

Box 1001

FILE No. J-25-1

1945

PRIVY COUNCIL OFFICE
CANADA

SUBJECT

JAPAN

Japanese in Canada

CROSS REFERENCE SHEET

Or Subject

File No.

J-25-1

Regarding

Date

Cabinet conclusion Dec.15 of
interest to Dept:

December 17, 1945

Repatriation of Persons of
Japanese Race in Canada

(decision that scope of proposed Loyalty Commission extend only to persons of Jap nationality & naturalized Canadians of Japanese race; repatriation of Can.-born Japs be confined to those who wish to be sent to Japan; O.C's to provide for deportation, revocation of citizenship status, & Loyalty Commission)

SEE

Name or Subject

File No.

Mr. Mitchell from ADPH

C-20-2
v.2

Minister of Justice

Dec. 15

J-25-1
I-50

MEMORANDUM RE DEPORTATION OF UNDESIRABLE

Under the Immigration Act- Chapter 93, Section 3-

No person, unless he is a Canadian citizen, or has Canadian domicile, shall be permitted to remain in Canada, who belongs to any of the prohibited classes, of which classes (p), (q) and (r) are as follows:

(p) Enemy aliens or persons who have been alien enemies and who were or may be interned on or after the eleventh day of November, one thousand nine hundred and eighteen, in any part of His Majesty's dominions or by any of His Majesty's allies;

(q) Persons guilty of espionage with respect to His Majesty or any of His Majesty's allies;

(r) Persons who have been found guilty of high treason or treason or of conspiring against His Majesty, or of assisting His Majesty's enemies in time of war, or of any similar offence against any of His Majesty's allies;

Canadian domicile can be acquired only after at least five years residence in Canada, subsequent to having been legally landed therein.

Under section 13- The Minister may nominate Boards of Inquiry to examine any person seeking to enter Canada or detained under the Act.

Under section 42 - Upon receiving a complaint that a person in Canada belongs to any prohibited or undesirable class, the Minister or Deputy-Minister may order that such person be taken into custody and detained, and if upon investigation it is found that he is of undesirable class, he shall be deported and if he is the head of the family all his dependents may be deported at the same time. Dependent members of the family include father, mother and children under eighteen years of age.

Under the Naturalization Act- Chap. 138- Section 9

When the Governor in Council is satisfied that a person who has obtained a certificate of naturalization has shown himself by act or speech to be disaffected or disloyal to His Majesty, the Governor in Council shall by order revoke

the certificate.

And Under Section 10-

The revocation affects the wife and minor children and when a certificate of naturalization is revoked, the former holder shall be regarded as an alien and as a subject of the state which he belonged when the certificate was granted.

Under Section 24 of the Immigration Act

The Governor in Council may make regulations governing the procedure of Boards of Inquiry and

Under Section 82- he may make orders and regulations for enforcing the Act according to the true intend and meaning thereof.

Under the War Appropriation Act - Money is voted for the security, defence, peace, order and welfare of Canada and for the carrying out of such measures deemed necessary or advisable by the Governor in Council in consequence of the existing of a state of war.

Dec 15-45.

Dec. 15th

J-25-1

Orders in Council re the Loyalty Commission

There are 6 alternate drafts proposed, falling into 3 groups as follows:

- A. Granting power to investigate Japanese + other internees + other enemy nationals.
- B. Granting power to investigate Japanese + other internees.
- C. Granting power to investigate Japanese only.

I have marked the different variants so that in each bearing the figure "1" does not include Canadian born Japanese, while that bearing the figure "2" does include them.

Pages 1 and 3 of the Order are the same for groups A & B. They are attached and so marked.

Pages 2 for these groups are marked:

- A 1 - Japanese (other than Canadian born) + other internees + other enemy nationals.
- A 2 - Japanese (including Canadian born) + other internees + other enemy nationals.
- B 1 - Japanese (other than Canadian born) + other internees.
- B 2 - Japanese (including Canadian born) + other internees.

The Order in version C has only two pages.

Page 2 is common to both and is marked C.

Page 1 for group C is marked:

→ C 1 - Japanese only but not Canadian born.

C 2 - Japanese only including Canadian born.

A1

- (a) persons of enemy nationality or naturalized British subjects of enemy origin who have been in detention at any place pursuant to the provisions of the Defence of Canada Regulations or of Order in Council P.C. 946 of February 5, 1943, as amended by P.C. 5637 of August 16, 1945, other than those subject to deportation under Order in Council P.C. 7355 of the 14th day of December, 1945," and
- (b) other persons of enemy nationality or naturalized British subjects of the Japanese race in Canada, in cases where their names are referred to the Commission by the Minister of Labour or the Minister of Justice for investigation with a view to recommending whether in the circumstances of any such case such person should be deported.

2. Notwithstanding anything contained in the provisions of Order in Council P.C. 7355 of the 14th day of December, 1945, the Commission may, at the request of the Minister of Labour, inquire into the case of any naturalized British subject of the Japanese race who has made a request for repatriation and which request is final under the said Order in Council and may make such recommendations with respect to such case as it deems advisable.

3. The Commission shall report to the Governor in Council.

4. Any person of the Japanese race who is recommended by the Commission for deportation shall be deemed to be a person subject to deportation under the provisions of Order in Council P.C. 7355 of the 14th day of December, 1945, and the provisions thereof shall apply, mutatis mutandis, to such person.

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- (b) other persons of enemy nationality or of the Japanese race in Canada,

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(b) other Japanese nationals or naturalized persons of the Japanese race in Canada, in cases where their names are referred to the Commission by the Minister of Labour or the Minister of Justice for investigation with a view to recommending whether in the circumstances of any such case such person should be deported.

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the survey, and the numbers and the reasons given by those who requested repatriation in April and May of this year, and now wish to cancel those requests. Certain observations can be made from these results, which I believe will remove any idea that a large number of these people, especially Canadian-born, signed applications through pressure exerted by our officials or the R. C. M. P. I think too, these observations will make many reflect further, who argue that there should be no thought of sending to Japan any who signed for repatriation and have since changed their minds.

There are a total of 10,347 involved in the voluntary declarations for repatriation. Of this number, 6,844 actually signed forms. The remainder are dependent children under sixteen years of age. There were 2,923 Japanese nationals, 1,461 naturalized Canadians, and 2,460 Canadian-born who signed. Of the 10,347 involved in the requests, 7,273 or more than 70% were residing in the Interior Housing settlements in B. C. when the survey was taken. This is a very important point to bear in mind, Mr. Speaker, when considering this question. Since the evacuation from the coastal area was completed, the population in these settlements has remained practically static. In March 1943, there were 11,937 living in the settlements. By March, 1945, two years later, the population was 10,418 or only 1,519 less. This was the result of two years of persistent effort by our officials to persuade these people to leave the settlements for essential work which badly needed doing to help win the war. It is these people in the settlements, the most of whom rejected offers of employment outside, who comprise the majority of those signing for repatriation. They are the ones who made this request while Canada was still engaged in a life and death struggle in a war against Japan, which then looked far from won. They are the ones who, since the defeat of

Japan, have been applying by the hundreds for cancellation of their repatriation requests. By August 15th, the day of the Japanese surrender, we had received requests for cancellation involving 112 persons. This included children under sixteen years of age. By October 15th this number had increased to 2,056. In other words, 94.5% of those requesting cancellation have done so since the defeat of Japan. It is also significant that of the total number asking for cancellation, 77.8% live in our settlements. They expressed a desire to be Japanese citizens rather than be British subjects and asked to be sent to that country as soon as could be arranged. They did this while Japan was still fighting. It now suits their purpose, after Japan has been beaten, to say they did not mean what they said, and now want to stay in Canada. There was little disagreement, Mr. Speaker, that those whose records showed that their true allegiance was to Japan and not to Canada should be sent to Japan. That was an important feature of the policy as announced by the Prime Minister. I submit, that where the true allegiance lies, of those signing for repatriation, when they did, is seriously open to question. I think we should look carefully into these requests from Japanese Canadians for cancellation of their repatriation requests before assenting.

We have heard that these people signed applications under pressure, not really aware of what they were doing. I think my explanation, of what was said and done before they made their decision, effectively replies to that charge. There are however, some observations on the results which would suggest that if there was pressure on any Canadian-born Japanese to request repatriation, the source of that pressure was not us but their own parents. Of the total number of requests for repatriation, there are very few cases where members of the same

family, living as a group, did not all sign. It is also interesting and significant that of the 2,460 Canadian-born who signed applications, only 406 were married. A much smaller proportion of married Canadian-born Japanese signed than did the unmarried. It is also interesting to note that of the 2,460 Canadian-born signing applications, 1,488 lived in the settlements, 374 elsewhere in B. C., and 598 outside of B. C. Of the total number of Canadian-born Japanese living in the settlements at the time the survey was taken, 97.2% signed applications, but only 23.6% of Canadian-born living elsewhere in B. C. signed and only 16.3% of Canadian-born living outside B. C. signed. Again the large proportion signing were in the settlements. If pressure was used to obtain signatures for repatriation, why did the technique not produce more uniform results? With the same R. C. M. P. officer doing the work, why did 74.4% of those in the Slocan project sign forms but only 22% of those in Manitoba? Why did the officer taking applications at the Lemon Creek project get 87.4% to sign but could only get 2.7% of those in Quebec? Why did 66.8% in the Tashme project but only 9.6% of those in Ontario sign applications when the same man did the asking? The high percentage of those who had relocated were not interested in repatriation. This is reasonable evidence of their satisfaction with their decision and what we are trying to do to assist them. We have used this argument without much success for those still in the settlements who claim relocation impossible because of so many uncertainties. We have told them if they were really concerned about uncertainties, they should get out of those settlements, accept our assistance to get re-established while there was still a heavy demand for labour and a wide choice of employment available.

I have already referred to the _____ who requested repatriation before the official survey was taken. Hundreds

of these repeated those requests on the declaration form. This is fair evidence that many were not high pressured into signing but were merely restating their intentions. I also mentioned that many of these previous requests were made to the Spanish Consular authorities. Most of these requests were from those in the settlements and were by no means limited to Japanese nationals. There were requests made to the Spanish Consul by Japanese nationals, by naturalized Canadians and by Canadian-born. It was through the Protecting Power that these people could make contact with Japan.

I am not trying to suggest, Mr. Speaker, that all Japanese Canadians in the settlements who have remained there month after month despite our efforts to persuade them to leave for essential work, should be classed as disloyal. I do suggest however that the 70% of them who signed requests for repatriation, did not do so under pressure exerted by anything we did, and that they knew well what they were doing. Their own newspaper, the 'New Canadian', through its editorial columns, warned Japanese Canadians of the seriousness of the decisions and urged them not to sign. I contend further that those who signed for repatriation at the time they did, while others were co-operating by going out to essential employment, are not deserving of very much consideration. I do not want to suggest that those in the settlements who did not request repatriation, even though they have, and continue to resist our efforts to have them relocate, should be considered as disloyal. They may not be co-operating with out policy, but that is a far cry from disloyalty. It is the 70% who signed repatriation applications to whom I refer. We can well wonder where their true allegiance lies. I say again that those requesting cancellation of their signed forms, particularly requests received after the defeat of Japan, should be carefully examined by the Loyalty Tribunal before they are granted.

May I close with this thought. I think our concern should now be concentrated on those people of Japanese origin who did not request repatriation, thereby indicating their desire to stay in Canada. The exceptions would be any where there was concrete evidence - not mere heresay - on their records, which would show that their allegiance is not to Canada but to Japan. There are almost 14,000 who have not requested repatriation. I believe our efforts to get them distributed reasonably evenly throughout Canada should be continued, using methods of persuasion and not compulsion, so as to reduce the danger of future concentrations which has led to so much bitterness and strife. As soon as we can complete the repatriation of those going to Japan, a conference will be called of all the provinces. An attempt will be made to secure agreement that those remaining in this country will be subject to no restrictions which are not applicable to all other Canadians, regardless of the province in which they may live. I feel reasonably confident that once relocated and established, inter-provincial travel restrictions will not be necessary to prevent a reconcentration in British Columbia. They have had enough of moving around and will most likely be content to remain where they are settled. Until our relocation effort has been completed after those who are going have left for Japan, and until we get an understanding with all of the provinces, I believe it will be in their own interests for some of our present regulations to remain in effect. In this way we will know exactly where they are, how the distribution is progressing, and will be better able to look after emergencies if they arise. Once the agreements are finalized with all of the provinces, the present restrictions should be discarded so that they may take their place on a basis of equality with all other citizens of the community.

Oct. 30th

8-25-1
HHW/SR
30.10.45

MEMORANDUM FOR MR. BALDWIN

I suggested to you, earlier today, that it might be useful to put on the Cabinet agenda for tomorrow the question of the repatriation of Japanese from Canada. This is primarily for the purpose of information. A summary of the position follows:

On September 18th the Embassy in Washington asked the State Department to transmit to General MacArthur a message, of which you have a copy, enquiring how soon it would be possible to proceed with the repatriation and deportation of about 10,500 Japanese. The message stated that they would be given their transportation for themselves and their effects, and also a maintenance grant on repatriation sufficient to take care of their immediate needs, together with permission to transfer the remainder of their funds to Japan. There has been no definite reply from General MacArthur until we received the attached message, WA-5545 of October 29th from Washington. In this he authorizes "subject only to the provision of shipping", the repatriation of all Japanese now held in the United States and Canada who desire to return.

You will note that the State Department want to hold a meeting within the next week to review the situation, and will invite a representative of our Embassy. The Embassy asks for the most recent figures on the number of Japanese in Canada who will be involved, and also whether it will be possible to say anything definite about our assisting in the provision of transportation.

It would appear that the question of transportation is the only obstacle to making a start on the movement of the Japanese. Mr. MacNamara spoke to me about this last Saturday, and said that he thought it would be feasible for us to undertake part of the shipping responsibility, perhaps on R.C.N. ships. This is a matter which might be mentioned in the Cabinet.

I think you already know that a good deal of public agitation has developed over the possibility that, under present Government decisions, we might compel Canadians of Japanese origin to go to Japan against their will. This would arise because a number of those who voluntarily applied for repatriation now wish to withdraw their applications. The

Cabinet apparently decided, early last month, that such applications for withdrawal would only be received up to September 1st, 1945 - the date of formal Japanese surrender being taken as the final day for withdrawal. I think we would be on dubious ground, morally and possibly also legally, if further opportunity was not given for withdrawal and I hope that this aspect of the question can be left over until after the Prime Minister's return.

It will be necessary to adopt further Orders in Council before the movement to Japan can actually begin, dealing with

- (a) the loss of nationality of repatriated persons of Japanese origin who are Canadian citizens;
- (b) their deportation by methods other than those prescribed in the Immigration Act; and
- (c) the establishment of a Loyalty Commission as promised by the Government.

I recently saw a draft dealing with (a) which, in the view of this Department, was defective, and I gave Mr. St. Laurent a criticism of it a few days ago, making the suggestion that a single Order should be prepared, covering all these points. I would hope that action by Council could be deferred on this also until the Prime Minister returns.

lm.

*File
J-25*

TELETYPE

From THE CANADIAN AMBASSADOR TO THE UNITED STATES
To THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

IMMEDIATE

WASHINGTON, November 6th, 1945.

CYPHER

TELETYPE

WA-5668

WA-5668. Your despatch No. 1249, October 30th, and EX-3841, November 5th, repatriation and re-settlement of Japanese.

1. I have discussed with State Department your suggestion that a representative of the Department of Labour proceed to Washington to discuss these problems, and found the suggestion most acceptable to the State Department.
2. I have made a definite appointment for a meeting to be held Wednesday, November 14th, 2:30 p.m. at Provost Marshal General's office to discuss repatriation of Japanese, and I have made a tentative appointment the following day with War Relocation Authority through State Department to discuss re-settlement problems.
3. For the prior information of the representative from Labour Department, the following appears to be the situation at the moment. The War Department and other authorities are most anxious to arrange for the repatriation of Japanese at the earliest possible date, but would naturally prefer to remove those in the United States before allotting space to Japanese held by Canada. Transportation is still a major factor, particularly in view of the number of troops proceeding to the Far East as replacements. I would point out that the State Department was obviously disappointed on finding that Canada could not offer any assistance in the way of transportation.

TELETYPE

From THE CANADIAN AMBASSADOR TO THE UNITED STATES
To THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

-2- WASHINGTON,

4. Apart from the Japanese in the special category, there are some 2,800 who can be sent without difficulty.

The main problem is the existence of two additional categories:

(a) Approximately 10,000 who have renounced their American citizenship; and

(b) Approximately 2,000 internees who object to repatriation to Japan.

It is impossible to get a ruling from the Department of Justice on these two categories because under category (a) the validity of the renunciation is questioned, and this matter is now before the courts; and, in respect to category (b) the right to repatriate internees, under an old Enemy Alien Act, is questioned, and this problem is also before the courts. Because of these difficulties and the uncertainty as to when they may be settled, the War Department is hesitant about setting up a continuing repatriation scheme. It is, therefore, essential for them to know the number and categories of the Japanese held in Canada, and if these can be supplied, together with the other information requested in my WA-5628 of November 2nd, it may be possible for the Canadian-held Japanese to be accepted for repatriation sooner than would otherwise be the case.

5. I would appreciate being informed of the name of the representative from the Department of Labour so that arrangements can be made as soon as possible for hotel and train reservations.

CANADIAN AMBASSADOR

AGENDA FOR MEETING
SUB-COMMITTEE OF THE CABINET ON JAPANESE

November 5, 1945.

1. Report on negotiations with U.S. authorities and General MacArthur.
2. Report on availability of shipping.
3. Up-to-date report on numbers involved in repatriation programme and the numbers revoking previous applications for repatriation.
4. Discussion on deportation procedure:
 - (a) what dependents of a man liable for deportation either by reason of having been interned or by reason of having applied for repatriation, shall be held liable for deportation along with such man? It is suggested that these might include:
 - (i) all children up to 18 years of age;
 - (ii) wives of such persons unless separated or living apart. In this connection, should any distinction be made between Canadian-born wives of such persons and others?
 - (b) discussion on the proposal that each person deported, 18 years of age and over be given a grant of \$200 plus \$50 for each child under 18 years of age to the extent that the person himself has not this amount of funds.
 - (c) arrangements for transfer of funds of deportees.
 - (d) provision for reception in Japan.
 - (e) legal authority necessary to carry out deportation.
5. The extent of the provision which should be made for review by a tribunal of cases of persons liable for deportation, either as an internee or as having applied for repatriation.
6. The extent to which decisions relative to deportation will be made known in Parliament at this time and a decision as to whether a statement on the matter should be made in the Parliament in the near future and if so, by whom and under what circumstances?

Order in Council -2-

(a) persons of enemy nationality or naturalized British subjects of enemy origin who have been in detention at any place pursuant to the provisions of the Defence of Canada Regulations or of Order in Council P.C. 946 of February 5, 1943, as amended by P.C. 5637 of August 16, 1945, other than those subject to deportation under Order in Council P.C. 7355 of the 14th day of December, 1945, and

(b) other persons of the Japanese race in Canada, in cases where their names are referred to the Commission by the Minister of Labour or the Minister of Justice for investigation with a view to recommending whether in the circumstances of any such case such person should be deported.

2. Notwithstanding anything contained in the provisions of Order in Council P.C. 7355 of the 14th day of December, 1945, the Commission may, at the request of the Minister of Labour, inquire into the case of any person of the Japanese race who has made a request for repatriation and which request is final under the said Order in Council and may make such recommendations with respect to such case as it deems advisable.

3. The Commission shall report to the Governor in Council.

4. Any person of the Japanese race who is recommended by the Commission for deportation shall be deemed to be a person subject to deportation under the provisions of Order in Council P.C. 7355 of the 14th day of December, 1945, and the provisions thereof shall apply, mutatis mutandis, to such person.

5. The Commission shall report to the Governor in Council.

.....

IMMEDIATE (☒)
 CYPHER ()
 EN CLAIR ()

TELETYPE MESSAGE

J-25-1

No. EX-3841

File No.

To: **THE CANADIAN AMBASSADOR - WASHINGTON**

From: **THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS - OTTAWA**

PLEASE USE DOUBLE SPACING WHEN TYPING THE MESSAGE BELOW

Following for

From R.G. Robertson

Begins:

Reference your WA 5628 of November 2 repatriation of persons of Japanese race in Canada.

At a meeting of a Cabinet sub-committee this morning the Japanese problem was discussed. Your teletype was interpreted to mean that the U.S. authorities would be prepared to make available to us a certain amount of space on vessels at their disposal for movement of some persons to Japan. This will be of great assistance, as we have not, at present, any vessels available that would be used for this purpose. In order to have a clear understanding of shipping arrangements, possible allocation of space, and other considerations it was decided to have a representative of the Department of Labour go to Washington, if possible to attend the meeting referred to in your WA 5545 of October 29. Please inform me as soon as possible when this meeting is to be held in order that arrangements can be made.

For your information, other decisions taken this morning were:

(a) To have an order in council passed authorizing the Minister of Labour to provide transportation, maintenance grants, and facilities for departure for all Japanese prepared to leave voluntarily for Japan.

(b) To select the above groups and have them ready for departure as soon as transportation is available. It is hoped that it might prove possible to move some within the next two or three weeks.

(c) To appoint a committee from Justice, Labour, External Affairs and State to prepare recommendations to council for revocation of nationality and deportation of persons who are to be sent to Japan other than those coming under (b)(supra). ~~These orders will be withheld pending the return of the Prime Minister.~~

It will be possible for the Department of Labour representative who is to go to Washington to give some of the information sought in your teletype under reference. The remainder can be prepared as soon as plans are known more definitely.

Ends.

(If further space is required please use a second page)

Date 5th Nov. 1945 Room No. 216 Bldg. East Block Local 4211

Name of Sender R.G. Robertson Authority (Signature of person authorizing message)

MOST SECRET

This document on loan from the
PRIVY COUNCIL OFFICE-CANADA

Nov. 6 1945

THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA

TOP SECRET

Copy #11

A meeting of the Special Committee of the Cabinet appointed to consider the repatriation and relocation of persons of Japanese race in Canada was held in the Privy Council Chamber on Monday, November 5th, 1945, at 11.30 a.m.

Present:

The Minister of Labour,
(Mr. Mitchell) - Chairman

The Minister of Veterans Affairs,
(Mr. Mackenzie)

The Acting Under-Secretary of State for External Affairs (Mr. Wrong).

The Secretary (Mr. B. F. Wood), Privy Council Office.

Also present:

Deputy Minister of Labour,
(Mr. MacNamara)

Mr. A. H. Brown,
Department of Labour

Captain Arthur Randles,
Department of Transport

Brigadier H. J. B. Keating,
Department of National Defence

Mr. R. G. Robertson,
Department of External Affairs.

I. TRANSPORTATION FOR REPATRIATION OF PERSONS OF JAPANESE RACE.

1. The Minister of Labour stated that the Canadian Ambassador in Washington had asked the Canadian Government if he could offer United States authorities any assurance of assistance in the provision of transportation for the repatriation of persons of Japanese race.

2. Captain Randles and Brigadier Keating stated that no Canadian shipping was available unless some of our Victory ships were converted for passenger service.

3. The Committee, after discussion, agreed that:

(a) before any action was taken to convert Victory ships, a representative of the Canadian Government

should be sent to Washington to explore the availability of American shipping, and to advise the Canadian Ambassador and American authorities of the number and categories to be repatriated;

- (b) the Under-Secretary of State for External Affairs would ask the Canadian Ambassador in Washington to arrange the necessary meetings between appropriate United States officials and the Canadian representative.

II. LEGISLATION.

4. Mr. Brown stated that the Department of Labour had prepared a draft Order for deportation of those to be repatriated, and that the Secretary of State had prepared a draft Order for revocation of citizenship rights of deportees.

5. Mr. Wrong stated that officials of his department had suggested certain changes in these Orders in Council which would meet most of the objections which had been raised regarding this legislation.

6. The Committee, after discussion, agreed that:

- (a) a sub-committee of representatives from the Departments of Justice, Labour, External Affairs, and the Secretary of State should be appointed to draft the necessary Orders in Council;
- (b) immediate action be taken on the legislation necessary to provide transportation and financial provision for repatriates;
- (c) the first Orders in Council on deportation and revocation of citizenship rights should cover Japanese nationals and voluntary repatriates.

The meeting adjourned at 12.10 p.m.

B. F. Wood,
Secretary.

Privy Council Office,
Ottawa, November 5, 1945.

J-25-1

TELETYPE

From THE CANADIAN AMBASSADOR TO THE UNITED STATES
To THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

IMMEDIATE

WASHINGTON, November 2nd, 1945.

CYPHER

TELETYPE

WA-5628

FOR IMMEDIATE ACTION

WA-5628. My WA-5545 of October 29th, repatriation to Japan of persons of Japanese race in Canada.

1. The following information was obtained at a preliminary meeting on this subject. Tentative plans for the shipment of Japanese include the following regulations:

- (a) Japanese will be concentrated at various points from which they will proceed by rail in bond to dock-side.
- (b) Embarkation will take place if possible at Seattle.
- (c) Baggage allowance will be limited to 175 pounds total per adult, with a lesser amount, not yet fixed, for children. Bulky packages will not be permitted and furniture and stoves are specifically prohibited.
- (d) A maximum of \$10 United States currency permitted, balance of funds should be in travellers cheques or any form other than cash. Any cash over \$10 will be seized.
- (e) No weapons will be allowed.
- (f) Passengers will not, repeat not, be permitted to enter the ship's canteen, and should therefore be provided with sufficient toilet articles, confectionery, etc. for duration of the voyage.

2. The movement is being conducted under War Department auspices and they would appreciate the following information:

TELETYPE

From THE CANADIAN AMBASSADOR TO THE UNITED STATES
To THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

- 2 -

WASHINGTON,

(a) Whether it is intended that repatriates will be concentrated at a point in Canada for movement by rail in bond to embarkation point. If so, the location of such concentration point or points.

(b) The amount of notice of pending embarkation that will be required, and the times that the journey from the concentration points to Seattle will take.

(c) The number of repatriates. Nominal rolls will be required dividing the repatriates into the following categories (in each case age and physical condition must be stated):

- (1) Single men.
- (2) Family groups (this item to include only members of family in good health).
- (3) Women and children unaccompanied by men.
- (4) Sick persons (with indication of nature of illness and whether litter cases or not).
- (5) Mental cases.

3. The American authorities are planning to move about 2,800 as soon as possible. Health and legal difficulties will delay the departure of some 11,000 for an indefinite period pending recovery and decisions on the legal problems.

4. I would appreciate as much of the above information as early as it can be obtained. It would assist if information readily obtainable is forwarded without awaiting the preparation of the additional material.

CHARGE D'AFFAIRES

f-25-1

Order in Council re Commissions to inquire
into conduct during the war of persons of
the Japanese race, etc.

P.C. 7357

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 15th day of DECEMBER, 1945.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS during the war particular measures with regard to persons of the Japanese race in Canada were made necessary by reason of their concentration along the Pacific coast of Canada;

AND WHEREAS experience during the war in the administration of Order in Council P.C. 946 of February 5, 1943, providing for the control of persons of the Japanese race has indicated the desirability of determining whether the conduct of such Japanese persons in time of war was such as to make the deportation of any of them desirable in the national interest;

AND WHEREAS it is deemed advisable to make provision for the appointment of a Commission to institute the investigation referred to above;

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

1. A Commission consisting of three persons shall be appointed to make inquiry concerning the activities, loyalty and the extent of co-operation with the Government of Canada during the war of Japanese nationals and naturalized persons of the Japanese race in Canada in cases where their names are referred to the Commission by the Minister of Labour for investigation with a view to recommending whether in the circumstances of any such case such person should be deported.

2. Notwithstanding anything contained in the provisions of Order in Council P.C. 7355 of the 15th day of December, 1945, the Commission may, at the request of the Minister of Labour, inquire into the case of any naturalized British subject of the Japanese race who has made a request for repatriation and which request is final under the said Order in Council and may make such recommendations with respect to such case as it deems advisable.

3. The Commission shall report to the Governor in Council.



5. Where the Commission recommends the deportation of any person referred to in section 2 of this Order, other than a person of the Japanese race, such person shall, notwithstanding that he may be a Canadian citizen or have Canadian domicile, be deemed to be a person belonging to a prohibited class and subject to deportation under the provisions of the Immigration Act, and the Minister of Mines and Resources may take such steps as may be necessary to provide for the deportation of such person.

AT THE GOVERNMENT HOUSE AT OTTAWA

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

6. WHEREAS experience during the war has indicated the desirability of determining whether the conduct in time of war of certain persons of enemy nationality and origin in Canada who were interned during the war was such as to make the deportation of any such person desirable in the national interest;

AND WHEREAS in the case of certain persons of the Japanese race particular measures that were made necessary by reason of their concentration along the Pacific coast of Canada, and also experience in the administration of Order in Council P.C. 946 of February 5, 1943, providing for the control of persons of the Japanese race during the period of the war have similarly indicated the desirability of determining whether their conduct in time of war was such as to make their deportation desirable in the national interest;

AND WHEREAS it is deemed advisable to make provision for the appointment of a Commission to institute inquiries as referred to above;

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

1. A Commission consisting of three persons shall be appointed to make inquiry concerning the activities, loyalty and the extent of co-operation with the Government of Canada during the war of:

Labour for such purposes.

(a)/

5. Where the Commission recommends the deportation of any person referred to in section 1 of this Order, other than a person of the Japanese race, such person shall, notwithstanding that he may be a Canadian citizen or have Canadian domicile, be deemed to be a person belonging to a prohibited class and subject to deportation under the provisions of the Immigration Act, and the Minister of Mines and Resources may take such steps as are necessary to provide for the deportation of such person.
6. Where any person is recommended for deportation pursuant to this Order he shall, as and from the date on which he leaves Canada in the course of such deportation cease to be either a British subject or a Canadian national.
7. The Commission shall, for the purpose of all inquiries and investigations made pursuant to this Order, have all the powers and authority of Commissioners appointed under Part One of the Inquiries Act.
8. The Commission is authorized to engage the services of such clerks, reporters, assistants and counsel as they deem advisable to aid and assist in the performance of their duties.
9. The Commissioners shall be paid such remuneration, allowances and expenses as the Governor in Council may fix.
10. All expenses incurred in connection with the inquiries and investigation of the Commission pursuant to this Order, including the remuneration, allowances and expenses of the commissioners, shall be paid from amounts allowed from the War Appropriation to the Department of Labour for such purpose.



C1.

as passed

AT THE GOVERNMENT HOUSE AT OTTAWA

December 15th 1945 -

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS during the war particular measures with regard to persons of the Japanese race in Canada were made necessary by reason of their concentration along the Pacific coast of Canada;

AND WHEREAS experience during the war in the administration of Order in Council P.C. 946 of February 5, 1943, providing for the control of persons of the Japanese race has indicated the desirability of determining whether the conduct of such Japanese persons in time of war was such as to make the deportation of any of them desirable in the national interest;

AND WHEREAS it is deemed advisable to make provision for the appointment of a Commission to institute the investigation referred to above;

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

1. A Commission consisting of three persons shall be appointed to make inquiry concerning the activities, loyalty and the extent of co-operation with the Government of Canada during the war of Japanese nationals and naturalized persons of the Japanese race in Canada in cases where their names are referred to the Commission by the Minister of Labour for investigation with a view to recommending whether in the circumstances of any such case such person should be deported.

Deportation
Order.

MEMORANDUM

Privy Council Office

Mr. Keeney

Ottawa.....

This page will be substituted for page
(2) if Cabinet decides to include Section
2(5) as suggested by the Minister of
Justice.

B.F.W.

(52)

M. S. H. M. suggested add to 52

3. This ~~order~~ ^{section} is thus made without prejudice to the cases of other persons of the Japanese race whose deportations it may hereafter be found desirable to order after they have been afforded a hearing as to their sympathy with or support of Japan, before a proper authority established in that behalf.

- 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.
- (5) This section is thus made without prejudice to the cases of other persons of the Japanese race whose deportation it may hereafter be found desirable to order after they have been afforded a hearing as to their sympathy with or support of Japan, before a proper authority established in that behalf.
-

J-25-1

OFFICE OF THE CLERK OF THE PRIVY COUNCIL

MEMORANDUM

December 12th, 1945.

For Mr. Wood:

Mr. Martin and Mr. Claxton are to be sent, this afternoon, copies of the Japanese Deportation Order (with the alternative section 9 incorporated) in anticipation of action by Council tm tomorrow.

The matter was discussed in a preliminary way today.

A similar copy should also be prepared to be sent to the Prime Minister. To this I will attach a note and a copy of the statement of policy made by the Prime Minister in the House of Commons some time ago.

I should also like a copy of the Committee's report which is approved by the Cabinet.

A.D.P.H.

8. (Cont'd.)

(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. No court or judge or officer thereof shall have jurisdiction to review, quash, restrain, or otherwise interfere with any proceeding, decision or order had, made, or given by or pursuant to the provisions of this Order.

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.

.....

CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding

Date

Re Emergency Powers Bill - re
clause giving Governor in Council
powers re entry into Can., depor-
tation, etc. - part.ref.to case of
Can.Japanese -

November 26, 1945

SEE

Name or Subject

File No.

Mr.J.A.Gibson to PM

P-50-1-B

J-25-1
file
SECRET

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

KHC:DC

MEMORANDUM FOR MR. WOOD:

Re: Repatriation of Japanese

The Cabinet discussed, this morning, the nature of a statement which could be made by the Minister of Labour in the House, today or tomorrow, on repatriation.

It was decided that the Cabinet decision of September 19th provided adequate material for Mr. Mitchell's statement at the present time. Mr. Brown is working on a draft statement and Mr. Mitchell agrees that you should collaborate with him and clear the draft with the Cabinet Committee (Mackenzie and Robertson) before 3 p.m. today.

I have not informed Brown - please do this.

With respect to requests for review of applications for repatriation (para.2(a) of Cabinet Conclusions), the Prime Minister felt that where coercion was alleged or established, provision should be made for review of cases. In this respect, the Minister's statement should, therefore, be pretty general, leaving the door open to review on a pretty broad basis.

The Prime Minister would like to have a word with Mr. Mitchell before the statement is made.

B.P. Wood, Esq.,
Cabinet Secretariat,
Privy Council Office,
Ottawa.

A.D.P.H.

November 20th, 1945.

8-25-1
November 16, 1945.

E. H. Coleman, K.C., Esq.,
Under Secretary of State,
West Block,
OTTAWA, Ontario.

Dear Dr. Coleman:

At the last meeting of the Committee of the Cabinet appointed to consider problems of residents of Canada of Japanese race, it was decided that a sub-committee consisting of representatives of the Departments of Justice, Labour, External Affairs and State should be appointed to draft any necessary legislation.

The Cabinet Committee is anxious to have any necessary orders submitted as soon as possible, and it would be appreciated, therefore, if I might have the name of your nominee to this sub-committee.

Yours sincerely,

B. F. Wood

125-1



PMA/G

PLEASE ADDRESS
THE DEPUTY MINISTER OF JUSTICE
OTTAWA

OTTAWA November 13th, 1945.

J.R. 10-873-45

B. F. Wood, Esq., Secretary of Special Committee,
Privy Council Office, O t t a w a

With reference to your letter of the 6th instant to the Minister of Justice respecting the appointment of a sub-committee to draft necessary Orders in Council respecting repatriation of persons of the Japanese race in Canada, I may say that Mr. P. M. Anderson will be the representative of the Department of Justice on the sub-committee.

2094

J. P. Varcoe

Deputy Minister



REPLY TO BE ADDRESSED TO:
THE UNDER-SECRETARY OF STATE
FOR EXTERNAL AFFAIRS
OTTAWA

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

Ottawa, November 6th, 1945.

TOP SECRET

Dear Mr. Wood,

With reference to your letter of November 6th, I wish to nominate, as the representative of this Department on the Sub-Committee to prepare the Orders in Council concerning Japanese repatriation, Mr. J.E. Read, the Legal Adviser, with Mr. R.G. Robertson as his alternate. As Mr. Read will be Acting Under-Secretary of State for External Affairs for some days from Thursday next, it may be difficult for him to attend all the meetings of the Sub-Committee, but I feel, nevertheless, that he should be directly associated with its work.

Yours sincerely,

Acting Under-Secretary of State
for External Affairs.

B.F. Wood, Esq.,
Privy Council Office,
Ottawa.



C2

AT THE GOVERNMENT HOUSE AT OTTAWA

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS during the war particular measures with regard to persons of the Japanese race in Canada were made necessary by reason of their concentration along the Pacific coast of Canada;

AND WHEREAS experience during the war in the administration of Order in Council P.C. 946 of February 5, 1943, providing for the control of persons of the Japanese race has indicated the desirability of determining whether the conduct of such Japanese persons in time of war was such as to make the deportation of any of them desirable in the national interest;

AND WHEREAS it is deemed advisable to make provision for the appointment of a Commission to institute the investigation referred to above;

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

1. A Commission consisting of three persons shall be appointed to make inquiry concerning the activities, loyalty and the extent of co-operation with the Government of Canada during the war of persons of the Japanese race in Canada in cases where their names are referred to the Commission by the Minister of Labour for investigation with a view to recommending whether in the circumstances of any such case such person should be deported.

2. Notwithstanding anything contained in the provisions of Order in Council P.C. 7355 of the day of December, 1945, the Commission may, at the request of the Minister of Labour, inquire into the case of any naturalized British subject of the Japanese race who has made a request for repatriation and which request is final under the said Order in Council and may make such recommendations with respect to such case as it deems advisable.
3. The Commission shall report to the Governor in Council.
4. Any person of the Japanese race who is recommended by the Commission for deportation shall be deemed to be a person subject to deportation under the provisions of Order in Council P.C. 7355 of the day of December, 1945, and the provisions thereof shall apply, mutatis mutandis, to such person.
5. Where any person is recommended for deportation pursuant to this Order he shall, as and from the date on which he leaves Canada in the course of such deportation, cease to be either a British subject or a Canadian national.
6. The Commission shall, for the purpose of all inquiries and investigations made pursuant to this Order, have all the powers and authority of Commissioners appointed under Part One of the Inquiries Act.
7. The Commission is authorized to engage the services of such clerks, reporters, assistants and counsel as they deem advisable to aid and assist in the performance of their duties.
8. The Commissioners shall be paid such remuneration, allowances and expenses as the Governor in Council may fix.
9. All expenses incurred in connection with the inquiries and investigation of the Commission pursuant to this Order, including the remuneration, allowances and expenses of the commissioners, shall be paid from amounts allowed from the War Appropriation to the Department of Labour for such purpose.

Clerk of the Privy Council

J-25-1

Order in Council revoking naturalization
of persons deported in pursuance of Order
in Council P.C. 7355, 15th December, 1945

P.C. 7356

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 15th day of December, 1945

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS by Order in Council P.C. 7355 of 15th December, 1945, provision is made for the deportation of persons who, during the course of the war, have requested to be removed or sent to an enemy country or otherwise manifested their sympathy with or support of the enemy powers and have by such actions shown themselves to be unfit for permanent residence in Canada;

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Secretary of State (concurring 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 order and doth hereby order as follows:

1. Any person who, being a British subject by naturalization under the Naturalization Act, Chapter 138, R.S.C. 1927, is deported from Canada under the provisions of Order in Council P.C. 7355 of 15th December, 1945, shall, as and from the date upon which he leaves Canada in the course of such deportation, cease to be either a British subject or a Canadian national.
2. The Secretary of State shall publish in the Canada Gazette the names of all persons who have ceased to be British subjects or Canadian nationals by virtue of this Order.

A.D.P. Heeney,

Clerk of the Privy Council.

J-25-1

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 of 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. (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)/

P.C. 7355.

(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.

6. (1) Any person for whom an order for deportation is made or who, having made a 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)/

P.C. 7355

(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 dependents 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.

P.C. 7355

(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.

Japanese Deportation Policy

Your statement of Government policy in the House of Commons in MEMORANDUM TO THE CABINET: after the war, of all persons of Japanese racial origin (whether they were Japanese nationals, naturalized Canadians of Japanese birth, or native born) whose behaviour during the war years was considered as disloyal. At the same time it was announced that all other persons of Japanese racial origin. The specific questions upon which decisions would be required may be summarized as follows:

1. Should the scope of the enquiries of the Loyalty Commission extend to:

(a) persons of enemy nationality and naturalized persons of enemy origin, and all persons of Japanese race? or

(b) persons of enemy nationality and naturalized persons of enemy origin who have been detained under the Defence of Canada Regulations, and all persons of Japanese race? or

(c) all persons of Japanese race; or

(d) persons of Japanese nationality and naturalized Canadians of Japanese race? *yes who had opted for repatriation to Japan have been given, by Cabinet decision, the right to go to Japan.*

2. Should the "repatriation" of Canadian-born Japanese be confined to those who still wish to go to Japan?

If the answer to this question is in the affirmative, Canadian-born Japanese will be excluded from the enquiries of the Loyalty Commission. The question, however, on which the Cabinet have been divided is whether or not the Loyalty Commission should be empowered to deport native born Japanese.

3. Three draft Orders in Council are submitted, with alternative provisions depending upon the answers to the above questions;

P.C. 7355 to provide authority for deportations;

P.C. 7356 to revoke British and Canadian status of deportees;

P.C. 7357 to establish the Loyalty Commission and define its scope.

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

Privy Council Office,
December 15th, 1945.

Dec. 14th

J-25-1
URGENT

NAR/SR
14.12.45

MEMORANDUM FOR THE PRIME MINISTER

Japanese Deportation Policy.

Certainly
implies

Your statement of Government policy in the House of Commons in August, 1944, contemplated the deportation to Japan, after the war, of all persons of Japanese racial origin (whether they were Japanese nationals, naturalized Canadians of Japanese birth, or native born Canadians of Japanese racial origin) whose behaviour during the war years could be considered as disloyal. At the same time it was stipulated that all other persons of Japanese racial origin who had behaved correctly during the war years would be permitted to remain in Canada, where it was hoped that they would be free from any form of political or legal discrimination.

This statement represented a compromise between a very vocal demand for the total expulsion of all persons of Japanese racial origin, regardless of conduct or loyalty, and the less articulate feeling in the country that flagrant racial discrimination was one of the things the war was being fought against.

Since this general statement of Government policy was made, we have had a voluntary poll of all persons of Japanese racial origin in Canada, which resulted in a very large proportion expressing the wish to be repatriated to Japan at the close of the war. Steps are actively under way to effect this repatriation. No problem arises in respect of the Japanese nationals, nor in respect of naturalized persons of Japanese origin who voluntarily expressed a wish for repatriation to an enemy country during the war. Native born Canadians of Japanese race who had opted for repatriation to Japan have been given, by Cabinet decision, the right to withdraw their application to be sent to Japan.

The Loyalty Commission, which it is proposed to set up to complete the work of repatriation, will have a free hand to recommend the deportation of all Japanese nationals and of all naturalized persons of Japanese origin to whose behaviour during the war years exception could be taken. The question, however, on which the Cabinet have been divided is whether or not the Loyalty Commission should be empowered to denationalize and deport native born Canadians of Japanese origin. The policy

indicated in August, 1944, was that such persons could be deported. There is much stronger feeling now that native born Canadians, regardless of origin, should not be deported to another country. The question, therefore, is whether the Government stands exactly on the position it outlined eighteen months ago or whether it should modify that position by excluding native born persons from its scope. In your statement of general Government policy in August, 1944, you said "There may also be modifications of policy which further investigation will show to be necessary." The question, therefore, is really whether this is a modification which should be made in the light of conditions now obtaining.

A second question of general policy arising out of the recommendations to Council regarding the repatriation and denationalizing of Japanese Canadians is whether or not decisions in respect of denaturalization and deportation made on grounds of disloyal behaviour during the war should apply only to persons of Japanese origin. I feel strongly that such Orders should, wherever possible, be put in general terms and be applicable to enemy aliens or naturalized Canadians whose sympathies with Naziism and Fascism were revealed during the war years.

As far as I can see, there is no possibility of taking a completely consistent, reasonable and humane line on these matters. We should, however, avoid purely racial discrimination as much as we can without at the same time unduly disturbing other alien elements in the population. I think this might be achieved by

- (a) excluding all native born from denationalization and deportation proceedings, other than volunteers; and
- (b) confining the scope of the Loyalty Commission's enquiries in respect of other than Japanese Canadians to persons who have been detained during the war under the Defence of Canada Regulations.

file J-25-1

Ottawa, December 13th, 1945.

MEMORANDUM FOR MR. WOOD:

The Japanese Deportation Order was considered by the Cabinet this morning, though without conclusion.

It was suggested that Section 2 (3) gave the impression that natural-born Canadians of Japanese race would under no circumstances be deported so long as they took steps to revoke any request they had made for revocation. Most Ministers were of the opinion that this was not the intention and that Canadian Japanese whose disloyalty had been proven by the Commission were, in any event, to be subject to deportation regardless of any request they might make.

Mr. St. Laurent suggested the addition of a new sub-section (5) to Section 2 to read somewhat as follows:

"This section is thus made without prejudice to the cases of other persons of the Japanese race whose deportation it may hereafter be found desirable to order after they have been afforded a hearing as to their sympathy with or support of Japan, before a proper authority established in that behalf".

I am not clear whether or not the addition of such a provision would be in accordance with the policy established so far or whether it was intended that the right of the Canadian-born Japanese should be absolute so far as revocation is concerned.

Please take up with Mr. Gordon Robertson and subsequently with members of the Cabinet Committee so that their views may be available when the Cabinet consider the question again tomorrow.

It was also agreed that it be preferable to enact the Deportation Order, the revocation of nationality Order and the Loyalty Commission Order at the same time. Mr. Mitchell was to look into the question of having the Loyalty Commission Order

-2-

ready for tomorrow. You might follow this
up as well.

I am sending a copy of this note to
Mr. Gordon Robertson.

A. D. P. H.

URGENT
CONFIDENTIAL

Ottawa, December 13th, 1945.

MEMORANDUM FOR THE PRIME MINISTER:

Re: Japanese policy

1. The Cabinet this morning failed completely to reach any conclusion upon the draft Orders in Council to implement government policy with respect to persons of Japanese race.

2. There were three draft Orders before Council:

- (a) the Deportation Order;
- (b) the Order to establish a Loyalty Commission; and,
- (c) the Order to deprive deportees of their British and Canadian status.

3. The point at issue was whether or not stated government policy should be further modified so as to remove Canadian-born Japanese completely from the operation of the Loyalty Commission, a course recommended by officials of External Affairs and Labour. The effect of such a change would be to give to Canadian-born Japanese the absolute right to remain in Canada without review by the Loyalty Commission, even where they had requested repatriation and subsequently revoked their request.

The question is primarily a political one. I should say that most of the Ministers present supported the change in favour of Canadian-born Japanese though it was recognized that there might be objection to so modifying government policy at this stage.

4. A second point at issue was whether the scope of the Loyalty Commission should extend to all persons of enemy nationality or be restricted to those of Japanese race. Probably a majority of the Cabinet favoured the latter course.

My own feeling is that the Loyalty Commission might include only such enemy nationals and naturalized Canadians of enemy origin as have actually been detained under the Defence of Canada Regulations, and persons of Japanese race.

5. The Cabinet felt that in your absence and Mr. Mackenzie's they could reach no conclusions on these two difficult questions.

6. The real difficulty is the time factor. You have said that you wish the Orders disposed of and tabled before Parliament rises. Further the government's authority to provide for deportation under the War Measures Act will expire on December 31st.

Perhaps the matter can be taken up again by the Cabinet at one o'clock tomorrow.

Alternative draft Orders in Council have been prepared and will be ready for disposition when decisions are taken.

A. D. P. H.

P.S. I have discussed the situation with Norman Robertson who has seen this memorandum. I attach a note from him on the policy questions involved.

125-1

Ottawa, December 7, 1945.

IMPORTANT

Ottawa, December 12th, 1945.

MEMORANDUM TO MR. A. D. P. HENNEY:

CLERK OF THE HOUSE OF COMMONS
MEMORANDUM FOR THE PRIME MINISTER:

Re: Japanese deportation Order

1. You wished to see, before the Cabinet meeting tomorrow, the draft Order for the deportation of persons of Japanese race. A copy is attached with the alternative section 9 which was discussed at this morning's meeting.

I am also attaching an extract from Hansard of August 4th, 1944 setting out your statement of government policy on the general question of the disposition of persons of Japanese race in Canada.

2. I have spoken to External Affairs (Mr. Robertson and Mr. Read) about the proposed Order for revoking the citizenship rights of Japanese who are deported. Both are of the opinion that, given the policy of deportation which has already been announced, it is on balance preferable to deprive such persons of their Canadian status rather than to have them go back to Japan as Canadians.

3. You will observe that in your statement of August 4th you said that "prior to deportation British subjects falling within this class would be deprived of their status as such".

A. D. P. H.



Ottawa, December 7, 1945.

MEMORANDUM TO MR. A. D. P. HEENEY:
CLERK OF THE PRIVY COUNCIL:
O T T A W A.



DEC 8 1945

I enclose herewith a submission to Council to give authority for the deportation of certain classes of persons of the Japanese race to Japan.

This submission was considered by the Subcommittee of Cabinet on Japanese at a meeting today and it was agreed that the recommendation should be sent forward for consideration of the Cabinet. Would you be good enough to have the matter placed before Cabinet as soon as possible.

There is also a complementary submission to Council which will be going forward from the Secretary of State dealing with the matter of citizenship rights of persons who are deported under the attached order as approved and which should be approved immediately following approval of the attached submission.

Handwritten signature: H. Mitchell

REPORT TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

THE UNDERSIGNED HAS THE HONOUR TO REPORT THAT:

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 desirable that provision 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 the undersigned has the honour to recommend, with the concurrence of the Secretary of State for External Affairs, that, under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, Your Excellency in Council may be pleased to make an Order as follows:

ORDER

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. (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. (Cont'd)

(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.

6. (1) Any person for whom an order for deportation is made or who, having made a 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;

6. (Cont'd)

- (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 dependents 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.

8. (Cont'd)

(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.

Respectfully submitted

Minister of Labour.

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TOP SECRET

8-25-1

3rd Dec 7th
A meeting of the Special Committee of the Cabinet appointed to consider the repatriation and re-location of persons of Japanese race in Canada was held in the office of the Minister of Veterans Affairs, Room 273, House of Commons, on Friday, December 7th, 1945, at 10.00 a.m.

Present:

The Minister of Labour,
(Mr. Mitchell), - Chairman

The Minister of Veterans Affairs,
(Mr. Mackenzie),

The Minister of National Defence,
(Mr. Abbott).

The Secretary (Mr. B.F. Wood), Privy Council Office.

Also present:

Deputy Minister of Labour,
(Mr. MacNamara),

Mr. R. G. Robertson,
Department of External Affairs,

Mr. P. M. Anderson, K.C.,
Department of Justice,

Mr. A. H. Brown,
Department of Labour.

I. LEGISLATION

1. The Committee considered two Orders in Council, copies of which had been circulated, which had been prepared by the sub-committee established for this purpose. The first Order, to be submitted by the Secretary of State, provides for the deprivation of citizenship rights of British subjects and Canadian nationals deported from Canada under the provisions of the second Order in Council. The second Order, to be submitted by the Minister of Labour, provides for the repatriation and deportation of residents of Canada of the Japanese race in accordance with the previous decision of the Cabinet.

2. The Committee after discussion agreed that both Orders should be submitted to Council at the earliest possible moment with a view to tabling them in the House prior to the close of the present session.

II. TRANSPORTATION

3. Mr. MacNamara enquired regarding the availability of the aircraft carrier, Puncher, to transport at least one group of Japanese.

4. Mr. Abbott stated that this was an American ship and was not considered very sea-worthy but agreed to discuss the matter with officials of the Naval Service.

5. The Committee agreed that the Puncher should be made available if possible but that in any event plans should proceed for the use of American shipping in accordance with arrangements recently completed in Washington.

III. ESTABLISHMENT OF LOYALTY COMMISSION

6. The Chairman stated that legislation should be drawn up providing for the establishment of a Loyalty Commission.

7. The Committee after discussion agreed that the sub-committee previously appointed to draft legislation should draft an Order in Council establishing a Loyalty Commission and also make recommendations relative to the scope of this Commission. This sub-committee is to report directly to the Minister of Labour who will bring any necessary recommendations before Cabinet without further reference to the Cabinet Committee.

The meeting adjourned at 11.00 a.m.

B. F. Wood,
Secretary.

Privy Council Office,
Ottawa, December 7, 1945.

APPH

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DEPARTMENT OF JUSTICE

Ottawa, December 4th, 1945

MEMORANDUM

B. F. Wood, Esq., Secretary of Special Committee of the
Cabinet appointed to consider the repatriation and reloca-
tion of persons of the Japanese race in Canada.

The Sub-committee appointed pursuant to the decision
of the Committee at its meeting on November 5th, 1945, has
prepared two Reports to Council, copies of which I enclose in
duplicate. One report provides for the repatriation of cer-
tain persons of the Japanese race, and the other provides that
a British subject or Canadian national deported pursuant to
the first-mentioned report shall cease to be either a British
subject or a Canadian national when so deported.

With reference to the first-mentioned report, the sub-
committee desires that the attention of the Committee be drawn
particularly to section 9, which purports to take away the
jurisdiction of any court with respect to proceedings under
the proposed Order. It was considered that this provision
might be necessary to prevent undue delay in carrying out the
intention of the Order, but the sub-committee thought that the
question as to whether or not this provision should remain in
was one of policy for determination by the Committee.

As you are aware, the members of the sub-committee are,
P. M. Anderson, K.C., Department of Justice, Chairman; J. E.
Read, K.C., Department of External Affairs; R. G. Robertson,
Department of External Affairs; A. H. Brown, Department of
Labour; W. P. J. O'Meara, K.C., Department of the Secretary of
State.

(Sgd) P. M. Anderson
Chairman

Encls.

Privy Council Office,
Ottawa, December 5, 1945.

REPORT TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report that by Order in Council P.C. of 1945, provision has been made for the deportation of persons who, during the course of the war, have requested to be removed or sent to an enemy country or otherwise manifested their sympathy with or support of the enemy powers and have by such actions shown themselves to be unfit for permanent residence in Canada.

The undersigned has the honour to recommend, therefore, with the concurrence of the Secretary of State for External Affairs, that, under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, Your Excellency in Council may be pleased to make an Order as follows:

1. Any person who being a British subject or a Canadian national is deported from Canada under the provisions of Order in Council P.C. of 1945, shall, as and from the date upon which he leaves Canada in the course of such deportation, cease to be either a British subject or a Canadian national.
2. The Secretary of State shall publish in the Canada Gazette the names of all persons who have ceased to be British subjects or Canadian nationals by virtue of this Order.

Respectfully submitted,

Secretary of State

REPORT TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

THE UNDERSIGNED HAS THE HONOUR TO REPORT THAT:

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 desirable that provision 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 the undersigned has the honour to recommend, with the concurrence of the Secretary of State for External Affairs, that, under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, Your Excellency in Council may be pleased to make an Order as follows:

ORDER

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. (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. (Cont'd)

(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.

6. (1) Any person for whom an order for deportation is made or who, having made a 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;

6. (Cont'd)

- (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 dependents 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.

8. (Cont'd)

(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. No court or judge or officer thereof shall have jurisdiction to review, quash, restrain, or otherwise interfere with any proceeding, decision or order had, made, or given by or pursuant to the provisions of this Order.

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.

Respectfully submitted,

Minister of Labour

SECRET
URGENT

J-25-1

Dec. 7th

Memorandum for Mr. Robertson

Re: Deportation of Japanese

1. Section 9 -

A possible substitute for the present Section 9 might be something along the following lines:

"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."

I have spoken to Mr. P. M. Anderson concerning the above and he feels that it would adequately meet any application for Habeus Corpus.

If something along the above lines seems adequate from the point of view of Labour, I think it would be very much preferable to the present blunt removal of legal rights.

2. Persons other than Japanese -

I don't see how the present Order can do other than name the Japanese and discriminate against them, in view of the policy timetable, etc. In the circumstances, it may not be worth while at this stage to try to achieve a general order.

To enable action against persons other than Japanese one course might be to frame the order establishing the commission sufficiently broadly to allow them to hear the case of any person (Japanese or not) who has applied during war to go to a country at war with Canada and also the case of any enemy national or naturalized person of enemy origin who is accused of disloyalty during time of war. The order would then provide that the commission could, in cases where it deems it fit, recommend to a designated Minister (Labour in the case of Japanese, State for others (?)) that such persons be deported. The order could authorize the Ministers, in such cases, to order deportation where they approve the recommendation. The order re de-nationalization would have to be amended to cover persons deported under this Order as well as the one re Japanese.

If the above seems a feasible approach, perhaps the Japanese order could be placed before the P.M. with the suggested change in Section 9, and his approval secured for the broader approach suggested in the case of the commission.

R. G. R.

December 7th, 1945.

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J-35-1

VOLUNTARY REPATRIATION SURVEY: among Japanese in Canada, 1945.

<u>FORMS</u>	<u>To End of September, 1945</u>	<u>To end of October, 1945</u>
JNW ----2,094) a total of 3,016		2,097) a total of 3,022
JND ---- 922) Japanese Nationals		925) Japanese Nationals
CNW ----1,099) a total of 1,417		1,100) a total of 1,418
CND ---- 318) Naturalized Canadians		318) Naturalized Canadians
CBW ----2,180) a total of 2,407		2,180) a total of 2,408
CBD ---- 227) Canadian-born Japanese		228) Canadian-born Japanese
Number who		
signed:.....6,840.....		6,848
Dependent		
Children		(these are almost
under 16 yrs....3,716.....		3,724 all Canadian-born)
GRAND TOTAL		
FOR VOLUNTARY		
REPATRIATION: 10,556		10,572

NOTE

JNW - Japanese Nationals without Dependents.
JND - Japanese Nationals with Dependents.
CNW - Naturalized Canadians without Dependents.
CND - Naturalized Canadians with Dependents.
CBW - Canadian-born without Dependents.
CBD - Canadian-born with Dependents.

Requests for Revocation of
Applications for Repatriation
received by Commissioner of
Japanese Placement to
October 15, 1945, inclusive.

	<u>Jap.Nat.</u>	<u>Nat.Can.</u>	<u>Can.Born over 16 yrs.</u>	<u>Can.Born under 16 yrs. in- cluded</u>	<u>Total</u>
Interior settlements in B.C.	359	190	410	643	1602
B.C. outside Interior Settle- ments.	68	31	87	97	283
Outside B.C.	<u>40</u>	<u>15</u>	<u>46</u>	<u>70</u>	<u>171</u>
	467	236	543	810	2056
	—	—	—	—	—

Of the above 94% received since September 1, 1945.

TOP SECRET

November 6, 1945.

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

Dear Mr. St. Laurent:-

I am enclosing minutes of the second meeting of the Special Committee of the Cabinet appointed to consider the repatriation and relocation of persons of Japanese race in Canada.

I should like to draw your attention to the decision on the second item relative to legislation, wherein it was decided that a sub-committee of representatives from the Departments of Justice, Labour, External Affairs and the Secretary of State should be appointed to draft the necessary Orders in Council. It was the feeling of the meeting that your representative should be the Chairman of this sub-committee. It would be appreciated if you would advise me of the name of your nominee to this committee as soon as possible.

Yours sincerely,

B. F. Wood,
Secretary of Special Committee.

Encl.

B.W.
for info.

Copy

RMM:MF

REFER: Mr. Heney
Mr. R.C. Robertson
to see.

[Signature] f-25-1

BY HAND

Ottawa, November 3rd, 1945.

The Deputy Minister of Labour.

I enclose a copy of teletype message WA-5628 of November 2nd from the Canadian Ambassador in Washington dealing with the repatriation to Japan of persons of Japanese race. You will note that tentative plans on the part of United States authorities are outlined and that they are anxious to obtain certain information about the Canadian movement as soon as possible.

I should be grateful to receive whatever information may at present be available on the questions listed in Paragraph 2 of the attached message.

R. M. MACDONNELL

for

Acting Under Secretary of State
for External Affairs.

Carbon files C-20-2
v.2.

f-25-1



CANADA

Privy Council Office

Cabinet Secretariat

Ottawa, Canada

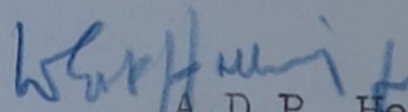
November 1st, 1945.

B.F. Wood, Esquire,
Secretary, Cabinet Committee on
Japanese Problems,
O T T A W A.

At the meeting of Cabinet on October 31st, 1945, it was reported that approval had now been received from General MacArthur for the repatriation of persons of Japanese race in the United States and Canada, subject to the provision of shipping for this purpose.

It was agreed by the Cabinet that the provision of shipping for the repatriation of persons of Japanese race in Canada be referred to the special committee of the Cabinet on Japanese Problems for consideration and report.

I am attaching, herewith, the relevant papers.


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

CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding

Date

Cabinet Conclusions Oct.31
incl:

November 1, 1945

Repatriation of Persons of Japanese
race in Canada

(re Gen.MacArthur's approval of repatriation -
decision that provision of shipping be referred
to special Cab.Com.on Repatriation & re-location
of persons of Japanese race, for report)

SEE

Name or Subject

File No.

Mr.Mackenzie from ADPH

C-20-2

Mr.Mitchell from JRB

v.2
"

Mr.Wrong from JRB

"

Mr.Hean from JRB

"

B.F. Wood from ADPH

J-25-1

Ottawa, September 24th, 1945.

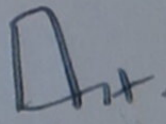
MEMORANDUM FOR MR. WOOD:

The attached draft teletype with the minor changes I have made, and with the addition of paragraphs 4 and 5 as follows, would seem to be suitable:

1. "4. There is no objection to your informing the State Department, confidentially, of the situation as described in the three preceding paragraphs. For your own guidance we should point out that a Provincial election will be held in British Columbia on October 25th and for this reason it is unlikely that government policy will be settled firmly until after that date on the more controversial issues. These include the scope of the duties of the proposed loyalty commission, the rights of Canadian citizens of Japanese origin not covered by the repatriation decisions, and the steps to be taken for location of remaining persons of Japanese race in this country.

5. We are anxious to have some word from General MacArthur as soon as possible and would like to know when this may be anticipated."

2. When you have revised the draft, please take it up with External Affairs and let me know the result, returning the papers to Halliday for the Cabinet B.F.



A. D. P. H.

J-25-1

PRIVY COUNCIL OFFICE

MORANDUM

September 20th, 1945.

For Mr. Wood:

7

Attached is the reply from the Embassy in Washington. I can see no objection to providing the State Department with a summary of the policy now decided upon by the government (see Cabinet Minutes of yesterday, paragraph 5) and would like you to get in touch with External Affairs (probably Mr. Macdonnell or whoever else is responsible) with a view to drafting a careful message to the Ambassador for this purpose.

Also please make sure that External Affairs have sent a copy of the attached to Mr. Mitchell and then send the telegram to Halliday for the Cabinet B.F., so that its contents can be reported at the next meeting.

A.D.P.H.

A. D. P. H.

CROSS REFERENCE SHEET

or
Name or Subject

File No.

J-25-1

Regarding

Date

Cabinet Conclusions Sept. 19 re
items including:

September 20, 1945

Repatriation & re-location of persons
of Japanese race in Canada

(approval of recoms. of special Cab.Com. with ref.
to amendment of Defence of Can.Reg's relating to
Japanese, & further amendment to PC 946 Feb.5,1943).

SEE

Name or Subject

File No.

NAR from ADPH

C-20-2

Mr.Mitchell from ADPH.
(copy to Mr.MacNamara)

"

CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding

Date

Cabinet conclusions, Sept. 13 of
interest to dept., including:

Sept. 14, 1945.

Defence of Canada regs.; further mod-
ification

(approval of submission of Minister of Justice
based on recoms. of interdept.com. re removal
of restrictions upon residents of Canada with
exception of Japanese - control of Japanese to
be effected through Japanese Control Order -
O.C.'s passed subsequently)

SEE

Name or Subject

File No.

Mr. Mitchell from ADPH
(Copies to Mr. MacNamara
G/C Wood)

C-20-2

N.A. Robertson from ADPH
(Copy to Mr. Wrong)

CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding

Date

Re question of amendment to Defence of Canada Regulations, & to PC 946 Feb.5,1943, dealing with control & restriction, etc. of Japanese in Canada

- | | |
|---|-----------------|
| 1. NAR to FM - memo re - | August 1, 1945 |
| 2. <u>PC 5637</u> - re - revoking certain sections of Defence of Canada Regulations - | August 16, 1945 |
| 3. Mr. Varcoe from AMH - re - re proposal for further amendments - | Sept. 4, 1945 |
| 4. Mr. McClung to AH - re - | Sept. 12, 1945 |
| 5. <u>Cabinet Doc. 55</u> - AH to Cabinet - re - review of situation - | Sept. 12, 1945 |

SEE

Name or Subject

File No.

P-50-1-B

Blue filed C-22-2
V-2.

J-5-1

by the Committee for the Cabinet's consideration.

I am sending copies of this letter to the
other members of the Committee and to your Deputy Minister.

TOP SECRET

September 6th, 1945.

Yours very truly,

The Honourable Humphrey Mitchell,
Minister of Labour,
Ottawa, Ontario.

Dear Mr. Mitchell:-

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

At yesterday's meeting of the Cabinet
the report from your department containing recommendations
with respect to repatriation and re-location of persons
of Japanese race was submitted. Previously copies of
this report had been circulated as Cabinet Document No. 47.

After discussion, it was agreed that the
proposals of your department be referred for consideration
and report to a special committee consisting of:

The Minister of Labour (Chairman)
The Minister of Veterans Affairs
The Minister of National Defence
The Solicitor General

The Under-Secretary of State for External
Affairs.

I assume that you will take the initiative in calling the
committee together, and in this connection I am asking
G/C Wood of your department to get in touch with you also
with a view to his acting as secretary of the committee.
Wood, under an arrangement which I have made with your
Deputy Minister, is being loaned to the Cabinet Secretariat
and it seemed to me appropriate that he should undertake
this duty and prepare whatever report may be decided upon

by the Committee for the Cabinet's consideration.

I am sending copies of this letter to the other members of the Committee and to your Deputy Minister.

Yours very truly,

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

Secretary Mitchell from ADPH
Copies to Mr. Mackenzie
D.C. Abbott
Mr. Jean
W.A. Robertson
Mr. MacNamara
G/O Wood)
Robertson from ADPH
(Copy to Mr. Wrong)

CROSS REFERENCE SHEET

Name or Subject

File No.

J-25-1

Regarding

Date

Cabinet conclusions, Sept. 5 of
interest to dept., including:

Sept. 6, 1945.

Repatriation & re-location of
persons of Japanese race

(appt. of special committee to
consider Labour proposals)

SEE

Name or Subject

File No.

Humphrey Mitchell from ADPH
(Copies to Mr. Mackenzie
D.C. Abbott
Mr. Jean
N.A. Robertson
Mr. MacNamara
G/C Wood)

C-20-2
V.2.

N.A. Robertson from ADPH
(Copy to Mr. Wrong)

TOP SECRET

Ottawa, September 12th, 1945.

(12th)
SPECIAL CABINET COMMITTEE

A meeting of the Special Committee of the Cabinet appointed on September 5th, 1945 to consider the memorandum from the Department of Labour on the repatriation and re-location of persons of Japanese race in Canada was held in the Privy Council Chamber on Wednesday, September 12th, 1945, at 10.00 a.m.

Present:

The Minister of Labour (Mr. Mitchell),
in the Chair,
The Minister of Veterans Affairs
(Mr. Mackenzie),
The Minister of National Defence
(Mr. Abbott),
The Solicitor General of Canada
(Mr. Jean)

The Under-Secretary of State for External
Affairs (Mr. Robertson),
The Secretary to the Cabinet (Mr. Heeney),
The Deputy Minister of Labour (Mr. MacNamara),
The Deputy Commissioner, R.C.M. Police
(Commissioner Mead),
Mr. A.H. Brown, Department of Labour,
Mr. E.W. Mundell, Department of Justice,
Mr. R.G. Robertson, Department of
External Affairs
Mr. B.F. Wood, Privy Council Office.

Repatriation and re-location of persons of
Japanese race

1. The Minister of Labour stated that the Committee had been appointed by the Cabinet to consider and report upon a memorandum submitted by the Department of Labour on questions relating to repatriation and re-location of persons of Japanese race in Canada. It was important that decisions thereon be reached at an early date.

(The following is a summary of the Department's memorandum:

(a) Introduction. The necessity for immediate decision on future policy relative to persons of Japanese race in Canada.

(b) Policy of repatriation for Japanese who have signed for repatriation.

- (i) Declarations by Japanese nationals and naturalized Canadian Japanese to be considered as final.
- (ii) Declarations of Canadian-born Japanese subject to review if they have expressed desire to revoke declarations.
- (c) Financial provision for repatriates.
 - (i) Free transportation with permission to transfer their funds.
 - (ii) Custodian of Enemy Property to manage funds and real property on behalf of repatriates.
 - (iii) Repatriates to be provided with maintenance grant of \$200 plus \$50 for dependent children - all to be charged against their own funds.
- (d) Deportation of Japanese nationals - all Japanese nationals not otherwise subject to deportation to be deported.
- (e) Japanese veterans not subject to restrictions.
- (f) Loyalty Commission to be established to pass on all doubtful cases.
- (g) All repatriates to be divested of Canadian citizenship.
- (h) Early removal of restrictions over movement and purchase of property for those remaining in Canada with authority given to Minister of Labour to prohibit or limit movement to any area.

Proposals

- (1) Early announcement of government policy with provinces invited to co-operate.
- (2) Government statement to include undertaking to reimburse provinces for cash expenditures, including medical services and old age pensions.
- (3) Redistribution on provincial quota basis considered impracticable.
- (4) Letter from Prime Minister to Provincial Premiers inviting co-operation with discussion at November meeting of co-ordinating committee of the Dominion-Provincial Conference.

(5) Refusal by British Columbia to accept any evacuated persons might result in similar action by other provinces.)

(Department of Labour memorandum, undated - Cabinet Document No.47).

2. The Committee, after considerable discussion, agreed to recommend to the Cabinet as follows:

(1) that the Department of External Affairs communicate immediately with the Supreme Allied Commander in Japan (General MacArthur), through the appropriate channel, stating that the government wished to repatriate, as soon as possible, some 10,000 Japanese and enquiring how soon conditions would be such that this movement could be made;

(2) that, upon receipt of information from the Supreme Allied Commander in reply to the telegram mentioned above, immediate steps be taken to effect the repatriation of:

(a) all persons of Japanese race who had requested repatriation, with the exception of Canadian citizens who had made application for revocation of their request for repatriation prior to midnight, September 1st, 1945; and

(b) all persons of Japanese race who were interned under the Defence of Canada Regulations;

(3) that immediate action be taken to revoke the status as Canadian citizens and British subjects of all persons of Japanese race who would be repatriated under the procedure recommended in the preceding paragraph;

(4) that the proposals for financial provision for repatriates set out in paragraphs (7), (8) and (9) of the memorandum submitted by the Department of Labour be approved; and

(5) that the remaining questions dealt with in the said memorandum, including proposals for the establishment and procedure of a "Loyalty Commission" and relocation of Japanese in Canada be deferred for further consideration.

B.F. Wood,
Secretary.

Sept. 12th 1945 J-25-1

(1) Number of Japanese in each Province

	<u>Total</u>	<u>Requesting repatriation.</u>
British Columbia	15,012	8,941
Alberta.....	3,680	573
Saskatchewan.....	161	2
Manitoba.....	1,137	405
Ontario.....	3,293	541
Quebec.....	629	18
Maritimes.....	1	Not yet canvassed.
Yukon and N.W.T.....	28	" " "
	<u>23,941</u>	<u>10,397.</u>

(2) Number of Japanese under 16 years of age who will be going back to Japan as a result of their parents' requests for repatriation --

3,503

(3) Number of Japanese over 16 years of age who have applied for repatriation ---

6,894

(4) Number of Canadian naturalized Japanese who have applied for repatriation ---

1,474

(5) Total number of Japanese who will be returning to Japan as a result of repatriation applications ---

10,397

(6) Number of requests for revocation of applications for repatriation ---

Signed Declarations.....96

Old applications to Spanish

Consul, External Affairs and

Department of Labour.....189

Total.....285

MWJ:GM

OTTAWA, 12.9.45.

Papers
J-25-1

TELETYPE MESSAGE

THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS, OTTAWA
TO: THE CANADIAN AMBASSADOR TO THE UNITED STATES, WASHINGTON

Ottawa, September 17th, 1945.

No. EX-3366
SECRET
CYPHER

Please ask United States authorities to transmit the following message by the most appropriate channel from Canadian Government to General MacArthur as Supreme Commander for the Allied Powers. Begins:

There are approximately 24,000 people of Japanese origin now resident in Canada. About 10,000 (including dependents) have expressed a desire to be repatriated to Japan. There are also about 500 Japanese nationals now interned whom it will probably be desired to deport. At a later date it is probable that there will be some additional deportees and voluntary repatriates who will also have to be removed. The Canadian Government is anxious to proceed with repatriation and deportation as soon as this can be done without causing you embarrassment. It is difficult to proceed with redistribution and relaxation of control over Japanese remaining in Canada until repatriates and deportees are removed.

It is proposed that repatriates and deportees from Canada should be given free transportation for themselves and their effects and provided with a maintenance grant upon repatriation sufficient to take care of their immediate needs, also that they be permitted to transfer remainder of their funds to Japan.

You will appreciate the desire of the Canadian Government to proceed with these plans as soon as possible. The Canadian Government would be grateful for your advice as to the earliest date on which you would be prepared to have these people arrive in Japan. Ends.

For your own information the whole difficult subject of repatriation and relocation of persons of Japanese race is under consideration by a special Cabinet Committee. It would obviously simplify the problem if we were able to proceed immediately to

TELETYPE

- 2 -

return to Japan the elements referred to in the above message and we would be obliged if you would let us know what action is contemplated by U.S. authorities in this connection. It occurs to us that if the United States have it in mind to repatriate any considerable numbers of disloyal Japanese simultaneous arrangements might be made which might expedite and simplify the problems involved.

SECRETARY OF STATE FOR EXTERNAL AFFAIRS.

~~SECRET~~
J-25-1

TELETYPE

From THE CANADIAN AMBASSADOR TO THE UNITED STATES
To THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

SECRET

WASHINGTON, September 18th, 1945.

CYPHER

TELETYPE

WA-4869

WA-4869. Secret. Your EX-3366, September 17th, repatriation of Japanese from Canada.

1. A note was sent today to the State Department requesting them to forward to General MacArthur the message contained in your teletype under reference.

2. I discussed this matter informally with Mr. Clattenburg of the State Department, who informed me that they have recently sent a telegram to the American Consul General in Manila asking him to discuss informally with General MacArthur the repatriation of persons of Japanese origin from the United States to Japan. No reply has yet been received from Manila. The State Department today sent a letter to the War Department outlining the problem and asking the War Department to take up the question with General MacArthur.

3. The State Department is very anxious to arrange for the early return to Japan of fifteen to twenty thousand Japanese now in the United States. They fear, however, that, even if they secure the approval of the military authorities in Japan, there will be considerable delay in carrying out the programme. The difficulty is caused by the fact that very many applications are being received from Japanese to cancel their previous applications

TELETYPE

From THE CANADIAN AMBASSADOR TO THE UNITED STATES

To THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

- 2 -

WASHINGTON,

for repatriation. Such letters of retraction are now being received at the rate of from 300 to 500 daily. The State Department would prefer to ignore these applications for cancellation, but they are waiting for a ruling from the Department of Justice. Mr. Clattenburg thinks it highly likely that the Department of Justice will rule that every individual Japanese slated for deportation has a right to recourse to law. If this happens, it will obviously delay the completion of the repatriation programme to a considerable extent.

4. The State Department would be very grateful to be informed what policy the Canadian Government proposes to take in respect to those Japanese in Canada who have signed applications or consent forms for repatriation to Japan and have since asked to have such applications cancelled. The State Department would also appreciate any information available concerning the organization and terms of reference of the proposed Loyalty Tribunal in Canada.

CANADIAN AMBASSADOR

TOP SECRET	
CABINET DOCUMENT	
No.	65
Copy No.	25

THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA

8-25-1

Sept 18th

MEMORANDUM TO THE CABINET:

TOP SECRET

Repatriation and re-location of persons of Japanese race

1. On September 5th, the Minister of Labour submitted to the Cabinet a memorandum setting out a proposed programme for repatriation and re-location of persons of Japanese race in Canada (Cabinet Document 47). The Cabinet referred these proposals to a Special Cabinet Committee consisting of the Minister of Labour (Convener), the Minister of Veterans Affairs, the Minister of National Defence and the Solicitor General, with the Under-Secretary of State for External Affairs, for consideration and report.

2. The Special Cabinet Committee have now considered the proposals of the Department of Labour and have agreed to recommend to the Cabinet as follows:

"(1) that the Department of External Affairs communicate immediately with the Supreme Allied Commander in Japan (General MacArthur), through the appropriate channel, stating that the government wished to repatriate, as soon as possible, some 10,000 Japanese and enquiring how soon conditions would be such that this movement could be made;

(2) that, upon receipt of information from the Supreme Allied Commander in Reply to the telegram mentioned above, immediate steps be taken to effect the repatriation of:

(a) all persons of Japanese race who had requested repatriation, with the exception of Canadian citizens who had made application for revocation of their request for repatriation prior to midnight, September 1st, 1945; and

(b) all persons of Japanese race who were interned under the Defence of Canada Regulations;

(3) that immediate action be taken to revoke the status as Canadian citizens and British subjects of all persons of Japanese race who would be repatriated under the procedure recommended in the preceding paragraph;

(4) that the proposals for financial provision for repatriates set out in paragraphs (7), (8) and (9) of the memorandum submitted by the Department of Labour be approved; and

No. Ex-3435
CYPRER

Canada: (5) that the remaining questions dealt with in the said memorandum, including proposals for the establishment and procedure of a "Loyalty Commission" and relocation of Japanese in Canada be deferred for further consideration"

1. With particular reference to the following:
3. With the approval of the Prime Minister, a communication in the sense indicated in paragraph (1) of the Committee's report has been sent to General MacArthur and decision is required upon the other recommendations submitted.

- (a) Japanese citizens who have requested cancellation of their registration for repatriation will be repatriated notwithstanding their status of alien.
- (b) Canadian citizens of Japanese race who have similarly requested cancellation of their registration for repatriation will be repatriated unless requested by A.D.P. Heeney, Secretary to the Cabinet, before September 1st;
- (c) All persons of Japanese race who are interned, whether Canadian citizens or not, will be repatriated regardless of whether or not they have opted to remain in Canada.

Privy Council Office,
September 18th, 1945.

- 2. The Canadian government also wishes to know when to revoke the status as Canadian citizens and provide subjects of all persons of Japanese race subject to repatriation under above procedure.
- 3. No decision has yet been made regarding the establishment and terms of reference of a loyalty commission and it may be some time yet before this matter is advanced further.
- 4. There is no objection to your informing the State Department, confidentially, of the situation as described in the three preceding paragraphs. For your own guidance we should point out that it is unlikely that government policy will be positive for some little time on the more controversial issues. These include the scope of the duties of the proposed loyalty commission, the rights of Canadian citizens of Japanese origin not covered by the repatriation decisions, and the steps to be taken for location of remaining persons of Japanese

Forwarded also to: Mr. of Labour

f-25-1

T E L E T Y P E

FROM: THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS, OTTAWA
TO: THE CANADIAN AMBASSADOR TO THE UNITED STATES, WASHINGTON

Ottawa, September 26th, 1945.

No.Ex-3435
CYPHER

Your WA-4869, September 18th, repatriation of Japanese from Canada:

1. With particular reference to your paragraph 4, position is as follows:

- (a) Japanese nationals who have not been interned and who have requested cancellation of their applications for repatriation will be repatriated notwithstanding their change of mind;
- (b) Canadian citizens of Japanese race who have similarly requested cancellation of their applications for repatriation will be repatriated unless request for cancellation was received before September 1st;
- (c) All persons of Japanese race who were interned, whether Canadian citizens or not, will be deported regardless of whether or not they have opted to remain in Canada.

2. The Canadian government also proposes to take action to revoke the status as Canadian citizens and British subjects of all persons of Japanese race subject to repatriation under above procedure.

3. No decision has yet been made regarding the establishment and terms of reference of a loyalty commission and it may be some time yet before this matter is advanced further.

4. There is no objection to your informing the State Department, confidentially, of the situation as described in the three preceding paragraphs. For your own guidance we should point out that it is unlikely that government policy will be settled for some little time on the more controversial issues. These include the scope of the duties of the proposed loyalty commission, the rights of Canadian citizens of Japanese origin not covered by the repatriation decisions, and the steps to be taken for location of remaining persons of Japanese

Referred also to: Min. of Labour

TELETYPE

- 2 -

race in this country.

5. We are anxious to have some word from General MacArthur as soon as possible and would like to know when this may be anticipated.

SECRETARY OF STATE FOR EXTERNAL AFFAIRS.

J-25-1

TELETYPE

From THE CANADIAN AMBASSADOR TO THE UNITED STATES
To THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

CYPHRR

WASHINGTON, September 27th, 1945.

TELETYPE

WA-5005

WA-5005. Your EX-3435 of September 26th and our
WA-4869, September 18th, repatriation of Japanese from
Canada.

1. Your information respecting Canadian policy
delivered to State Department today.
2. Reference paragraph 2 my WA-4869. MacArthur
has just replied that consideration is being given to
accepting Japanese from United States, but the date of such
acceptance depends on a review of the shipping requirements
to the Far East for replacements for personnel now serving
in the Pacific theatre.
3. On receipt of MacArthur's reply, State Department
have written War Department enclosing copy of MacArthur's
reply and urging early repatriation. They are particularly
interested in repatriating the group of diplomats and officials
captured in Europe, amongst whom there are one or two listed
as war criminals. At the same time State Department delivered
your message for onward transmission and pointed out to War
Department that Japanese held by Canada should be accorded
same priority as those held in the United States.
4. Reference paragraph 3 my WA-4869. No ruling yet
received from Department of Justice.

CANADIAN AMBASSADOR

Referred also to: Min. of Labour

J-25-1

TELETYPE

From THE CANADIAN AMBASSADOR TO THE UNITED STATES
To THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

CYPHER

TELETYPE

WASHINGTON, October 15th, 1945.

WA-5323

WA-5323. Your EX-3632, October 12th, repatriation to Japan of persons of Japanese race in Canada.

1. State Department has not heard of Tokyo press release and have no explanation as to the source of the information obtained by the press.
2. With respect to a reply from General MacArthur, State Department advise that not only have they not received any word from either the General or the War Department, but they have not received replies to earlier enquiries instituted on their own behalf on the same subject.
3. With respect to Department of Justice ruling regarding the right of the authorities to deport Japanese who elected to return to Japan and subsequently withdrew such election, I am informed that no ruling has been given and that this matter may not be settled for some time.

CANADIAN AMBASSADOR.



DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

REPLY TO BE ADDRESSED TO:
THE UNDER-SECRETARY OF STATE
FOR EXTERNAL AFFAIRS
OTTAWA

HHW/SR
17.10.45

MEMORANDUM FOR MR. HEENEY

In case the matter comes up in Council, you may be glad to have the following information, which gives the result of an exchange of several messages with the Washington Embassy during the last few days. We asked the Embassy, on October 10th, whether they could do anything to hasten a reply from General MacArthur about the movement to Japan of persons of Japanese race in Canada. We also enquired about a press report from Tokyo, which referred to our earlier request and said that no shipping would be available for some time.

The State Department have now told the Embassy that they have received no word from General MacArthur or from the War Department about our request, and that, furthermore, they have received no reply to earlier enquiries which they addressed to General MacArthur about the movement to Japan of persons of Japanese race from the United States. They also have no information about the press report from Tokyo.

You know already that they are considering in Washington what the legal position is of persons who opted to go to Japan and later changed their mind. This matter has been referred to the Department of Justice and we now learn that a ruling may not be given by the Department of Justice for some time. The point at issue is whether an individual Japanese, slated for deportation to Japan, has a right to recourse to law if he does not now wish to leave the United States.

Acting Under-Secretary of State
for External Affairs.

A.D.P. Heeney, Esq.,
Clerk of the Privy Council,
Ottawa.

J-25-1

S E C R E T

October 16, 1945.

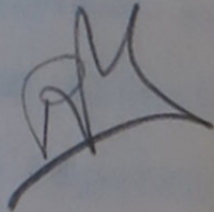
MEMORANDUM FOR G/C WOOD:

Repatriation to Japan

Following our discussion on October 10 a telegram was sent to the Ambassador in Washington stating that the Government is anxious to receive an expression of General MacArthur's views as soon as possible and adding that anything that can be done to hasten a reply will be appreciated.

I attach a copy of a teletype from Washington dated October 15, the second paragraph of which states that nothing has come through from General MacArthur.

The press report from Tokyo referred to in the first paragraph referred to the Canadian request and said that MacArthur's headquarters had indicated that no shipping would be available for some time. This press report was brought to our attention by newspaper correspondents and we asked the Washington Embassy for any information about it which they could obtain.



J-25-1

TELETYPE

From THE CANADIAN AMBASSADOR TO THE UNITED STATES
To THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS, CANADA

CYPHER

TELETYPE

WASHINGTON, October 29th, 1945.

WA-5545

WA-5545. Further my WA-5323 of October 15th and in reply to Mr. Wrong's letter to Mr. Pearson of October 27th respecting repatriation to Japan of persons of Japanese race in Canada. I have been advised this morning by State Department that a reply has been received from General MacArthur.

2. The reply is to the effect that he authorizes the immediate repatriation of some 160 special cases now held in the United States. In addition, repatriation of all Japanese now held in the United States and Canada who desire to return, or whose return is desired by the two Governments, is authorized subject only to provision of shipping.

3. State Department are proceeding immediately with the repatriation of the special cases and intend to hold a meeting within the next week to review the situation respecting the balance of the persons to be repatriated.

A representative of the Embassy will attend the meeting and I would appreciate the following:

(a) Most recent figures on the number of Japanese in Canada who will be involved;

(b) Whether ^{my} ~~any~~ representative may offer to assist by the provision of transportation, and, if so, to what extent.

CHARGE D'AFFAIRES.

not on file

J-25-1

CANADA

DEPARTMENT OF LABOUR

360 Homer Street,

VANCOUVER, B. C.

AIRMAIL

30th October 1945.

Attention: Mr. Brown.

A. MacNamara Esq.,
Deputy Minister of Labour,
OTTAWA

Re: PROPOSED STATEMENT WHICH MIGHT BE
USED BY THE MINISTER

I enclose copy of statement we have prepared which might be suitable for the Minister to use in the House of Commons. I do not know whether this is just the form in which you wish this prepared, but I thought that we might do a better job on it by writing it as we thought the Minister might speak in the House. I realise that it is pretty long but if you think necessary, it can be condensed.

We have tried to make two or three main points, and in this I hope we have been successful. First, we thought it would be important to review the main features of the policy as outlined in the Prime Minister's speech. Then to show that at the time this speech was delivered it received fairly general approval by many of those who are condemning the policy at this time. From there go on to prove that in the carrying out of the policy we have done nothing which is inconsistent with its provisions.

The other main point was to try to prove that there was no pressure used, so far as we are concerned or officers of the R.C.M.P., to obtain signatures for repatriation. We have also tried to make a case supporting the position that any people of Japanese origin, regardless of status, who signed these applications, did something which might leave seriously open to question where their allegiance does lie.

There are still one or two blanks where figures will have to be filled in later. Checks are not being made and these figures will be sent down as soon as possible. I hope what we have prepared will be useful in the final preparation of the Minister's statement.

(Sgd.) T. B. Pickersgill,
Commissioner.

Lionel Robert

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DRAFT OF SUGGESTED STATEMENT WHICH
MIGHT BE USED BY THE MINISTER.

We have heard during this debate, Mr. Speaker, severe criticism from some honourable members, of the Government policy and the administration of that policy, respecting people of Japanese origin living in this country. During recent months certain sections of the press and a number of organizations have been critical of the policy, particularly as it effects the status of Japanese Canadians. With many of the principles enunciated by the critics, this Government, Mr. Speaker, are in complete accord. The Government have not deplored but have welcomed this criticism, because it supports strongly fundamentals in which members of this Government so firmly believe. But what our critics have failed to do in my humble judgment, and I say this in an attitude of kindness, is to study sufficiently carefully the basic features of the policy and to secure all the facts as to the manner in which it is being carried out.

On August 4th, 1944, the Prime Minister spoke at considerable length in this House, outlining the policy which was to be followed. This is on the record and does not need repetition by me. I would like, however, to summarize briefly the main features of this policy and then to review the steps which have been taken to give it effect.

Firstly, the Prime Minister expressed recognition of the concern felt by British Columbia at the possibility of again having concentrated within its borders virtually the entire population of people of Japanese origin in Canada. As he stated, in the past this has led to so much bitterness and strife, that it must be avoided in the future. This should be done, not only in the interests of the people of British Columbia, but also of the people of Japanese origin themselves.

Secondly, for the future protection of people of Japanese origin who have remained loyal to Canada during the war, as well as to eliminate those who have shown that their true allegiance is not to Canada but to Japan, a basic feature of the policy was that those who have shown disloyalty to this country during the war, should not have the privilege of remaining here.

Thirdly, that in the years after the war, without any declaration which would be binding indefinitely into the future, Japanese immigration should not be permitted.

Finally, and most important, even though problems of assimilation are extremely difficult, people of Japanese origin who have been guilty of no disloyal act or who have not displayed any disloyal intent, that such persons must be treated fairly and justly. As stated by the Prime Minister - "For the Government to act otherwise would be an acceptance of the standards of our enemies and the negation of the purposes for which we are fighting."

Can you separate them and is it wise to take the chance?

The Prime Minister then outlined tentative measures for carrying out the policy outlined. He said it would be necessary to establish a quasi-judicial commission to examine into the background, loyalties and attitudes of all persons of the Japanese race in Canada to ascertain those who should not be allowed to remain here. The Government's intention was to have these persons, whether Japanese nationals, British subjects by naturalization or by birth, deported to Japan as soon as physically possible. He said also that there may be some who voluntarily indicate a desire to proceed to Japan. For these, he said, no further examination would be required and whatever their national status they would be allowed and encouraged to go as soon as could be arranged. Then he stated that the remainder, if properly admitted to this country and wishing to remain here, should be allowed to do so, but added for

the reasons cited, - "They should not be allowed once more to concentrate in British Columbia."

I have, Mr. Speaker, briefly reviewed the features of the policy and the proposed measures for two reasons. First, to recall to your minds that this statement was received with fairly general approval by members of this House favouring a generous and liberal policy toward people of the Japanese race. The main criticism at that time came from members who despaired of any solution except total expulsion, which would relieve British Columbia of having the majority of the problem on the West Coast. One of the chief exponents of the rights of these people has been the honourable member for Vancouver East. His courage in rising to their defence despite what the political consequences might have been to his party or to himself, has won the admiration of many of us. The honourable member was, I believe, in Australia when the policy was announced. I understand from reports which have come to me, that he generally approved the objectives of the policy but has been critical of some aspects of its administration. In a despatch from Toronto carried in the "New Canadian", Japanese language newspaper, the honourable member is quoted as follows:

"Angus MacInnis, C.C.F. member for Vancouver East, said here that Prime Minister Mackenzie King should follow up his proposal of August 4 last that Orientals be dispersed across Canada, reported the Canadian Press April 19.

"All restrictions against loyal Japanese should be removed," he said, "except that they should not be allowed to return to British Columbia until after the war."

"He was elaborating on a speech he made at a public meeting here. Loyal Japanese should be permitted to settle anywhere in Canada without disadvantages or prejudices, he added. After the war, B.C. should be prepared to take her share.

"The Japanese problem before the war," he said, "was essentially a British Columbia problem, but now it is a Dominion problem and should be handled as one."

His colleague, the honourable member for Rosetown-Biggart, spoke briefly on the question. While he expressed himself as being bitterly opposed to discrimination against any people because of their race,

colour or creed, the honourable member did say this - "I am in the fullest accord with the Prime Minister when he says that any person of Japanese origin who has been disloyal to this country should be denied the right to live here when the war is over. They should be interned now and deported to their country when this war is over like any other alien of similar attribute."

In concluding a discussion on the Japanese question a few days later, the honourable member for Winnipeg North centre had this to say:

"In other words, the Prime Minister has many behind him, even as he has many on all sides of the House, who are liberal-minded so far as this issue is concerned and who want Canada to be a country in which no racial lines shall be drawn."

In a signed article, August 6th, 1944, in the Vancouver Province, the Editor (himself Canadian-born of Japanese ancestry) of the 'New Canadian', the Japanese language newspaper, stated that Japanese Canadians would welcome the establishment of a loyalty commission, and that no one could deny that the deportation of disloyal Canadian-born or naturalized citizens was a fair one. "They themselves are probably anxious to go to Japan in any case", he wrote.

The following excerpt is taken from an article published in the 'New Canadian' of February 24th, 1945, entitled - "C.C.F. Urges Just Rights As Tories Flaunt Racist Cry", and expresses the attitude of C.C.F. members of the B.C. Legislature:

"The Wednesday session heard the C.C.F. party through Herbert Gargrave, reaffirm its policy that Japanese Canadians should be distributed across Canada.

"Because of the anti-democratic stand of some of our people, we believe in the policy of having them dispersed all over the Dominion instead of settling in one community."

In the same issue, the quotation below is the first paragraph taken

from the lead editorial entitled - "The Delay is Dangerous."

"The continued delay in a more detailed clarification of federal government resettlement plans announced now over six months ago, has raised the unfortunate prospect that definite action may be ruled out by the expected dominion election for several months more. It is to be earnestly hoped that this prospect will not prove true. For there is evidence that the current instability of the situation is helping to defeat the very objectives which Mr. King himself formulated in his House of Commons statement."

In a leading editorial published by the "Winnipeg Free Press", March 28th, 1945, which was shortly after the repatriation and relocation posters were released, there is much in the way of criticism of certain aspects of the policy. The Free Press did, however, have this to say as to the desirability of effecting an even distribution of these people throughout Canada:

"For the unity of Canada it is highly desirable that British Columbia should not be compelled to face this problem alone. For the welfare of the Japanese it is certain that they should not return to the Coast after the war lest they create more serious friction, certain discrimination by every legal means and probably violence as well. It is to be noted that the C.C.F. members of the British Columbia legislature, who advocate votes for Orientals and are sincere enemies of racial hatreds, agree that the policy of diluting the Japanese problem is sound."

My second reason for reviewing the main features of the policy is so that these would be more vividly recalled, as I describe the steps which have been taken for their implementation. Because I think I can show, Mr. Speaker, that in what we have done to carry out the policy, the methods used have not been inconsistent with the spirit of the policy, nor have the results achieved been different from those which were hoped would be obtained from carrying it out.

Following the Prime Minister's announcement, a great deal of work was done by officers of the Department of External Affairs, the R.C.M.P., and my own Department, in drawing up a proposed procedure. These were carefully considered at several sessions of

the Cabinet. Early in 1945, a decision was reached to conduct a survey of all people of Japanese origin to determine those who did not intend to remain permanently in this country and who were interested in repatriation to Japan as soon as that could be arranged. At the same time, an increase in the effort which had been persistently made since the evacuation of these people from the coastal area, was to be exerted toward the relocation outside of British Columbia of Japanese Canadians wishing to remain in Canada. For it was clear, Mr. Speaker, when there were still in British Columbia, 15,583, out of a total of 23,902 in Canada, that if future concentration in that Province were to be avoided in the future, many more would have to live in other provinces of Canada. The desirability of that objective has not been disputed.

The only important deviation from the policy decided later by the Government, was to delay the establishment of the Loyalty Tribunal until after the survey of those desiring repatriation was completed. I think all will agree that was logical for the reason cited by the Prime Minister, "That for those no further examination would be necessary." The soundness of this decision is substantiated by the fact that over 10,000, including dependent children, are involved in those requesting repatriation. This is approximately 45% of the total number in Canada. In accordance with announcement in the policy that those voluntarily indicating a desire to go to Japan should be "allowed and encouraged to go", the Government assured those desirous of going to Japan that the proceeds from the sale of their property and assets would be secured to them. They were also told that free passage would be provided for themselves and for what personal effects they might take with them. I wish to have placed on the record, Mr. Speaker, a copy of the statement which I issued on behalf of the Government,

outlining what provisions were to be extended people of Japanese origin voluntarily requesting repatriation. I wish also to table copies of the official declaration forms used for this purpose. I want at the same time to have written into the record, a copy of the statement to Japanese Canadians residing in British Columbia, signed by the Commissioner of Japanese Placement at Vancouver. This statement summarized what the Government was prepared to do to assist evacuated Japanese Canadians wishing to remain in Canada to relocate outside of British Columbia, and stated a response to this appeal was the only way by which the Government policy of a more even distribution of these people throughout Canada, might be accomplished.

Both of these statements were printed in the form of posters in the English and Japanese languages. The one outlining the provisions concerning repatriation advised people of Japanese origin that a special detachment of R.C.M.P. officers would visit the particular settlement or area where they resided and, at a certain place on specific dates would take applications from those wishing repatriation. These posters were displayed in all the interior housing settlements in B.C., where these people reside, and in all areas of the Province where others were engaged in self-supporting employment, for three weeks before the R.C.M.P. officers began taking applications at the first settlement.

We have been asked on several occasions, Mr. Speaker, why these people should ever have been questioned about desiring repatriation and if there were reasons for doing so, why was this survey made to coincide with a concerted effort to relocate outside of British Columbia employable Japanese Canadians not desiring repatriation? The answers to both of these questions are simple and logical.

Following the attack on Pearl Harbour, during the evacuation, and since this was accomplished, not hundreds, Mr. Speaker, but thousands of these people, the actual count is expressed a desire for repatriation to Japan during the war if possible, or as shortly thereafter as could be arranged. Many of these requests were made to the Spanish Consular authorities, acting as the Protecting Power in Canada for the Japanese Government. Others were made to the Department of External Affairs, more to our own Department, and many to the R.C.M.P. The majority of the requests were by individual letters, but in some cases lists of names were submitted of those wishing to be repatriated. These requests were not confined to nationals of Japan but included many naturalized and Canadian-born Japanese. Reports emanating from our interior housing settlements indicated there were many more who did not intend remaining in this country but had not filed actual requests for repatriation. With this number actually expressing a desire to go to Japan, and knowing many more to be interested, we realized a sound and intelligent programme of distribution throughout Canada of those remaining here could not be effected until we learned how many wished repatriation. The only way we could learn this with any degree of accuracy was to ask them all. It was also necessary that their requests should be recorded on a uniform declaration form. When the main object in doing this was to determine the number who would have to be relocated in order to achieve a distribution throughout Canada, it was only sensible and right at the same time to advise Japanese Canadians in British Columbia what would be necessary of them if this part of the policy was to be productive of any result. In telling many of them relocation from British Columbia was the only way they could co-operate in meeting the policy, we had to indicate to them what employment opportunities were available and what the Government would do to assist them to move to their new place of employment and the help they would receive after arrival.

So I submit, Mr. Speaker, these two aspects of the policy are complementary and could only logically be carried out simultaneously.

We have heard that the policy itself was designed and methods applied in carrying it out, to obtain the maximum number of signatures for repatriation. Many have argued that the policy was attractive only to those who signed and the alternatives were harsh and unacceptable. It has also been said that pressure was exerted in order to get names on the dotted line for repatriation. These allegations are not correct and cannot be supported by the facts. I stated a few moments ago that three weeks were allowed from the time the posters were displayed and the first applications for repatriation were taken. At the time the posters were displayed the supervisor of each of the six Interior Housing settlements was provided with a circular explaining in detail all phases of the question. He was instructed to call in the representatives of the Japanese committees and discuss this with them thoroughly. During the three week period, the Commissioner of Japanese Placement visited personally all of the settlements and met the committees. Innumerable questions were asked to which verbal replies were given. Several of the committees requested answers in writing to detailed questions submitted in writing. This request was of course granted, and several lengthy letters were written to the committees. Some of the committees submitted a second list of questions which also received replies. I think all will agree these letters are better evidence as to what was said to these people before the survey was taken, than what a lot of people heard from a lot of other people. I will be happy to have these letters tabled if requested.

In conversation with the committees and in the subsequent letters, it was stressed over and over again, the signing

of applications for repatriation was strictly voluntary. Also when asked if applications once signed could later be cancelled, they were told by the Commissioner that he didn't know, but if they were in any doubt about the validity of the document they would be well advised not to sign. It was explained to the Committees that it was the desire of the Government, in order to minimize further racial antagonism and bitterness, that people of Japanese origin remaining in Canada should, in their own interest, and in the general interest, distribute themselves more evenly throughout Canada. They were told that the Department would render every possible aid in effecting their relocation outside British Columbia. They were told verbally and in writing that Japanese Canadians wishing to remain in Canada should follow the example of some thousands who since 1942 had moved eastward into employment but no one was expected to go East unless offered specific and suitable employment. They were told further, that no Japanese Canadians who were engaged in self-supporting employment in British Columbia prior to the survey would be expected to give up that employment to go East. They were told that compassionate reasons making relocation a hardship would be considered sympathetically at all times. This has been particularly so in the case of illness or accident. Aged and unemployable Japanese Canadians were told they were not expected to relocate.

The Japanese Canadians were informed that all transportation expenses incurred for themselves, members of their families, and effects, in moving East, would be paid by the Department of Labour. A sustenance allowance to be used while in transit would be advanced covering each person relocating; and a sum of money based on the size of the family to aid in relocation, would be made available immediately on arrival at the new place of employment.

Five placement offices are maintained by the Department to assist in the resettlement of Japanese Canadians. These are at Lethbridge, Winnipeg, Fort William, Toronto and Montreal. Sympathetic officials are employed and are available at all times to aid relocation and deal with any emergencies which may arise. The housing shortage in many urban centres was recognized. Japanese Canadians were told that where housing was not available for the families of men going East, or where relocation for any in the family was not possible for some time, they would be housed at public expense at a special relocation centre at Kaslo, to be used exclusively for Japanese Canadians wishing to remain in Canada. It was realized many, for a variety of reasons, could not relocate immediately, but we did not think they should be expected to remain in the same settlements as those expressing, while the war was still raging, a preference for Japanese citizenship to Canadian.

Japanese Canadians were told that the Department would continue to assume responsibility for their welfare after relocating East. Those who might lose their employment or otherwise become economically distressed would be adequately maintained at public expense until our officers could find new, suitable employment for the workers. When asked about education for their children, they were told no people of Japanese origin had been relocated to cities or districts where their children were denied the right to attend public schools.

Now this is the programme of assistance offered to Japanese Canadians if they would co-operate in the Government policy of wider distribution. Is this to be described as the harsh and unacceptable alternative to requesting repatriation? If the Government were only concerned with swelling the total of those signing for repatriation, and were not in the least interested

about those remaining in Canada, why would these measures to aid relocation have been instituted and made known to them weeks before they made a decision about repatriation? No Japanese Canadians were told, Mr. Speaker, that unless they signed for repatriation they would have to get out of B. C. immediately. The R. C. M. P. officers who took the applications for repatriation from those in the settlements never discussed anything about employment or relocation. Their duty began and ended with explaining the declaration form, making sure the contents were understood, arranging for an interpreter where this was required, and then asking if they wished to sign or not. After, and not before, they had indicated their desire concerning repatriation, and had left the R. C. M. P. officers, Department of Labour placement officers interviewed employable Japanese Canadians who wished to stay in Canada, to give them full details about jobs available East of the Rockies. Why would we have established the special project at Kaslo to house temporarily Japanese Canadians unable or unwilling to relocate, if we intended to compel them to leave B. C. immediately?

Many Japanese Canadians now wishing to cancel their requests for repatriation say they signed because then they could stay in B. C. Naturally, those who requested repatriation were told they would be kept in B. C. until the boats were ready to sail for Japan. Would there have been any point in moving them Eastwards only to have them retrace their steps on the journey to that country? With an urgent demand for labour it would have been senseless not to have permitted them to engage in essential work in B. C. until time for going to Japan, particularly when they would have to be maintained at public expense, if they did not work.

I now wish to say something of the results of