taken any other steps which would cause him to lose his Canadian citizenship.

(Signed) A. E. RITCHIE.

Under-Secretary of State for External Affairs

Internal Circulation

Distribution to Posts

Ext. 181B (Rev. 2/52)

4606-C-13-40

4606-C-13-40

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

4606-C-13-40.

146. Ap

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 57008 Vol. I

LL/EMM

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

March 1, 1956.

The Under-Secretary of State
for External Affairs,
O T T A W A.

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MAR 8 1956

Dear Sir:

Re: Kazuo Kado.

Reference is made to your letter of the 27th ultimo in which you ask for information concerning the above named person.

In this connection I wish to advise that, according to our records, Mr. Kado now resides at:

1, Motomachi,
Hiroshima-shi,
Japan.

For additional information concerning this case, kindly refer to our letter of February 20, 1956.

Yours very truly,

L. Legault,
Administrative Officer.

E

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA. *(FILE COPY)*

NUMBERED LETTER **Economic/J.M. Harrington/ym**

TO: The Canadian Embassy
TOKYO

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

Reference: Your Letter 931 of August 24, 1954

Subject: Mr. Renichi Nagao

Security: RESTRICTED

No: E-134

Date: February 27, 1956

Enclosures:

Air or Surface Mail:

Post File No:

Ottawa File No. 4606-C-13-40	
145	13

References

Custodian Registrar (Can Cit. & Imm.)

We have learned that Mr. Nagao recently lost his Canadian citizenship by revocation under section 19(1)(c) of the Citizenship Act. The Custodian of Enemy Property has now raised the question of whether this man acquired Japanese nationality prior to April 28, 1952 and had consequently lost his Canadian citizenship on the date of ratification of the Japanese Peace Treaty. The Japanese Embassy have confirmed that by his naturalization in Canada on April 19, 1915 Renichi Nagao lost his Japanese citizenship, though he may have subsequently regained it.

2. I should be grateful if you would endeavour to ascertain whether Mr. Nagao has recovered Japanese citizenship and if so the effective date of this recovery. I should also be grateful for your general comments on the process whereby Japanese nationality is reacquired by those who have lost it through naturalization abroad.

(Signed) A. E. RITCHIE.

for Under-Secretary of State for External Affairs

Internal Circulation

CONSULAR DIV.

Distribution to Posts

Ext. 181B (Rev. 2/52)

4606-C-13-40 pt 2

Economic/J.M. Harrington/ym

Ottawa, February 27, 1956.

4606 C-13-40
145 13

The Office of the Custodian,
Department of the Secretary of State,
Ottawa.

I refer to your letter of February 20, 1956 concerning a claim of Kazuo Kado to the estate of Mine Kado in which you ask for the assistance of the Canadian Embassy in Tokyo in ascertaining whether the heir became an alien.

Since it would be desirable for the Embassy to interview Mr. Kado I should be grateful if you would let me have this man's present address in Japan and any other appropriate references so that the Embassy may get in touch with him. When I have this information I shall be pleased to refer your enquiry to Tokyo.

(Signed) A. E. RITCHIE

Under-Secretary of State
for External Affairs

4606-C-13-40

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. 57008
LL/EMM

To: FEB 21 1956 To:

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

February 20, 1956.

4606-C-13-40
146

The Under-Secretary of State
for External Affairs,
O T T A W A.

Dear Sir:

Re: Estate of Mine Kado.

The sole beneficiary of the above named estate, Kazuo Kado, has filed an application for the release of assets now held by the Custodian as enemy funds.

E 1 2 3 4 5 6 7 8 9 10

FEB 22 1956

According to declarations made to the Custodian and signed before an Official of the Canadian Embassy in Tokyo, Japan, the applicant declared on November 10, 1955 that:

" 1) I was born at 43 West Pender Street, Vancouver, British Columbia, Canada, on the 13th of February, 1901.

2) That on September 28, 1936 I left Canada for Japan which has since been the country of my residence.

3) That during the years that Canada was at war with Japan I did not serve at any time in the Armed Forces of Japan, nor was I interned by the Japanese Government.

4) That I hereby request a release of the sum of $7,532.10 to Mr. Joe Ohori, a Canadian of Japanese origin presently employed by the Embassy of Japan, at Ottawa, Canada, to whom I have granted a general power of attorney to act on my behalf. "

and on December 16, 1955 he declared:

" 1) That I am a Canadian national by birth, having been born at 43 West Pender Street, Vancouver, B.C., Canada, on February 13, 1901, the first son of Saroku Kado and Mine Kado, now both deceased;

2) That I also acquired Japanese nationality at birth by reason of the fact that my father, Saroku Kado, as required in accordance with existing Japanese law, reported by birth to the Japanese Consulate at Vancouver, B. C., Canada, on February 14, 1901, the documents of registration having been received by the Mayor of Furui-ichi-machi, Asa-gun, Hiroshima-ken on March 18, 1901 and my place of birth, name and status as the son of Saroku and Mine Kado recorded by him by virtue of the registration status of my father; and

4606-C-13-40

3) That at no time since my birth have I taken any action to renounce or divest myself of Canadian nationality or citizenship."

On several occasions the Registrar of the Department of Citizenship and Immigration was asked to certify whether the applicant retained his Canadian citizenship despite the fact that he was a resident of Japan.

I attach hereto copies of his replies, dated February 16, 1955, December 22, 1955 and January 30, 1956.

In view of the foregoing, I would appreciate it if you would request the Canadian Embassy in Tokyo to ascertain whether as a question of fact Mr. Kado became an alien.

An early reply in this connection will be greatly appreciated.

Yours very truly,

K. W. Wright,
Chairman of the Administration
Board and Chief Counsel.

4606-C-13-HD

COPY
EMM

DEPARTMENT OF CITIZENSHIP
AND IMMIGRATION

In your reply please refer
to Citzenship File Number
General

Ottawa, February 16, 1955.

Mr. L. Legault,
Administrative Officer,
Department of the Secretary of State,
Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.

Dear Sir:

Re: Kazuo Kado - file No. 57008.

In reply to your letter of February 10th regarding the citizenship of the above named person. I have to advise that unless it is known that Mr. Kado acquired a foreign nationality while outside of Canada, he would retain the status of a natural born Canadian citizen. Residence outside of Canada does not incur any loss of citizenship to persons who were born in Canada.

Yours very truly,

(Signed R. Labelle)

R. LABELLE,
for Registrar of Canadian Citizenship.

RL:am

H606-C-13-HD

COPY
EMM

DEPARTMENT OF CITIZENSHIP
AND IMMIGRATION
CANADA

In your reply please refer to
Citizenship File Number: General.

JED:BH

Ottawa, December 22, 1955.

L. Legault, Esq.,
Administrative Officer,
Office of the Custodian,
Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario.

Dear Sir:

Re: Status of Kazuo Kado.
Your file: 57008 - LL/EMM.

I have received your letter of December 20 enclosing a copy of the declaration of Kazuo Kado regarding his birth at Vancouver, B. C. and his claim to being a natural-born Canadian citizen under Section 4 (1)(a) of the Canadian Citizenship Act.

Before I can give an opinion on this case, it will be necessary to have the birth certificate for examination, or at least confirmation from the Bureau of Vital Statistics in Victoria. In addition, it would be necessary to know the date and place of this man's departure from Canada to Japan, and the circumstances under which he left this country. The name of the ship on which he sailed to Japan would also be helpful.

Yours sincerely,

(Signed: J. E. Duggan)

J. E. DUGGAN.
Registrar of Canadian Citizenship.

4606-C-13-HD pt 2

4606-C-13-40
pt 2

COPY
EMM

DUPLICATE.

DEPARTMENT OF CITIZENSHIP
AND IMMIGRATION
OTTAWA

In your reply please refer to
Citizenship File Number: General.

JED:BH

Ottawa, January 30, 1956.

L. Legault, Esq.,
Administrative Officer,
Office of the Custodian,
Dept. of the Secretary of State,
Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario.

Dear Sir:

Re: Status of Kazuo Kado.
Your file: 57008.

I have received your further letter of January 23 enclosing a photostat of the birth certificate of Kazuo Kado.

I notice that the copy of Kado's affidavit which accompanied your letter of December 20 last was taken before the Canadian Consul in Tokyo and that he had apparently examined Kado in respect to his claim to Canadian citizenship.

I would be of the opinion, therefore, in the absence of any evidence to the contrary, that Kazuo Kado, by virtue of birth in Canada, would have the status of a natural-born Canadian citizen, within the meaning of the Canadian Citizenship Act, Section 4 (1)(a), provided he has not since become an alien.

Yours sincerely,

(Signed - J. E. Duggan)

J. E. Duggan,
Registrar of Canadian Citizenship.

Consular/M.J. Burnand-as

DEPARTMENT OF EXTERNAL AFFAIRS

MEMORANDUM

Please return with the file

TO: Economic Division

FROM: Consular Division.

Security UNCLASSIFIED

Date February 14, 1956.

File No. 4606-C-13-40

145 | ~ | ~

REFERENCE: Your memorandum of February 8, 1956.

SUBJECT: National Status of Renichi Nagao.

Mr. Wada of the Japanese Embassy has informed me that when Renichi Nagao acquired naturalization in Canada on April 19, 1915, he would have automatically lost his Japanese citizenship.

2. With regard to your second question, the Registrar of Canadian Citizenship has informed me that in the absence of any information as to exactly when Nagao re-acquired Japanese nationality he would not be able to give an opinion as to whether he would have lost his Canadian citizenship status.

3. Mr. Harrington of your Division suggested in a telephone conversation with Miss Burnand of this Division that we should send you the above information and that he would write to the Embassy in Tokyo to see whether the Embassy could obtain any information as to when this man re-acquired his Japanese citizenship.

Paul Malone

CONSULAR DIVISION.

Ext. 326
(2/53)

4606-C-13-40

p 1+2

Diary
Head of Section
File.

Consular/M.J. Burnand-as

Economic Division

UNCLASSIFIED

February 14, 1956.

Consular Division.

4606-C-13-40

Your memorandum of February 8, 1956.

53

National Status of Renichi Nagao.

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3. Mr. Harrington of your Division suggested in a telephone conversation with Miss Burnand of this Division that we should send you the above information and that he would write to the Embassy in Tokyo to see whether the Embassy could obtain any information as to when this man re-acquired his Japanese citizenship.

T. P. MALONE

CONSULAR DIVISION.

4606-C-13-40

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: Our Letter No. 21 of January 6, 1956.

Subject: Release of the assets held in the name of Masuo Shiraishi by the Custodian of Enemy Property

Security: Unclassified

No: ///

Date: February 8, 1956

Enclosures:

Air or Surface Mail: Air

Post File No: N-648

Ottawa File No. 4606-C-13-40

146 | 13

References

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1 2 3 4 5 6 7 8 9 10

FEB 14 1956

Done Dept Customs 145 Feb 15/56 + file

We wish to inform you that we wrongly stated in our letter under reference that the name of the father of Miss Kimiko Shiraishi was "Masuo". A review of our file shows that his first name was Kazuichi. We hope this oversight has not caused you any inconvenience.

The Embassy

Internal Circulation

Distribution to Posts

2

Ext. 182A (Rev. 2/52)

4606-C-13-40

Economic/J.M. Harrington/ym

CONSULAR DIVISION

UNCLASSIFIED

February 8, 1956.

Economic Division

4606-C-13-40
145 | 145

National Status of Renichi Nagao.

The attached file contains recent correspondence relating to the case of Renichi Nagao, a former naturalized citizen of Canada whose assets are vested in the Custodian of Enemy Property. We have recently learned that Nagao lost his Canadian citizenship under Section 19 (1) (c) of the Canadian Citizenship Act on the grounds of ordinary residence outside of Canada for a period of six years. The Custodian in a letter dated December 27, 1955 raised the question of whether, in the event Renichi Nagao had acquired Japanese nationality prior to April 28, 1952, the date of ratification of the Treaty of Peace with Japan, he would have lost his Canadian citizenship as of that date. In our reply to the Custodian, copies of which were referred to your Division and the Registrar of Canadian Citizenship, we gave it as our opinion that this man would not have lost Japanese nationality through his original naturalization in Canada and that consequently there would have been no question of "acquisition" of Japanese citizenship at any subsequent time.

In a letter dated January 24, 1956, which passed through your Division, the Registrar substantially concurred with this view but in a letter of February 1, 1956 has quoted a statement made in 1919 by the then Japanese Consul in Ottawa to the effect that the Japanese Nationality Law of that time provided for loss of Japanese citizenship in the case of voluntary acquisition of foreign citizenship. The Registrar suggests that we look into the matter.

. . ./2

4606-C-13-40

4606-C-13-40

The question of determination of national status would appear to be the responsibility of your Division and we should therefore be grateful if you would look into the matter. It seems to me that there are two questions to be answered here:

a) Whether under Japanese Law at the time of his naturalization in Canada Renichi Nagao would have lost his Japanese citizenship, and

b) If he did, and subsequently reacquired Japanese nationality prior to ratification of the Peace Treaty, ~~he~~ would he have lost his Canadian citizenship status.

We should be grateful for your comments on these points.

(Signed) A. E. RITCHIE

Economic Division

DEPARTMENT OF EXTERNAL AFFAIRS

Memorandum

Mr. Wada, Japanese embassy, phoned to say that a Japanese national who acquires Canadian citizenship ~~does~~ thereby automatically loses Japanese citizenship (or "nationality", as he called it)

DLR.

4606-C-13-40

pt 1

4606-C-13-40

Economic/J.M. Harrington/ym

DEPARTMENT OF EXTERNAL AFFAIRS ~~H.L. Wallis~~ ~~Miss Dulmage~~

MEMORANDUM

TO: CONSULAR DIVISION

FROM: Economic Division

REFERENCE:

Security UNCLASSIFIED

Date February 8, 1956.

File No. 4606-C-13-40

53 | — | —

SUBJECT: National Status of Renichi Nagao.

The attached file contains recent correspondence relating to the case of Renichi Nagao, a former naturalized citizen of Canada whose assets are vested in the Custodian of Enemy Property. We have recently learned that Nagao lost his Canadian citizenship under Section 19 (1) (c) of the Canadian Citizenship Act on the grounds of ordinary residence outside of Canada for a period of six years. The Custodian in a letter dated December 27, 1955 raised the question of whether, in the event Renichi Nagao had acquired Japanese nationality prior to April 28, 1952, the date of ratification of the Treaty of Peace with Japan, he would have lost his Canadian citizenship as of that date. In our reply to the Custodian, copies of which were referred to your Division and the Registrar of Canadian Citizenship, we gave it as our opinion that this man would not have lost Japanese nationality through his original naturalization in Canada and that consequently there would have been no question of "acquisition" of Japanese citizenship at any subsequent time.

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Ext. 326
(2/53)

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b) If he did, and subsequently reacquired Japanese nationality prior to ratification of the Peace Treaty, ~~he~~ would have lost his Canadian citizenship status.

We should be grateful for your comments on these points.

Economic Division

DEPARTMENT OF
CITIZENSHIP AND IMMIGRATION
Canadian Citizenship Registration Branch

CANADA

MINISTÈRE DE LA
CITOYENNETÉ ET DE L'IMMIGRATION
Division de l'enregistrement de la citoyenneté canadienne

JED:BH

In your reply please refer to Citizenship File Number
Dans votre réponse, veuillez indiquer le n° du dossier de la Citoyenneté
18135-54
DNI.

Do not write on more than one subject in any one letter
Veuillez ne traiter qu'un seul sujet par lettre

Refer to Custodian ~~with copy of and letter to~~ Today
Done Feb 8/56

Ottawa, February 1, 1956.

4606-C-13-40
146. | 13

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FEB 3 1956

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

file (145)

Dear Sir:

Re: National status Renichi Nagao.

Reference my memorandum of January 12, 1956, I wrote to you on January 24, 1956 concurring in the opinion, expressed by the Custodian, that Renichi Nagao had been regarded as a Japanese citizen despite his naturalization at Victoria, B. C. on April 19, 1915 and that, as a result, there would have been no change in his dual status at the time of the coming into effect of the Japanese Peace Treaty on April 15, 1952.

no - by mistake

I expressed the foregoing opinion principally because it had been my recollection that between 1930 and the commencement of the Second World War, a Japanese who acquired naturalization in Canada did not cease to be a Japanese subject unless he obtained a release from the Japanese Government. In fact, as you will probably remember, there had been a lengthy exchange of correspondence on the subject which resulted in a definite release procedure.

It has been drawn to my attention, however, that the then Japanese Consul in Ottawa, Mr. S. Furuya, wrote to the then Under-Secretary of State on December 19, 1919. On page three of his letter the following statement appears:

> "I may add perhaps, for your information, the following;-
>
> Article 20 of the Japanese Law of nationality, provides that a person who voluntarily acquires a foreign nationality, lose thereby his Japanese Nationality. It goes without saying that the Japanese naturalized in Canada, loses his Japanese Nationality."

As there has since been some uncertainty with respect to the Japanese law on this subject, it might be preferable to question the Japanese authorities and ascertain whether or not it is quite clear that Renichi Nagao would have ceased to be a Japanese subject when he acquired naturalization in Canada on April 19, 1915.

E

Victoria B.C.

Yours sincerely,

J. E. DUGGAN
Registrar of Canadian Citizenship.

4606-C-13-40

DEPARTMENT OF
CITIZENSHIP AND IMMIGRATION
Canadian Citizenship Registration Branch

CANADA

MINISTÈRE DE LA
CITOYENNETÉ ET DE L'IMMIGRATION
Division de l'enregistrement de la citoyenneté canadienne

JED:RC

In your reply please refer to Citizenship File Number
Dans votre réponse, veuillez indiquer le n° du dossier de la Citoyenneté 18135-54

Do not write on more than one subject in any one letter
Veuillez ne traiter qu'un seul sujet par lettre

R-000032 B

Refer copy to Donnelly, Custodian, 2 Feb 56 (143) then file

OTTAWA, January 24, 1956.

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FEB 1 1956

4606-C-13-40
136 | 13

PASSPORT

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

Dear Sir:

Re: National status of
Renichi Nagao.

CONSULAR DIVISION
RECEIVED
JAN 27 1956
PASSPORT OFFICE

I have received your memorandum of January 12, 1956 - unclassified - enclosing a copy of letter dated December 27, 1955 from the Office of the Custodian, Ottawa and copy of your reply to that office dated January 12, 156, concerning the citizenship of Mr. Renichi Nagao.

At the time of Renichi Nagao's naturalization at Victoria, B.C. on April 19, 1915, he would not have ceased to be a Japanese citizen merely by the fact of naturalization in a foreign country. Therefore, as he was already recognized as a Japanese citizen at the time of the coming into effect of the Japanese Peace Treaty on April 28, 1952, there would have been no change in his dual status and he would have continued to enjoy the status of a naturalized British subject which he had enjoyed without interruption from the date of his naturalization in Canada on April 19, 1915; therefore, I concur in the opinion expressed in your letter to the Custodian Office dated January 12, 1956.

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Mr. Nagao ceased to be a Canadian citizen and a British subject on November 18, 1954, the date of the Order-in-Council under which his citizenship was revoked, in accordance with the provisions of the Canadian Citizenship Act, Section 19(1)(c).

Yours sincerely,

J.E. DUGGAN,
Registrar of Canadian Citizenship.

4606-C-13-40
pt 2

4606-C-13-40
pt 2

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 58019

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

January 26th, 1956.

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JAN 30 1956

4606-C-13-40
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To: The Under-Secretary of State
for External Affairs, Ottawa.

Re: Renich Nagao.

Attention: Mr. A. E. Ritchie.

Reference is made to your communication of 12th instant.

Will you kindly forward a copy of the reply to your letter of 12th instant, addressed to the Registrar of Canadian Citizenship, in due course.

K. W. Wright,
Chairman of the Administration Board
and Chief Counsel.

KWW/G

E

Economic/J.M. Harrington/ym
Your File 58019
Legal Section

Registrar of Can. Citizenship, Dept. Cit. & Imm.
Consular Division
Far Eastern Division
Tokyo (File N-1061)

4606-C-13 40
145 / 136

Ottawa, January 12, 1956.

The Office of the Custodian,
Department of the Secretary of State,
Ottawa.

I refer to your letter of December 27, 1955 concerning release of assets claimed by Mr. Renich Nagao on the information forwarded in letter No. 931 of August 24, 1954 by the Canadian Embassy in Tokyo.

I have noted the information you received from the Registrar of Canadian Citizenship to the effect that Renichi Nagao lost his Canadian citizenship under Section 19 (1) (c) of the Canadian Citizenship Act on the grounds of ordinary residence outside Canada for a period of not less than six years. You raised the question of whether, in the event Renichi Nagao had acquired Japanese nationality prior to April 28, 1952, he would have lost his Canadian citizenship at the time of the coming into effect of the Japanese Peace Treaty. I understand from your letter of July 9, 1954 that Renichi Nagao was naturalized in Canada on April 19, 1915, so that he presumably had the status of Japanese citizen by birth; it is my understanding that Japanese Law does not recognize a loss of Japanese nationality through naturalization in another country and it would therefore appear that Renichi Nagao, throughout the period during which he had Canadian citizenship, was also a citizen of Japan. Like other Japanese-Canadian therefore he could not "acquire" Japanese citizenship and therefore could not lose his Canadian citizenship on these grounds.

I am referring a copy of your letter under reference and of this reply to the Registrar of Canadian Citizenship for his comments if any and I should be grateful in due course to learn your decision on the proposed release of Mr. Nagao's assets.

I agree
Alastair Naptid.
17/1/56.

Under-Secretary of State
for External Affairs

4606-C-13-40

COPY

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
Office of the Custodian

File No. 58019
Legal Section
GGB/AD

Ottawa, December 27th, 1955.

4606-C-13-40
14 5 | 145

Memorandum for the Under Secretary of
State for External Affairs,
Ottawa.

Attention: Economic/D.B. Wilson/S

I would refer to your memorandum of the 17th of September, 1954, your file No. 4606-C-13-40 enclosing copy of letter No. 931 of August 24th, 1954 from Tokyo re release of assets claimed by Mr. Renichi Nagao.

In the interval we have received a letter from the Department of Citizenship and Immigration, Ottawa, dated November 30th, 1955. The last paragraph of this letter reads as follows:-

> "The citizenship of Renichi Nagao was revoked and cancelled under Section 19 (1) (c) of the Canadian Citizenship Act on the grounds of ordinary residence outside of Canada for a period of not less than six years and failure to maintain substantial connection with Canada. The Effective date of revocation was Nov. 18, 1954, P.C. 1954-1758."

The question has now arisen here whether, if Renichi Nagao had acquired Japanese nationality, say, prior to April 28th, 1952 the date of the ratification of the Treaty of Peace with Japan, he would have lost his Canadian citizenship as of the date when he acquired Japanese nationality. We believe that this situation may be covered by other provisions of the Canadian Citizenship Law, particularly Section 15 (1).

G. G. Beckett,
Vice Chairman, Administration Board
and Associate Counsel

4606-C-13-40

Economic/J.M. Harrington/ym

Your File 58019
Legal Section

File

Registrar of Can. Citizenship, Dept. Cit. & Imm.
Consular Division
Far Eastern Division
Tokyo (File N-1061)

Ottawa, January 12, 1956.

4606-C-13-40
136 136

The Office of the Custodian,
Department of the Secretary of State,
Ottawa.

I refer to your letter of December 27, 1955 concerning release of assets claimed by Mr. Renich Nagao on the information forwarded in letter No. 931 of August 24, 1954 by the Canadian Embassy in Tokyo.

I have noted the information you received from the Registrar of Canadian Citizenship to the effect that Renichi Nagao lost his Canadian citizenship under Section 19 (1) (c) of the Canadian Citizenship Act on the grounds of ordinary residence outside Canada for a period of not less than six years. You raised the question of whether, in the event Renichi Nagao had acquired Japanese nationality prior to April 28, 1952, he would have lost his Canadian citizenship at the time of the coming into effect of the Japanese Peace Treaty. I understand from your letter of July 9, 1954 that Renichi Nagao was naturalized in Canada on April 19, 1915, so that he presumably had the status of Japanese citizen by birth; it is my understanding that Japanese Law does not recognize a loss of Japanese nationality through naturalization in another country and it would therefore appear that Renichi Nagao, throughout the period during which he had Canadian citizenship, was also a citizen of Japan. Like other Japanese-Canadian therefore he could not "acquire" Japanese citizenship and therefore could not lose his Canadian citizenship on these grounds.

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Under-Secretary of State
for External Affairs

4606-C-13-40

4606-C-13-40

COPY

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
Office of the Custodian

File No. 58019
Legal Section
GGB/AD

Ottawa, December 27th, 1955.

Memorandum for the Under Secretary of
State for External Affairs,
Ottawa.

Attention: Economic/D.B. Wilson/S

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G. G. Beckett,
Vice Chairman, Administration Board
and Associate Counsel

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: Release of Assets held by the Custodian of Enemy Property in the name of... Noboru Hayashi

Security: Unclassified

No: 37

Date: January 10, 1956

Enclosures: 2

Air or Surface Mail: Air

Post File No: N-850

Ottawa File No.
4606-C-13-40

136 | 13

4606-C-13-40

Refer with all enclosures to Custodian, Jan. 24/56

References

E — 1 2 3 4 5 6 7 8 9 10

JAN 19 1956

Attached for onward transmission to the Custodian of Enemy Property is the original and a copy of a statutory declaration completed at this office by Miss Shizue Hayashi to obtain the release of assets belonging to her late father, Noboru. Attached to this declaration are translations of powers of attorney made in favour of Miss Hayashi by three of her four brothers, in which they authorize her to claim the assets on their behalf.

2. We should be grateful to be informed whether the Custodian is in a position to release Miss Hayashi's share of the estate and that of her three brothers in Japan.

H Bellamy
for The Embassy.

Internal Circulation

Distribution to Posts

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Ext. 182A (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:

Subject: Release of the assets held in the name of Masuo Shiraishi by the Custodian of Enemy Property

Security: Unclassified

No: 21

Date: January 6, 1956

Enclosures: 6 ✓

Air or Surface Mail: Air

Post File No: N-648

Ottawa File No. 4606-C-13-40

136 | 13

Refer copy with enclosures to the Custodian Thank file Jan 11

References

E

1 2 3 4 5 6 7 8 9 10

JAN 11 1956

Internal Circulation

Distribution to Posts

E

Attached for onward transmission to the Custodian of Enemy Property is the original and a copy of a Statutory Declaration, with enclosures, completed at this Embassy by Miss Kimiko Shiraishi for the purpose of obtaining on her behalf and that of her mother, Yasu, the release of the assets of her late father, Masuo. Attached as well are two copies of the translation of the Power of Attorney made in favour of the applicant by her mother, together with two copies of that prepared by the late Mr. Shiraishi in favour of his wife.

2. Kimiko Shiraishi is holder of Certificate of Canadian Citizenship No. 26083 dated November 7, 1955. As to her mother, Yasu, she first entered Canada in July 1907, arriving in Vancouver on board the SS "Kumeric". She claims Canadian citizenship through her husband's naturalization at Nanaimo, B.C., in March, 1913. On January 9, 1938, she was granted in Ottawa Canadian passport No. 48017 which on the first page bears the notation that she was naturalized in Canada on March 24, 1911. On July 30, 1934, she was readmitted to Canada as a returned Canadian, by the Immigration officer at the Vancouver port of entry. The following year, on March 30, she left Canada again for Japan where she has resided since. In a declaration of intention to retain Canadian domicile completed at the then Canadian Legation in Japan, on March 10, 1936, she stated that she was temporarily residing in Japan on account of illness.

W Bettinson

for The Embassy

Ext. 182A (Rev. 2/52)

4606-C-13-40

CANADIAN EMBASSY
AMBASSADE DU CANADA

STATUTORY DECLARATION

I, Kimiko Shiraishi, of Tokyo, Japan, do solemnly declare:

1. That I am a Canadian citizen by birth and holder of citizenship certificate No. 26083 issued on November 7, 1955.

2. My actual place of residence is No. 61, Shoanminami-machi, Suginami-ku, Tokyo.

3. That I returned to Japan from Canada on February 16, 1938, aboard the SS "Heian Maru": and since then have lived in Tokyo at the above address. The assets described in the attached papers are being held by the Custodian of Enemy Property of the Canadian Government. I am the owner, with my mother, Yasu Shiraishi, of these assets, which belonged to my father, Masuo Shiraishi, who died in Japan on July 9, 1945 at Matsuyama City, Japan. Both my father and mother were naturalized Canadian citizens.

4. That no person other than my mother has any interest in the said assets.

5. That I am authorized by my mother to act as her attorney in this matter.

And I make this solemn declaration conscientiously believing the same to be true, and knowing it to be of the same force and effect as if made under the Canada Evidence Act.

Kimiko Shiraishi

I, G. Bertrand, Vice-Consul for Canada in Japan do certify that the applicant, Kimiko Shiraishi, has identified herself by proper evidence and that to the best of my knowledge, information and belief the facts set forth in her declaration made at Tokyo, Japan, on December 23, 1955, are correct

G. Bertrand

G. Bertrand,
Vice-Consul for Canada in Japan.

Canadian Embassy - Ambassade du Canada
CANADA 1 DOLLAR EXTERNAL AFFAIRS AFFAIRES EXTÉRIEURES
TOKYO

4606-C-13-40

4606-C-13-HD

Y

LIST OF PROPERTY Oct. 1st, 1955

me: Mrs. Kimiko Shiraishi (or Mrs. Yasu Shiraishi)
owner) 1149 Keefer St., Vancouver, B. C.
(from 1912 to March 1938)
Address: 61 Shoanminami-cho Suginami-ku
Tokyo, Japan (present)
558 Kamihoya Hoyamachi Kitatama-gun
Tokyo-to, Japan (Honsekichi-Original Reg. Adrss)

Name of Property: (1) House & Furniture & Fixtures.
Place 1149 Keefer St., Vancouver, B.C.
Price $2,800.00 - $2,870.00 (on 1942)
Auction price (by News Paper)
Informed by Mr. R. Suzumoto on 1946
Watchman Mr. Hidekazu Sato

Name of owner: Mr. Kazuichi Shiraishi (same adress)
(2) M.S. "Three Queen"
H.P. 80 H.P. by Vivian Engin Works
(diesel engine)
Size About 19.27 tons (net tons)
27 tons (gross tons)
Bal. of loan Vivian Engine Works (Vancouver, B.C.)
2 years payment about $3,800.00
However, to be paid by Canadian Fishing Co.,
(Vancouver) from chartered money
About $3,000.00 (1941 fishing season)

Price: $8,700.00 (on 1942 by News Paper) auction price
Informed by Mr. R. Suzumoto

P. S. Mr. Kazuichi Shiraishi died on July 1945 at 2111 1 chome Takahama-cho Matsuyama City, Japan. He left from Vancouver on Dec., 1940.
Occupation: President of Pacific Sea Products
Exporters Limited (Vancouver)
Fishing & Exporters (dry salted fish)
(Legal Adviser. A. H. Young Vancouver)
Relationship: Wife Yasu, Shiraishi
(living with Kimiko)
an heiress. Kimiko, Shiraishi.

4606-C-13-HD

COPY

POWER OF ATTORNEY

I, the undersigned, hereby appoint as my attorney my daughter SHIRAISHI Kimiko and entrust the same with all rights and obligations concerning the allocation, receipt, and so on of properties left in Canada (supposed to be in the care of the Office of the Custodian in Ottawa) by my late husband SHIRAISHI Kazuichi who died in Matsuyama City in July, 1945.

On this 25 Nov., 1955

SHIRAISHI Yasu,
c/o SHIRAISHI Masuo
No. 61, Shoanminami-machi,
Suginami-ku, Tokyo

4606-C-13-HD

COPY

Deed of Transfer

Name of transferer: SHIRAISHI Masuo

Name of transferee: SHIRAISHI Kimiko

I, the undersigned, hereby declare that I entrust SHIRAISHI Kimiko with all rights, provided that I am entitled to such, of allotment and receipt of properties (at present in the care of the Office of the Custodian in Ottawa) left by my late foster-father SHIRAISHI Kazuichi, formerly domiciled at No. 558, Kamihotani, Hotani-machi, Toyotama-gun, Tokyo-to, and resident at No. 1,149, Keyfer St., Vancouver, Canada.

(signed) SHIRAISHI Masuo

H606-C-13-HD

COPY

Power of Attorney

I, the undersigned, hereby appoint as my attorney my wife SHIRAISHI Kimiko and entrust the same with all rights and obligations concerning the allocation, receipt, and so on of properties left in Canada (supposed to be in the care of the Office of the Custodian in Ottawa) by my late foster-father SHIRAISHI Kazuichi who died in July, 1945.

SHIRAISHI Masuo,
No. 61, Shoanminami-machi,
Suginami-ku, Tokyo

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 58019

Legal Section
GGB/AD

OTTAWA, December 27th, 1955.

4606-C-13-40
1361 13

Memorandum for the Under Secretary of
State for External Affairs,
OTTAWA.

ATTENTION: Economic/D.B. Wilson/S

E

DEC 28 1955

I would refer to your memorandum of the 17th of September, 1954, your file No. 4606-C-13-40 enclosing copy of letter No. 931 of August 24th, 1954 from Tokyo re release of assets claimed by Mr. Renichi Nagao.

In the interval we have received a letter from the Department of Citizenship and Immigration, Ottawa, dated November 30th, 1955. The last paragraph of this letter reads as follows:-

"The citizenship of Renichi Nagao was revoked and cancelled under Section 19 (1) (c) of the Canadian Citizenship Act on the grounds of ordinary residence outside of Canada for a period of not less than six years and failure to maintain substantial connection with Canada. The effective date of revocation was Nov.18,1954, P.C.1954-1758."

The question has now arisen here whether, if Renichi Nagao had acquired Japanese nationality, say, prior to April 28th, 1952 the date of the ratification of the Treaty of Peace with Japan, he would have lost his Canadian citizenship as of the date when he acquired Japanese nationality. We believe that this situation may be covered by other provisions of the Canadian Citizenship Law, particularly Section 15 (1).

G.G. Beckett,
Vice Chairman, Administration Board
and Associate Counsel.

4606-C-13-40 pt 2

Legal/M.E. Hawkins/ts.

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. 1118 of October 28, 1955

Subject: Release of assets Mr. G. Yamamoto

Security: UNCLASSIFIED

No: L- 734

Date: December 14, 1955

Enclosures: Two

Air or Surface Mail: Air

Post File No: 1293

Ottawa File No. 4606-C-13-40 "Y"

131 | 26

References

Internal Circulation

Distribution to Posts

I refer to your letter No. 1118 of October 28, 1955 and to its enclosure dated October 15, 1955, concerning the release of Mr. Giichiro Yamamoto's assets held by the Custodian of Enemy Property.

I am enclosing one copy of a letter dated November 28, 1955 and one copy of its enclosure received from the Office of the Custodian in reply to your above mentioned letter.

I believe that the information contained in the Custodian's letter will assist you in making an appropriate reply to Mr. Yamamoto's enquiry.

MARCEL BLAIS

for the Under-Secretary of State for External Affairs.

Ext. 181B (Rev. 2/52)

4606-C-13-40 pt 1

4606-C-13-40

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 17893

Legal Section
GGB/AD

file 65
Encl sent to Tokyo

OTTAWA, November 28th, 1955.

6 "Y"

4606-C-13	40
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MEMORANDUM FOR THE UNDER SECRETARY OF STATE
FOR EXTERNAL AFFAIRS
OTTAWA.

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1 DEC 1955

I have your memorandum of the 16th instant, your file 4606-C-13-40, enclosing copy of a letter received from our Canadian Embassy in Tokyo, from one Gilchiro YAMAMORI concerning his life insurance policy with the Sun Life Assurance Company of Canada and 20 ordinary shares Canadian Pacific Railway Company, par value $25. each.

If Mr. Yamamori is a Japanese national and has been residing in Japan throughout the period of the last war, the Custodian would not be prepared to consider a release of these funds unless he can establish that he qualifies under the Exceptions set out in Article 14 2 (11) of the Treaty of Peace with Japan, an extract of which is attached hereto. On the other hand if Mr. Yamamori is and has been a Canadian national throughout the period of the last war, we would be prepared to consider his application for release on production of evidence as to his Canadian citizenship.

G.G. Beckett,
Vice Chairman, Administration Board
and Associate Counsel.

A

4606-C-13-40

"Y" #5

4606-C-13-40 | 131 | Z 6

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 17893

Legal Section
GGB/RF

filed (13)

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.
November 23rd, 1955.

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24 NOV 1955

MEMORANDUM FOR THE UNDER SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,
O T T A W A.

I have your memorandum of the 16th of November, 1955, your file No. 4606-C-13-40, enclosing copy of a letter received by our Embassy in Tokyo from one Giichiro Yamamori concerning his life insurance policy with the Sun Life Assurance Company of Canada and 20 shares Canadian Pacific Railway Company.

This matter is receiving attention and a further communication will be forwarded to you in due course.

G. G. Beckett

G. G. Beckett,
Vice Chairman of the Administration Board
and Associate Counsel.

L.

NO ENCLOSURES

4606-C-13-40

p 42

Legal/M. Hawkins/KE

cc. Tokyo
War Claims Commission

Our File No.: 4606-C-13-40
131 138

Ottawa, November 16, 1955

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

I am enclosing a copy of a letter received by our Embassy in Tokyo from one Giichiro Yamamori concerning his life insurance policy with the Sun Life Assurance Company of Canada and twenty shares of C.P.R. stock held by the Custodian of Enemy Property.

I would be grateful if you could inform me of an appropriate reply which our Embassy in Tokyo could make to Mr. Yamamori's enquiry.

G. SICOTTE

FOR THE

Under-Secretary of State
for External Affairs

4606-C-13-40

4606-C-13-40

TRANSMITTAL SLIP Should be 4606-C-13-40

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

FROM: Canadian Embassy Tokyo Japan

The documents described below are for your information.

Despatching Authority: E. R. Rettie

Security: UNCLASSIFIED

Date: November 9, 1955

Air or Surface: Air

No. of enclosures: 1

4606-C-13	40
131	2/6

Copies	Description	Also referred to:
L 1 2 3 (4) 5 6 7 8 9 10 11	Letter to Mr. Tamehito Nishida re Assets held in Canada dated November 9, 1955	Ref. copy of letter to Minister of Finance (6) Done 17/11/55

16 NOV 1955

Ext. 250 (Rev. 10/51) *(Instruction on Reverse Side)*

Mr. Tamehito Nishida
1,561-1, Furuichi
Furuichi-machi
Asa-gun, Hiroshima-ken
Japan

4606-C-13-40

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4606-C-13-HD
pt 2

File 1274

Tokyo, November 9, 1955

Dear Sir:

With reference to your letter of August 5, 1955 requesting information about the possibility of your obtaining the release of certain assets in Canada, I regret to inform you that the appropriate Canadian authorities have been asked what steps you should take and they have replied that since you are a Japanese national, the assets to which you refer are subject to Article 14, para. 1, of the Peace Treaty with Japan signed at San Francisco on September 8, 1951 and that, accordingly, release of your assets is not permitted under existing Canadian legislation.

Yours sincerely,

Original Signed by
E. R. RETTIE
E. R. Rettie

Mr. Tamehito Nishida
1,561-1, Furuichi
Furuichi-machi
Asa-gun, Hiroshima-ken
Japan

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: Release of Assets, Mr. Giichiro Yamamoto

Security: Unclassified

No: 1118

Date: October 28, 1955

Enclosures: 2

Air or Surface Mail: Air

Post File No: 1293

Ottawa File No. ~~3464-B-40~~ 4606-C-13-40 "L"

131 | 138

4606-C-13-40 "A"

131 | 138

References

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L

1 2 3 (4) Blair 5 6 7 8 9 10 11 12

31 OCT 1955

We attach for your attention two copies of a letter dated October 15, 1955, from one Mr. Giichiro Yamamoto of Nagoya, Japan, in which he requests information concerning certain of his assets being held by the Office of the Custodian of Enemy Property. We should be grateful if you would let us know what reply should be given to this person, about whom we have no record at this office.

H Barton

for The Embassy.

Internal Circulation

Distribution to Posts

Ext. 182A (Rev. 2/52)

4606-C-13-40

4606-C-13-HD

O P Y

October 15, 1955

The Canadian Consul,
Canadian Embassy, Tokyo

Re (1) Life Insurance ($540) - Policy No. 2016087
Sun Life Assurance Co. of Canada
(2) Twenty shares CPR Stock

Dear Sir:

I would be greatly obliged for information concerning the above.

(1) In 1924 I went to Vancouver as an emigrant. I returned to Japan in 1933.

While residing in Vancouver I took out a life insurance policy with the Sun Life Assurance Co. of Canada and had been paying the premiums in anticipation of the day the policy matured. The policy was due to mature on May 1, 1954. In the meantime war broke out but I took the necessary procedures to receive payment on the policy when it expired.

The policy matured but I received no word from the company. Thereon I made immediate enquiries and received a reply to the effect that the insurance money had been expropriated and placed under the control of the Office of the Canadian Custodian of Enemy Property.

The United States Government has agreed to return some of the seized wartime Japanese assets. If a similar arrangement were to be made with Canada, would it be possible for me to recover the money that is due me? If so what steps must I take?

(2) I possess 20 shares of CPR stock. This stock yields annual dividends, but I have not received one single payment. Enquiries produced a reply similar in effect to the one from the Sun Life Assurance Co. of Canada.

I wonder if the shares I hold are now invalid. Or would it be possible for me to receive payment of dividends?

I lost my home as a result of the war. I am destitute and in dire need of the money. I would appreciate it if you would let me know how it can be recovered.

. . . 2

I await your further advises.

Yours sincerely,

(sgd) Giichiro Yamamoto
5, 2-chome, Minatomoto-cho,
Minato-ku, Nagoya.

4606-C-13-HD
pt 2

4606-C-13-40

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

J3 'Y'

4606-6-13-40 / 11 | 11

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO FILE No. 17822

FILE TO:- MR. GRANDY AUG. 9.

file (124)

E

1 2 3 4 5 6 7 8 9 10

AUG 17 1955

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

August 12th, 1955.

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

Re: Mrs. Shizue Onami
Mr. Tomeji Onami

Your File No. 4606-C-1340.

Attention: Mr. R. M. Macdonnell

I have for acknowledgment your communication of the 3rd instant.

I wish to inform you that it has been decided that this type of case will be placed on the agenda for the Interdepartmental Meeting to be held in the near future to discuss outstanding Custodian problems.

In the meantime the Custodian is bound by the terms of Order in Council P.C. 434-1953 dated 26th March, 1953, copy of which is envlosed for easy reference.

K. W. Wright,
Chairman of the AdministrationBoard
and Chief Counsel.

E

KWW/G
Encl.

4606-C-13-40

pt 2

4606-C-13-40

P.C. 1953-434

PRIVY COUNCIL

CANADA

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 26th March, 1953.

The Committee of the Privy Council, on the recommendation of the Secretary of State concurred in by the Minister of Finance, advise that, under the authority of Vote 696, The Appropriation Act, No. 4, 1952, Your Excellency may be pleased to order as follows:

1. The Custodian shall liquidate as expeditiously as possible all unliquidated assets (other than bonds of Canada) that are vested in him in respect of World War 11 and that were formerly owned by German or Japanese enemies.

2. Subject to the provisions of sections five, six and seven and after deduction of his administration charges, the Custodian shall from time to time transfer to the Minister of Finance,

   (a) bonds of Canada and cash which are vested in him in respect of World War 11 and were formerly owned by German or Japanese enemies;

   (b) bonds of Canada which were purchased by the Custodian with the proceeds of the liquidation of such vested assets;

   (c) the proceeds of the liquidation of assets so vested and formerly owned; and
   (d) the earnings from unliquidated assets so vested and formerly owned.

3. The Custodian shall forthwith, in compliance with section two, transfer to the Minister of Finance the following assets that are vested in the Custodian in respect of World War 11,

   (a) bonds of Canada of the total par value of $17,150, being securities formerly owned by German enemies or acquired by the Custodian with earnings from or the proceeds of liquidation of assets so formerly owned;

   (b) bonds of Canada of the total par value of $126,050, being securities formerly owned by Japanese enemies or acquired by the Custodian with the earnings from or the proceeds of the liquidation of assets so formerly owned;

(c)...

The Secretary of State.

(c) cash in the amount of $82,850, of which $22,349.30 represents assets formerly owned by German enemies or earnings therefrom or proceeds of their liquidation, and of which $60,500.70 represents estimated earnings from such assets the proceeds of the liquidation of which have already been transferred; and

(d) cash in the amount of $273,950, representing assets formerly owned by Japanese enemies or earnings therefrom or proceeds of their liquidation.

4. The Minister of Finance shall, upon receiving the assets specified in section two, pay the proceeds and earnings into the Consolidated Revenue Fund to the credit of the War Claims Fund.

5. The Custodian may release to their former German enemy owners assets vested in him (or the proceeds of their liquidation) including any earnings therefrom in such cases as in his opinion come within the exclusion provisions of Rules 5 and 6 of the Rules of Accounting for German External Assets made by the Inter Allied Reparation Agency established under the Paris Agreement on German Reparations less any administration charges and expenses.

6. The Custodian may release to their former Japanese enemy owner assets vested in him (or the proceeds of their liquidation) including any earnings therefrom in such cases as in his opinion come within the exception provisions of Article 14 of the Treaty of Peace with Japan less any administration charges and expenses.

7. The Custodian may pay out of assets (or earnings therefrom or the proceeds of the liquidation thereof) which are vested in him and which were formerly owned by German or Japanese enemies <u>in rem</u> charges on or against such assets, but he shall not pay any unsecured claims against the former owner of the assets.

"J. W. PICKERSGILL"

Clerk of the Privy Council.

4606-C-13-40

Economic/J.F.Grandy/S

4606-C-13-40
124 1/1

c.c. Tokyo

RESTRICTED

Ottawa, August 3, 1955.

File No. 4606-C-13-40

Office of the Custodian,
Department of the Secretary of State,
Ottawa.

Under cover of your letter dated June 10, 1955, you forwarded a cheque for the release of assets belonging to Mrs. Shizue Onami in Japan. At the same time you informed us of your decision not to release Mr. Tomeji Onami's property.

2. The Canadian Embassy in Tokyo has pointed out that they appreciate the fact that Mr. Onami never became a naturalized Canadian and that therefore his interest in the property is subject to Article 14 of the Peace Treaty with Japan. The Embassy has pointed out, however, that there should be taken into consideration the real help extended by Mr. Onami to Canadian prisoners of war in Japan, as reported in the Embassy's letter No. 664 of June 21, 1954. The fact that Mr. Onami extended invaluable services to Canadians in Japan during the war is corroborated by the diary of Squadron Leader Birchall, a copy of which is kept on the Embassy's files.

3. We fully agree with the Embassy's view that this fact should be taken into account in Mr. Onami's case, and we would be grateful if, for this reason, you would give serious consideration to releasing Mr. Onami's assets.

(SGD) R. M. MACDONNELL

for Under-Secretary of State
for External Affairs.

4.8.14(us)

4606-C-13-40 pt 2

Economic/J.F.Grandy/S

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. 623 of May 25, 1955

Subject: Release of Assets -
Mrs. Onami

Security: RESTRICTED

No: E- 517

Date: July 29, 1955.

Enclosures: 1 cheque

Air or Surface Mail: Air

Post File No: 360-7-3-2

Ottawa File No.
4606-C-13-40

124 | 11

References

On June 17 we forwarded to you under cover of a transmittal slip a copy of a letter dated June 10 from the Office of the Custodian, stating that the Custodian had released Mrs. Onami's share of these assets. I regret that we neglected to enclose the Custodian's cheque No. 31996 dated June 9, 1955 in favour of Mrs. Shizue Onami in the amount of $1,234.08. This cheque is now enclosed for transmission to Mrs. Onami.

(Signed) A. E. RITCHIE.
Under-Secretary of State
for External Affairs.

Internal Circulation

Distribution to Posts

OR 43993
3/8/52
E.E.J.

Ext. 181B (Rev. 2/52)

4606-C-13-40 pt 2

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 June 17,1955

Subject: Release of Assets - Mr. and Mrs. Tomeji Onami.

Security: Restricted

No: 860

Date: July 22, 1955.

Enclosures:

Air or Surface Mail: Air

Post File No: 360-7-3-2

Ottawa File No. 4606-6-13-40

References

In a letter dated June 10, 1955, from the Office of the Custodian, a copy of which was attached to your transmittal slip under reference, mention is made of a cheque in the amount of $1,234.08 being sent to you for onward transmission to Mrs. Shizue Onami. We do not believe that we have received this cheque yet and we should be grateful to be informed when it will be sent to this office for transmission to Mrs. Onami.

2. On the basis of an opinion given by the Department of Citizenship and Immigration concerning the national status of Mr. Onami, the Custodian has decided not to release the latter's share of the property being held in custody. We appreciate the fact that Mr. Onami never became a naturalized Canadian and that, therefore, his interest in the property is subject to Article 14 of the Peace Treaty with Japan. At the same time, we wish to point out that there should be taken into consideration the real help extended by Mr. Onami to Canadian prisoners of war in Japan during the recent period of hostilities, as reported in our letter No. 664 of June 21, 1954. We should, therefore, be grateful if you would again bring this question to the attention of the Office of the Custodian, with a request that they seriously consider releasing as well Mr. Onami's share in view of the invaluable services he extended to Canadians in Japan during the war, a fact corroborated by Squadron Leader Birchall in a diary, a copy of which is kept on our files.

J.F.M. Newton
The Embassy.

Internal Circulation

AUG 2 1955

Distribution to Posts

Ext. 182A (Rev. 2/52)

B.F. Sept 2
NOTED
M.J.

4606-C-13-40

4606-C-13-40

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: Return to their owners of Japanese Frozen Assets Abroad.

Security: Unclassified

No: 818

Date: July 14, 1955.

Enclosures: 1 Encl.

Air or Surface Mail: Air

Post File No: 360-7-3

Ottawa File No. 4606-6-13-40

11	11

References

At a time when Japanese diplomatic missions abroad are making serious attempts to obtain the release of frozen assets belonging to Japanese nationals, you may be interested to know that the Japanese Government intends to tax those assets once they are freed by the countries concerned. A story to that effect appeared in the local press, and we attach for your information a copy of a clipping from the Asahi Evening News of June 9, 1955. You may also be interested to hear that last month some 150 representatives from various Prefectures went to the Prime Minister's residence to demand government compensation for the property of Japanese nationals frozen in foreign countries during the last war. Nothing, of course, has emerged from that demonstration.

J. F. M. Newton
The Embassy

Internal Circulation

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JUL 18 1955

Distribution to Posts

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Ext. 182A (Rev. 2/52)

Refer to Custodian
Finance
Far Eastern Div
File 124

Done July 26/55 MVS

pt 2

4606-C-13-HD

C O P Y

(Clipping from Asahi Evening News dated June 9, 1955)

GOV'T WILL TAX ASSETS FREED HERE AND ABROAD

Japanese who had their foreign assets confiscated during the war but who are now having those assets as a result of negotiations that the Government has carried out with foreign countries will have to pay property tax on the assets returned to their ownership.

The Tax Administration Agency Wednesday announced the applicable tax rates which are given below according to the Nihon Keizai.

Taxes will be imposed on total domestic and foreign assets held by a person valued at over ¥100,000 as of Mar. 3, 1946. The assets will be assessed at Mar. 3, 1946 values, and the tax rates will be 25 per cent for over ¥100,000, 30 per cent for over ¥110,000, 60 per cent for over ¥300,000, 65 per cent for over ¥500,000, and 70 per cent for over ¥1,000,000.

For instance, A had ¥80,000 worth of domestic assets and ¥50,000 foreign assets in 1946 and he did not pay any property tax. If the foreign assets are returned to him the total becomes ¥130,000 so he must report and pay ¥9,000 in taxes.

B who had ¥500,000 in domestic assets at that time and paid ¥216,000 in property taxes will have to pay ¥32,500 more in taxes if he has ¥50,000 in foreign assets returned to him.

Persons having foreign assets returned them must report to the tax office within a month and must pay the taxes applicable, within three months. Penalty taxes will be imposed on delinquencies.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

J27 | 4606-6-13-40 | 11 | 29

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 17822 Vol. I

LL/EMM

Tokyo

FILE D.B.W. (124)

June 7/55

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

June 10, 1955.

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

E | W

JUN 13 1955

Reference is made to letter no. 623, dated May 25, 1955, from the Canadian Embassy, Tokyo, Japan, requesting information concerning an application for release of assets filed by Mrs. Rose Shizue Onami.

In this connection I wish to advise that the real property, as described by the claimant in her statuatory declaration, was jointly owned by Mr. Tomeji Onami and Mrs. Shizue Onami.

The Department of Citizenship and Immigration, at Ottawa, advised this Office that Mr. Onami never became a naturalized Canadian, therefore, his interest in this real property is subject to Article 14 of the Peace Treaty with Japan.

Since Mrs. Onami is a Canadian by birth and did not lose her Canadian status upon marriage to a Japanese national, the Custodian has released her share.

Therefore,on the basis of the evidence submitted and the representations made, I enclose herewith, for transmission to Mrs. Onami, the Custodian's cheque no. 31996, dated June 9, 1955, in favor of Mrs. Shizue Onami in the amount of $1,234.08.

E
4606-C-13-40

L. Legault,
Administrative Officer.

PLEASE NOTE:

CHEQUE BEING HELD IN HOLDING BLOTTER
O.R.#43565 OF JUNE 13th, PENDING YOUR CORRESPONDENCE.

E.E.F.

E.E.F.
CASHIER.

4606-C-13-40 pt 2

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: Our letter No. 617 of June 7, 1954.

Subject: Assets of Mr. and Mrs. Tomeji Onami

J26

Security: Restricted

No: 623

Date: May 25, 1955

Enclosures:

Air or Surface Mail: Air

Post File No: 360-7-3-2

Ottawa File No. 4606-6-13-40

11 | 29

References

We should be grateful if you would let us know whether the Office of the Custodian will soon give a ruling on the application made by Mrs. Tomeji Onami, a Canadian citizen, for the release of her assets in Canada. Almost a year has elapsed since her application was made and maybe the Custodian will be agreeable to give special consideration to this case in view of the fact that Mr. Onami, when serving as an interpreter in a prisoner-of-war camp, tried hard to be of assistance to the Canadians detained therein, as reported in our letter No. 664 of June 21, 1954.

Done May 31/55

J. F. M. Newton

The Embassy.

Refer to Custodian for action

Internal Circulation

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MAY 30 1955

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Ext. 182A (Rev. 2/52)

4606-C-13-40

P to 29

DEPARTMENT OF EXTERNAL AFFAIRS

CROSS REFERENCE SHEET

Security Unclassified

4606-C-13-40		
78	..	..

Type of Document Despatch No. C-365 Date May 24, 1955

From E.A.

To The Canadian Embassy Tokyo Japan

Subject:

Revocation proceedings Mr. and Mrs. Ryoya Iwata.

Original on File No. 58-CYK-40

Copies on File No. Nil

Other Cross Reference Sheets on Nil

Prepared by J.Guindon, C/S.R.

Ext. 308

4606-C-13-40

4606-C-13-40

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

4606-6-13-40
11 | 29

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.
LL/EMM

Refer Tokyo for action

FILE D.B.W. 124

May 26/55

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

May 20, 1955.

Dear Sir,

Re: Your Reference 4606-C-13-40
Our Reference: M. F. 82, File 8193.

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MAY 24 1955

I acknowledge receipt of your letter of the 18th instant in which you ask for information concerning the return of certain assets to Mr. Takaharu Hasegawa.

In this connection, I wish to advise that this person was repatriated to Japan under Order in Council 7355. Under Article 7 of this Order Mr. Hasegawa was advanced the sum of $400.00. Sub-section 2 of this Article stipulates that "Any amount advanced shall be recoverable from the person to whom it is paid, from any monies to the credit of such a person with the Custodian of Enemy Property." Therefore, the sum of $60.83, together with a bank balance of $145.33, was transferred to the Department of Finance to cover part of the advances made to Mr. Hasegawa.

I trust this is the information you require.

Yours very truly,

L. Legault,
Administrative Officer.

E

Mr. A. E. Ritchie,
Department of External Affairs,
O T T A W A.

4606-C-13-40 pt 1

4606-C-13-40 pt 2

4606-6-13-40
1 | 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.....

LL/EMM

Refer with all enclosures to Tokyo

324
Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.

May 19, 1955.

FILE 124
D.B.W.
May 26/55

Dear Sir,

I acknowledge receipt of your letter of the 12th instant, your reference File no. 4606-C-13-40, to which was attached a Statutory Declaration made by Isao Yamasaki, Tokyo, Japan.

In this connection, I wish to advise that all assets of this person, including the one described in his Declaration, were disposed of by the Custodian during the year 1943 and the proceeds were remitted to Mr. Isao Yamasaki on January 27, 1947.

Since this person was repatriated to Japan under Order in Council P.C. 7355 the Custodian has, therefore, no further interest in this matter.

The documents enclosed with your letter are herewith returned for transmission to Mr. Yamasaki.

Yours very truly,

L. Legault,
Administrative Officer.

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MAY 20 1955

Mr. A. E. Ritchie,
Department of External Affairs,
O T T A W A.

E

DEPARTMENT OF EXTERNAL AFFAIRS

CROSS REFERENCE SHEET

Security Unclassified

4606-C-13-40		
78	....	....

Type of Document Transmittal Slip No. Nil Date May 19, 1955

From The Canadian Embassy Tokyo Japan

To E.A.

Subject:

1 copy of letter dated May 19, 1955 to the Registrar of Canadian Citizenship Department of Citizenship & Immigration, OTTAWA

Original on File No. 58-CYK-40

Copies on File No. Nil

Other Cross Reference Sheets on Nil

Prepared by J. Guindon, C/S.R.

Ext. 308

4606-C-13-40

Economic/D.B.Wilson/S

c.c. Tokyo

4606-C-13-40 "Y"
1241 09

Ottawa, May 18, 1955.

Our File No. 4606-C-13-40

FILE (24)
D.B.W.

Office of the Custodian,
Department of the Secretary of State,
Ottawa.

I attach a copy of letter No. 535 of April 28 from the Canadian Embassy in Tokyo which reports on a request received from Mr. Takaharu Hasegawa for information concerning the return to him of $60.83, which he apparently believes he is entitled to receive.

2. We have consulted the Chief Treasury Officer of this Department, who has advised us that the $60.83 were all turned over to the Custodian of Enemy Property, and so I am writing to ask you, first of all, to verify this and, secondly, to advise us what reply the Embassy should make to Mr. Hasegawa.

(Signed) A. E. RITCHIE.

for the Under-Secretary of State
for External Affairs.

4606-C-13-40

4606-C-13-40

DEPARTMENT OF EXTERNAL AFFAIRS

CROSS REFERENCE SHEET

Security ..... Unclassified

4606-C-13-40		
78	. .	..

Type of Document..... Letter ..... No..... Nil .....Date..... May 11, 1955.....

From..... Department of Citizenship and Immigration .....

To..... E.A. .....

Subject:

Re. Mr. and Mrs. Ryoya Iwata-- Japan., Revocation proceedings.

Original on File No..... 58-CYK-40 .....

Copies on File No..... Nil .....

Other Cross Reference Sheets on..... Nil .....

Prepared by..... M. Guindon, C/S.R. .....

Ext. 308

4606-C-13-40

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: 522

Subject: Release of Assets - Mr. Isao Yamasaki

Security: Unclassified

No: 547

Date: May 4, 1955

Enclosures: 1

Air or Surface Mail:

Post File No: N. 704

Ottawa File No. 4606-6-13-40

11 | 29

References

Attached, for onward transmission to the Office of the Custodian, is a Statutory Declaration completed at this office by one Isao Yamasaki, of Tokyo, Japan, whose property is being held by the Custodian. Attached as well are the enclosures to the Declaration, marked "A" and "B".

J. F. M. Newton
The Embassy.

Internal Circulation

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MAY 9 1955

Distribution to Posts E

Refer Min of the Custodian with enclosures for action

FILE D.B.W.

Done May 12/55 M/2

Ext. 182A (Rev. 2/52)

4606-C-13-40

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: Release of assets in Canada belonging to Mr. Takaharu Hasegawa.

Miss Ireland

Security: Unclassified

No: 535

Date: April 28, 1955

Enclosures: (2)

Air or Surface Mail: Air

Post File No: 360-7-3-2

Ottawa File No. 4606-C-13-40

9 | 91

References

Attached are two copies of a letter from one Takaharu Hasegawa of Kitakami City, Japan, in which he mentions that when he left Vancouver on August 1, 1946, he was handed a bill for $60.83 to be reimbursed to him at some later date. We have no records concerning this person and we should be grateful if you could find out whether it is true that money is being owed to him. According to the applicant, the certificate which was issued to him reads as follows:-

"No. 1042 Issued at Vancouver, B.C.
Date August 1st, 1946

Dominion of Canada
Department of Finance

The Government of Canada acknowledges Hasegawa, Koji Custodian Free Balance $60.83.

(sgd) R. G. D. Hall (?)
for Comptroller of the Treasury."

FILE D.B.W. 124 MAY 18 1955

E. Aspin 5.7.55

J. F. M. Newton
The Embassy.

2 Economic Division

These monies were all turned over to the Custodian of Enemy Property, and the matter should be referred to that office for any refund that is available.

13/5/55

G.J.O.

Internal Circulation

1 2 3 4 5 6 7 8 9 10

MAY 12 1955

Distribution to Posts

C

Ext. 182A (Rev. 2/52)

4606-C-13-4D

C O P Y

No. 15 - 38,
Hanaya-machi,
Kurosawajiri-machi,
Kitakami-shi,
Iwate-ken,
8 Apr., 1955.

Dear Sir,

I resided in Canada from Nov., 1913, to 1946. During the World War II I and the rest of my family were transplanted from the Britania Beach District, B.C., to Caslo City, and later to Slocan City; our furniture, utensils, crated articles, and so on we left in the custody of the Britania Beach Company, B. C.

When we left Vancouver on 1 Aug., 1946, for Japan, a Government official in charge handed me a bill for C$60.83, as compensation for the afore-mentioned property, a part of which had been disposed of by the Canadian Government. I was then told that the bill would be paid after we arrived in Japan.

However, on 14 Aug., 1946, the day after we landed at Kurihama, Kanagawa-ken, a man dispatched there by the Japan Bank said the payment could not be made pending a notice from the GHQ. The bill was to be paid as soon as they received from the GHQ a notice to that effect, and in the meantime I was to keep the bill.

As yet I have received no word from them, and I shall be very grateful if you will let me know when I may expect to have the bill paid.

Yours truly,

(sgd) HASEGAWA Takaharu

(T.N. - In the original letter the bill is copied in green ink.)

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA. (Economic/A.E. Wilson/(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. 102 of January 21.

Subject: Enquiry concerning Assets in Canada of Mr. Tanizo Naruse.

Security: UNCLASSIFIED

No: E- 204

Date: March 11, 1955.

Enclosures:

Air or Surface Mail: Air

Post File No: 30-6-9

Ottawa File No.
4606-C-13-40

119 | 29

4606-C-13-40

References

Please inform Mr. Naruse that we have been advised by the Custodian as follows:

"This veteran was insured under the provisions of The Returned Soldiers Insurance Act for the sum of $1,500. In 1939, he applied for the cash surrender value of the policy and the Department of Veterans Affairs sent him a cheque for $823.48 on the 2nd of August, 1939. Upon the payment of the cash surrender value, the contract became null and void."

You will observe that the remaining 700 odd dollars not paid to Mr. Naruse in 1939 would only have fallen due had he died.

(Signed) A. E. RITCHIE.

Under-Secretary of State
for External Affairs.

Internal Circulation

Distribution to Posts

Ext. 181B (Rev. 2/52)

4606-C-13-40

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CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. 25542

Legal Section
GGB/AD

OTTAWA 4, ONTARIO.
FEBRUARY 18TH, 1955.

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FEB 22 1955

MEMORANDUM FOR THE UNDER SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,
OTTAWA.

ATTENTION MR. D.B.WILSON/MJ

I have your memorandum of the 16th instant, enclosing copy of letter No. 185 from the Canadian Embassy, Tokyo, Japan, with reference to the case of Mr. Tozaburo Amitani.

This matter is receiving attention and a further communication will be forwarded to you in due course.

G.G. Beckett,
Vice Chairman, Administration Board
and Associate Counsel.

E

Repu Tokyo

119

FILE
D.B.W.

Done 25/2/55 AP.

FEB 55 AM 8:22

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-66 of January 25

Subject: Mr. Tozaburo Amitani

519

Security: UNCLASSIFIED

No: 185

Date: February 8, 1955

Enclosures: Two

Air or Surface Mail: Air

Post File No: N.1034

Ottawa File No.
4606-c-13-40

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4606-C-13-40

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FEB 14 1955

Internal Circulation

Distribution to Posts

E

Ext. 182A (Rev. 2/52)

The documents you request in your letter under reference are attached for your consideration. We regret our oversight, and hope it has not caused you any inconvenience.

H Bertram
for THE EMBASSY.

Referred with enclosures to Cambodia

Done Feb 16/55 mf

FILE D.B.W. (11)

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CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No. LL/EMM

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

February 4, 1955.

MEMORANDUM TO: The Under-Secretary of State
for External Affairs,
O T T A W A.

Reference is made to Letter No. 102, dated ~~K~~ Tokyo January 21, 1955, concerning Mr. Tanizo Maruse.

This veteran was insured under the provisions of The Returned Soldiers Insurance Act for the sum of $1,500. In 1939, he applied for the cash surrender value of the policy and the Department of Veterans Affairs sent him a cheque for $823.48 on the 2nd of August, 1939. Upon the payment of the cash surrender value, the contract became null and void.

I trust this is the information you require.

K. W. Wright,
Chairman, Administration Board
and Chief Counsel.

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1955 FEB 8 PM 5:28

4606-C-13-40

Economic/D.B.Wilson/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. 100 of Jan. 21/55.

Subject: Mr. Tozaburo Amitani.

Security: UNCLASSIFIED

No: E- 66

Date: January 25, 1955.

Enclosures: None

Air or Surface Mail: Air

Post File No: 1034

Ottawa File No. 4606-C-13-40

119

References

Internal Circulation

Distribution to Posts

Ext. 181B (Rev. 2/52)

You mentioned in your letter under reference that you were enclosing translations of certain certificates forwarded to you by Mr. Amitani concerning his activities during the last war. Unfortunately, however, these certificates do not appear to have been received, and we presume that they may have been inadvertently omitted when your letter was put into the bag. Would you please be good enough to look into this and let us know whether you can find the missing translations.

(Signed) A. E. RITCHIE

Under-Secretary of State
for External Affairs.

4606-C-13-40 pt 2

4606-C-13-40

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-6 of January 4, 1955

Subject: Present Financial Standing of Canada Kogyo Kabushiki Kaisha

Security: UNCLASSIFIED

No: 118

Date: January 24, 1955

Enclosures: None

Air or Surface Mail: Air

Post File No: 120-4

Ottawa File No. 4606-6-13-40

11 | 11

References

Custodia Survey Sect. 2/55

FILE D.B.W. 119

We quote below, for your consideration and that of the Office of the Custodian, a short report on the present financial standing of Canada Kogyo Kabushiki Kaisha which was prepared by our Commercial Secretary:

> "This company was formed at a capital of ¥1,500,000 some time before the war for the purpose of importing Canadian minerals (the date of foundation could not be established). Its first president was a Mr. C. Fukukawa. In 1940 the firm changed its name to Sanshin Co. Ltd. and a Mr. E. Obata was appointed president. The company has not carried on any business since 1949, but no legal action has been taken with regard to its liquidation or dissolution."

2. A Japanese employee of the Department of Trade and Commerce here knows well the son of the first president of the firm, Mr. C. Fukukawa, and, according to his knowledge, the firm has discontinued operations. The first president passed away some years ago and the whereabouts of Mr. Obata are not known.

J. F. M Newton

THE EMBASSY.

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JAN 31 1955

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1832 JAN 31 PM

4606-C-13-40

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: Assets in Canada of Mr. Tanizo Naruse

Security: UNCLASSIFIED

No: 102

Date: January 21, 1955

Enclosures: None

Air or Surface Mail: Air

Post File No: 30-6-9

Ottawa File No. 4606-1-13-40

11 | 29

References

Custodian for comments please

FILE D.B.W. 119

Jan 25/55

A Mr. Tanizo Naruse, a Canadian pensioner, inquired from the Embassy lately about an insurance contract in the amount of $1500 he took with a Canadian company through the Department of Veterans Affairs sometime before the war. Mr. Naruse claims that at the time of maturity $800 was paid to him and that the remaining $700 was placed in the custody of the Canadian Government. It might be that this money was placed with the Office of the Custodian and we should be grateful if inquiries could be made from that office. For purposes of reference, Mr. Naruse had correspondence with the Canadian Pension Commission sometime in 1939 concerning his policy. The number of the contract is 36495 and the then file number was 829-T.

J Bertram

for THE EMBASSY.

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JAN 25 1955

Distribution to Posts

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1822 JAN 31 AM 1:32

Ext. 182A (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: Our Letter 1193 of November 12, 1954

Subject: Mr. Tozaburo Amitani

Security: UNCLASSIFIED

No: 100

Date: January 21, 1955

Enclosures: One [illegible]

Air or Surface Mail: Air

Post File No: N1034

Ottawa File No. 4606-6-13-40

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References

Custodian with enclosures for action

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FILE D.B.W.

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JAN 24 1955

Distribution to Posts

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Ext. 182A (Rev. 2/52)

It is our understanding that Mr. Amitani has in the past made an application to the Custodian for the release of his assets in Canada. He has forwarded certificates, translations of which are attached, concerning his activities during the last war. We should be grateful if these documents were referred to the Custodian for his attention. We wish to mention, though you possibly already know, that the citizenship of the applicant was revoked by Order-in-Council P.C.1954-971, dated at Ottawa the 30th day of June, 1954. Please let us know whether this means that Mr. Amitani's assets won't be released by the Custodian.

H Bertram
for THE EMBASSY.

BD March 1.

4606-C-13-40

4606-6-13-40

4606-C-13-40

DEPARTMENT OF EXTERNAL AFFAIRS

CROSS REFERENCE SHEET

Security Unclassified

4606-C-13-40		
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Type of Document Transmittal Slip No. -- Date January 13, 1955

From E.A.

To The Canadian Embassy Tokyo, Japan.

Subject:

1 Copy of a letter from the Registrar of Canadian Citizenship concerning Mr. and Mrs. Ryoya Iwata.. Revocation proceedings.

2 Notice of intention to revoke citizenship

2 Citizenship Questionnaires.

Original on File No. 58-CYK-40

Copies on File No. Nil

Other Cross Reference Sheets on Nil

Prepared by J.Guindon, C/S.R.

Ext. 308

4606-C-13-40

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: Return of Frozen Overseas Assets

JAN 17 1955

Security: UNCLASSIFIED

No: 41

Date: January 11, 1955

Enclosures: None

Air or Surface Mail: Air

Post File No: 360-1-0

Ottawa File No. 4606-C-13-40

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References

Custodian / Economic Commonwealth / Americas

Mr. Menzies

Legal dir to see as will be pls

According to a news release dated January 10, 1955, by Kyodo, the Hatoyama Cabinet is contemplating opening talks shortly with various countries concerned for early return of frozen Japanese overseas assets as another step to "complete Japan's independence". According to the same report, the United States will be the first approached concerning the assets held in those South Sea Islands formerly under Japanese mandate that have been given in trusteeship to the Americans after the war. There were negotiations last year on the return of those assets which, according to Kyodo, the Americans are reluctant to return.

2. Not much progress has been made so far in the return to Japan of her assets overseas, mostly owing to the waiving under the terms of the Peace Treaty of her rights to negotiate treaties in that regard. Argentine, Mexico, Chile and Brazil expressed last year their intention to release Japanese assets in their respective countries but only Brazil and Chile have initiated proceedings. As to Burma, the question was settled by the recent peace treaty under the terms of which the Burmese Government will liquidate Japanese property at present under its control. The question was settled as well with India which committed herself to an early return of Japanese property but which has done nothing to meet her commitments. There remains settlement with these countries among others only: Korea, Formosa, the United States, the United Kingdom, Manchuria and Mainland China (where the bulk of Japanese property abroad is held).

3. It is not impossible that the Japanese Embassy will approach you informally within the next few months concerning release of Japanese assets held by the Custodian though they will, in all likelihood, concentrate their efforts towards the Americans in view of the far more substantial amounts frozen there and also because of the fact that the latter might be more receptive, notwithstanding the shelving last year of the Dirksen Bill.

Internal Circulation

Cuc. Yielder. file/please

9/3

Done March 4/55 L.H.

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done 15 mar 15/55

Yes — our Embassy in Wash reported last week that talks will soon be held with the Japs.

THE EMBASSY.

Ext. 182A (Rev. 2/52)

Economic/D.B.Wilson/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:

Subject: Present financial standing of Canada Kogyo Kabushiki Kaisha

Security: UNCLASSIFIED

No: E- 6

Date: January 4, 1955.

Enclosures: 1

Air or Surface Mail: Air

Post File No:

Ottawa File No.
4606-C-13-40
119 | 29

References

Custodian

I attach for your consideration and necessary action a copy of a self-explanatory letter from the Office of the Custodian concerning the present financial standing of Canada Kogyo Kabushiki Kaisha.

(Signed) A. E. RITCHIE.

Under-Secretary of State for External Affairs.

Internal Circulation

Legal

Distribution to Posts

Ext. 181B (Rev. 2/52)

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119-29