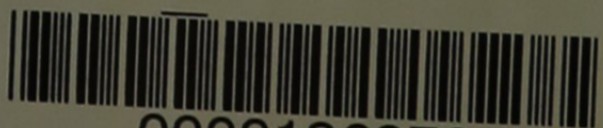


RG 2

RG 2 1912



0000196273

v. 1912

B-10-S

3289 G

Vol. 1650

10 September 1945

3289

TO HIS EXCELLENCY

Major-General the Right Honourable the Earl of Athlone, Knight of the Most Noble Order of the Garter, a Member of His Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, Grand Master of the Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of the Royal Victorian Order, Companion of the Distinguished Service Order, one of His Majesty's Personal Aides-de-Camp.



GOVERNOR GENERAL AND COMMANDER IN CHIEF
OF THE DOMINION OF CANADA

**Report of a Committee of the Privy Council ON MATTERS
OF STATE.**

PRESENT

The RIGHT HONOURABLE

W. L. MACKENZIE KING

THE HONOURABLE

J. L. ILSLEY

L. S. ST. LAURENT

D. C. ABBOTT

10 SEPTEMBER 1945

May it please Your Excellency

Top Secret

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the tenth day of SEPTEMBER, 1945.

PRESENT

HIS EXCELLENCY
THE GOVERNOR GENERAL IN COUNCIL ---

His Excellency the Governor General in Council, on the recommendation of the Right Honourable W. L. Mackenzie King, the Prime Minister, and under and by virtue of the provisions of The War Measures Act, is pleased to authorize and doth hereby authorize the Prime Minister of Canada and the Minister of Justice, or either of them, with a view to preventing A. N. MAY or any person associated with him, from acting in a manner prejudicial to the public safety or the safety of the state, to make an order

- (a) prohibiting or restricting the possession or use by that person of any specified articles;
- (b) imposing upon him such restrictions as may be specified in the order in respect of his employment or business, in respect of his movements or place of residence, in respect of his association or communication with other persons, or in respect of his activities in relation to the dissemination of news or the propagation of opinions;
- (c) directing that he be detained in such place, and under such conditions, as the Minister of Justice may from time to time determine.

His Excellency in Council is further pleased to order and doth hereby order that any person shall, while detained by virtue of an order made under the above paragraph (c) be deemed to be in legal custody.

This Order in Council and any order made hereunder shall remain secret until disclosure thereof is specially authorized by the Governor General in Council.

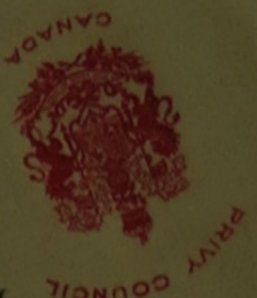
W. L. Mackenzie King

Approved
W. L. Mackenzie King
Deputy Governor General

10. IX. 45

GOVERNMENT OF CANADA
His Majesty's
Victorian Order of
Saint Michael and
Order of the Bath,
Honourable Privy Coun
the Most Noble Order of
Major-General the Right Hon
TO HIS

GOVERNOR
His Majesty
Victorian Order
Saint Michael
Order of the British
Honourable Privy
the Most Noble Order
Major-General the



PC. 5991 - 2

IN HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL:

The Prime Minister of Canada, with the concurrence of the Minister of Justice, the Minister of Finance, and the Minister of National Defence, has the honour to submit that it is in the public interest, with a view to preventing

A. N. May

or any person associated with him, from acting in a manner prejudicial to the public safety or the safety of the state, to make a regulation protecting the public safety and the safety of the state.

The undersigned, therefore, with the concurrences as aforesaid, has the honour to recommend that, under and by virtue of the provisions of the War Measures Act, the following regulation should be made:

The Prime Minister of Canada and the Minister of Justice, or either of them, with a view to preventing *A. N. May* or any person associated with him, from acting in a manner prejudicial to the public safety or the safety of the state, may make an order

that person

- (a) prohibiting or restricting the possession or use by him of any specified articles;
- (b) imposing upon him such restrictions as may be specified in the order in respect of his employment or business, in respect of his movements or place of residence, in respect of his association or communication with other persons, or in respect of his activities in relation to the dissemination of news or the propagation of opinions;
- (c) directing that he be detained in such place, and under such conditions, as the Minister of Justice may from time to time determine;

and he shall, while detained by virtue of an order made under this paragraph, be deemed to be in legal custody.

This regulation and any order made hereunder shall remain secret until it is otherwise specially authorized. All of which is respectfully submitted.

M. Macdonald

Secretary of State for External Affairs

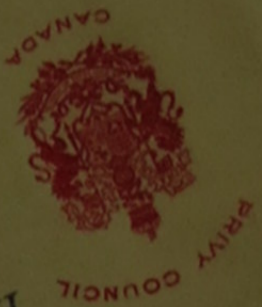
Ottawa, Sept. 10, 1945.

J. G. St. Laurent
Minister of Finance

Louis St. Laurent
Minister of Justice

DeLoach
Minister of National Defence

GC
His Majesty
Victor
Saint M
Order of
Honourabl
the Most N
Major-Gener



P6-5991/4

TOP SECRET

Ottawa, February 15th, 1946.

The Right Honourable L. S. St. Laurent, K.C., M.P.,
Minister of Justice,
Ottawa, Ontario.

Dear Mr. St. Laurent:

I am returning to you, herewith, by hand,
the papers which you left with me yesterday concerning
the Royal Commission, including the original letter
of February 11th from Counsel to the Commission.

I have made a brief record of the discussion
of this affair in the Cabinet and will send you a
copy thereof, shortly.

Yours sincerely,

A. D. P. Heeney
Secretary to the Cabinet.

PB-5991 (c)

TOP SECRET

October 6th, 1945.

F. P. Varcoe, Esq., K.C.,
Deputy Minister of Justice,
Ottawa, Ontario.

Dear Mr. Varcoe:-

With reference to our telephone conversation, I am sending you herewith, under seal, a certified copy of the top secret Order in Council P.C. 5991 of September 10th, 1945.

The only other copy of this document is in the possession of the Under-Secretary of State for External Affairs. The original remains under seal in the Privy Council Office safe.

Yours sincerely,

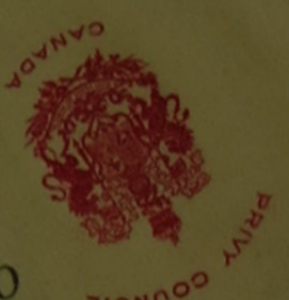
A. D. P. Heeney,
Secretary to the Cabinet.

Encl.

Major-General the
the Most Noble
Honourable
Order of the
Saint Michael
Victoria
His



Major-General
the Most Noble
Order of
Saint
Victor
H



P.C. 5991 (d)

TOP SECRET

September 10th, 1945.

N. A. Robertson, Esq.,
Under-Secretary of State for
External Affairs,
Ottawa, Ontario.

Dear Mr. Robertson:

I am sending you, herewith, under seal a certified copy of the top secret Order in Council P. C. 5991, passed on the recommendation of the Prime Minister and approved to-day by the Deputy to His Excellency the Governor General.

For the present at all events no other copies of this Order are being distributed, and the original remains under seal in the Privy Council Office safe.

Yours very truly,

A. D. P. Heeney.

Encl. 2nd copy of PC 5991 (above)
x " " " PC 4444 (Oct 6-45)
given to Mr. Robertson
Feb 4-46 Dr.

PB. 5991 (2)

Ottawa, February 14, 1946.

Re: Royal Commission - PC 411

Dear Sir:

By reason of the nature of the evidence already submitted to the Royal Commission, the undersigned counsel to the Commission have recommended to the Commissioners that you should be requested to exercise the powers conferred upon you by P.C.6444, 6th October, 1945, and to issue Orders for interrogation and, for that purpose, detention of the following persons:

| | |
|-------------------|------------------------|
| Isidore Halperin | Raymond Boyer |
| David Shugar | James Scotland Benning |
| M. S. Nightingale | H. S. Gerson |
| F. W. Poland | Eric Adams |
| Ned Mazerall | Emma Woikin |
| Durnford Smith | Gordon Lunan |

The reasons which impel the Commissioners to accept our advice as above is the extremely serious nature of the disclosures so far made and indicated by the evidence, the fact that cover names of persons who have not so far been identified also appear in the evidence and indicate that the full extent of the ramifications of the disloyal practices and the persons engaged therein may be even greater than is already known and may be continuing; in effect the matter appears to be so serious from the national standpoint that the Commissioners believe that the course we advise should be pursued in these exceptional circumstances.

It is the opinion of the undersigned that the purposes for which the Commission was appointed cannot be satisfactorily achieved unless the Orders are made and we unhesitatingly advise that they be. We are at your disposal to discuss this matter with you if you so desire.

Yours sincerely,

E. K. Williams
G. Fauteux
D. W. Mundell

The Right Honourable
Louis St. Laurent, PC MP
Minister of Justice,
Ottawa.

Major-General the
the Most Noble O
Honourable Privy
Order of the Ba
Saint Michael Ord
Victorian Ord
His Majesty
GOVERN



All of which is respectfully submitted,

President.

PRIVY COUNCIL CHAMBER

Ottawa,19.....

MINUTES PAGE

5991 1. papers-a-b-c -d-e-