

2201
GENERAL CORRESPON-
DENCE RE CABINET
COMMITTEE ON JAPANESE

RECORD GROUP 36 SERIES 27
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FILE 2201

CORRESPONDENCE RE CABINET COMMITTEE ON JAPANESE *I*

2201
GENERAL JAPANESE

GENERAL CORRESPONDENCE
RE JAPANESE

2201
Be/c.

Ottawa, July 9, 1946.

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

Dear Mr. MacNamara:

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

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

Yours sincerely,

(R. G. Robertson),
Secretary.

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

February , 1946.

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

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

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

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

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

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

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

Signature *Taiichi Ukiwa*

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RE CABINET
COMMITTEE ON JAPANESE

ADDRESS (Pre-Evacuation) Port Hamond, B. C.

Nationalized
Canadian Born

NAME Ukitsu, Taichi

Reg. No. 11273

Present Abode

Wakayamaken Hikakagun Hiizakimura

50 Holly Ave., Lemon Creek
B. C.

Land value reported to the Custodian

Value of compulsive sale

Difference claiming as compensation

House Value reported to the Custodian

Value of compulsive sale

Difference claiming as compensation

Value of furnitures and implements
reported to the Custodian

Value of compulsive sale

Difference claiming as compensation

Value of machines reported to the Custodian

Value of compulsive sale

Difference claiming as compensation

Value of fishing implements reported to the Custodian

Value of compulsive sale

Difference claiming as compensation

Value of fishing boats reported to the Custodian

Value of compulsive sale

Difference claiming as compensation

Value of automobiles or trucks
reported to the Custodian

Value of compulsive sale

Difference claiming as compensation

Difference of one year's income
(present and before the evacuation)

\$480.00

Etc.

Loss owing to evacuation (furniture)

\$40.00

Loss owing to evacuation (Working Time)

\$1170.00

Signature

Taichi
Ukitsu

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GENERAL CORRESPON-
DENCE RE CABINET
COMMITTEE ON JAPANESE

6/
Ottawa, January 14, 1947

MEMORANDUM: Mr. MacNamara:

The draft Minutes of the Cabinet Committee on Japanese problems relating to fishing licenses, read as follows:

"Mr. Mitchell reviewed the situation regarding issuance of fishing licenses to Japanese in British Columbia and recommended:

- (a) That existing orders issued by the Minister of Labour to regulate the issue of fishing licenses to Japanese be rescinded and
- (b) That authority for granting such fishing licenses be left to the Federal Department of Fisheries and the Provincial Government."

The Minister of Veterans Affairs has brought my attention to this question and has suggested that same should read as follows:

- "(a) That the second part of Administrative Order No. 2 issued February 19, 1944, by the Minister of Labour and relating to fishing by persons of the Japanese race in any inland waters in the Province of British Columbia, be rescinded; and
- (b) That authority for granting such fishing licenses be left to the Federal Department of Fisheries and the Provincial Government."

May I have your concurrence on this resolution please, so that Cabinet Commitment No. 366 regarding report from Cabinet Committee on Japanese problems may be amended accordingly.

R.R.
Raymond Ranger.

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GENERAL CORRESPONDENCE RE CABINET COMMITTEE ON JAPANESE

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ADDRESS ALL
COMMUNICATIONS
TO THE
CUSTODIAN'S OFFICE
PLEASE REFER
TO
J-175
FILE NO.

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
April 23, 1947

Raymond Ranger, Esq.,
Secretary,
Privy Council Office,
315 East Block,
Ottawa, Ontario

Re: Claims of Japanese Evacuees

Dear Mr. Ranger:

Confirming our telephone conversation, I enclose
herewith copy of communication addressed to the Under-Secretary
of State by the Deputy Minister of Justice, under date of 22nd
instant, together with draft Order in Council, as amended.

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

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COMMITTEE ON JAPANESE

COPY

EAD/CM

Please Address
THE DEPUTY MINISTER OF JUSTICE
Ottawa

Ottawa April 22, 1947

URGENT
BY HAND

152189

I have to refer to my letter of April 1st enclosing a draft Report to Council for the appointment of a Commissioner under Part I of the Inquiries Act to investigate claims made by persons of the Japanese race in respect of the disposition of their property.

In that draft I had set out the various types of claims as a schedule to the Order and I understand now that the only claims to be considered are those set out in items 2 and 4 (a) of that schedule.

I have been asked to prepare a revision of the draft I previously sent to you and accordingly I have the following suggestions to make:

- (1) Strike out the second last recital and substitute the following:

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

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

- (2) Strike out the first recommendation and substitute the following:

"1. That the Honourable be appointed a Commissioner pursuant to the Inquiries Act, chapter ninety-nine of the Revised Statutes of Canada, 1927, to inquire into claims of any person of the Japanese race, who was resident in Canada on the day of this Order, that the amount received by him for real and personal property vested in the Custodian pursuant to the above mentioned Orders was less than the market value thereof at the time of the evacuation of the owner, but no inquiry shall be made into claims in respect of any property for any loss that arose while the property was under the custody, control or management of any person, other than the Custodian, appointed by the owner thereof".

- (3) As an alternative to (2) above substitute the following:

"1. That the Honourable be appointed a Commissioner pursuant to the Inquiries Act, chapter ninety-nine of the Revised Statutes of Canada, 1927, to inquire into claims of any person of the Japanese race, who was resident in Canada on the day of this Order, that, by reason of the failure of the Custodian to exercise reasonable care in the management or disposition of the real and personal property vested in the Custodian pursuant to the above mentioned Orders, the amount received by him for such property was less than the market value thereof at the time of the evacuation of the owner, but no inquiry shall be made into claims in respect of any property for any loss that arose while the property was under the custody, control or management of any person, other than the Custodian, appointed by the owner thereof".

- (4) Strike out the schedule.

The Under-Secretary of State,

O T T A W A

"F. P. Varcoe"

Deputy Minister

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

D R A F T

OTTAWA, April 1947

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report as follows:

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

That by Order in Council P.C. 469 of January 19, 1943, it was provided that whenever the Custodian had been vested with the power and responsibility of controlling and managing any property of persons of the Japanese race evacuated from the said protected areas, such power and responsibility should be deemed to include and to have included from the date of the vesting of such property in the Custodian, the power to liquidate, sell or otherwise dispose of such property.

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

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

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

The undersigned, therefore, has the honour to recommend:

1. That the Honourable be appointed a Commissioner pursuant to the Inquiries Act, chapter ninety-nine of the Revised Statutes of Canada, 1927, to inquire into claims of any person of the Japanese race, who was resident in Canada on the day of this Order, that the amount received by him for real and personal property vested in the Custodian pursuant to the above mentioned Orders was less than the market value thereof at the time of the evacuation of the owner, but no inquiry shall be made into claims in respect of any property for any loss that arose while the property was under the custody, control or management of any person, other than the Custodian appointed by the owner thereof.

ALTERNATIVE TO CLAUSE (1) ABOVE

1. That the Honourable be appointed a Commissioner pursuant to the Inquiries Act, chapter ninety-nine of the Revised Statutes of Canada, 1927, to inquire into claims of any person of the Japanese race, who was resident in Canada on the day of this Order, that, by reason of the failure of the Custodian to exercise reasonable care in the management or disposition of the real and personal property vested in the Custodian pursuant to the above mentioned Orders, the amount received by him for such property was less than the market value thereof at the time of the evacuation of the owner, but no inquiry shall be made into claims in respect of any property for any loss that arose while the property was under the custody, control or management of any person, other than the Custodian, appointed by the owner thereof.
2. That the Commissioner shall examine into each claim and make a report to the Governor in Council advising as to the amount of compensation that in his opinion would be fair and reasonable.
3. That the Commissioner shall give public notice in such manner as he deems advisable of the time for the filing of claims and for the hearing of evidence

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and that all claims shall be in writing, verified by statutory declaration and filed in the office of the Custodian at Vancouver, British Columbia.

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

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

Respectfully submitted,

Secretary of State

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

OKPA
SECRET

*Raymond
Am I right
in this?
RGR*

Memorandum for Mr. A. D. P. Heeney:

I note from the agenda for Cabinet for Wednesday that the question of Japanese claims is going to be brought up. In this connection I do not think that the draft Order in Council which has been prepared precisely sets forth the alternatives that were decided on at the meeting of Cabinet Committee. To carry out the intention of the Committee I think the alternative to Clause 1 should read as follows:

"1. That the Honourable be appointed a Commissioner pursuant to the Inquiries Act, Chap. 99 of the Revised Statutes of Canada, 1927, to inquire into claims of any person of the Japanese race, who was resident in Canada on the day of this Order, that the amount received by him for real and personal property vested in the Custodian was less than the market value thereof at the time of sale or that, by reason of the failure of the Custodian to exercise reasonable care in the custody of personal property which had been left in his control, it had been stolen or suffered deterioration or destruction, but no inquiry "

The main point is that this alternative was to be a limitation of claims to differences between sale price and market price at the time of sale, plus claims for loss or deterioration in personal property due to negligence.

R. G. R.

29th April, 1947.

RGR:McK

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DENCE RE CABINET
COMMITTEE ON JAPANESE

PRIVY COUNCIL OFFICE

MEMORANDUM

For Mr. Ranger:

Re: Japanese claims

Mr. Mitchell said to me this morning that he would like to go ahead in Cabinet on Wednesday with the question of disposition of claims by persons of Japanese race. You may be able to clear the alternative proposals either by having your Cabinet Committee meet tomorrow or (if that cannot be arranged) by having it passed individually by the Ministers in advance of the Cabinet meeting.

In any event, I am putting the item on Wednesday's agenda which is going out this afternoon. Presumably the other Japanese questions will have to stand until after your Committee has gone into them.

*OKRR
memorandum
to Cabinet prepared
+ circulated April 28th, 1947
for Cabinet meeting
of April 30
A.D.P.H.
4-4-47
4-9-47
R*

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE



CANADA

PRIVY COUNCIL OFFICE

CABINET SECRETARIAT

Ottawa, April 18, 1947.

MEMORANDUM

I wish to advise that, by decision of the Cabinet, on April 17, 1947, the Cabinet Committee on Japanese Problems and the Cabinet Committee on Claims by Japanese Evacuees have been replaced by a reconstituted Committee on Japanese questions composed of the following Ministers:

Minister of Labour (Chairman)
Minister of Veterans Affairs)
Minister of Justice (the Solicitor General
as alternate)
Secretary of State
Minister of Mines and Resources
Minister of Fisheries
Minister of Finance (for consideration of
financial problems involved)

Raymond Ranger,
Secretary,
Cabinet Committee
on Japanese Questions.

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COMMITTEE ON JAPANESE

A G E N D A

Special Meeting held 10 A.M. January 23, 1947, in Mr.
R. G. Robertson's Office, East Block.

To prepare and submit recommendations in
order to implement the following cabinet decisions January
21, 1947, re Japanese problems.

1. To prepare Order-in-Council revoking all orders in
Council affecting Japanese except in the following
ones where authority has to be retained for:
 - a. Financial assistance for voluntary repatriates
(P.C. 7355 December 15, 1945).
 - b. Control of movement in Canada (P.C. 946 February
5, 1943).
 - c. Prohibition to issue fishing licenses to fish
off British Columbia (P.C. 251 January 13, 1942).
 - d. Liquidation and distribution of properties situated
in the former protected areas of B.C.
2. To authorize payment for compensation for undue loss
on liquidation of properties.
3. To prepare a statement for the press.

Mr. A. H. Brown ✓	Labour
Mr. R.G. Robertson ✓	Prime Minister's Office
Mr. D.W. Mundell ✓	
Mr. D.H.W. Henry ✓	Justice
Mr. K.W. Wright ✓	Counsel to Custodian
W. P. J. O'Meara, ✓	K.C. Asst. Under Secretary of State & Advisory Counsel
R. Ranger ✓	

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GENERAL CORRESPON-
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COMMITTEE ON JAPANESE

DEPARTMENT OF LABOUR

Ottawa, 23rd January, 1947.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to recommend that Your Excellency in Council, under the authority of The National Emergency Transitional Powers Act, 1945, be pleased to order that Order in Council P.C. 946 dated February 5, 1943, be amended, in respect of the provisions thereof herein-after mentioned, as follows:

1. Paragraph (a) of subsection (1) of section one be revoked.
2. Paragraphs (i) and (v) of subsection (1) of section three be revoked.
3. Paragraph (viii) of subsection (1) of section three be amended,
 - (a) by striking out the words "the conduct, activities or discipline of" where they appear therein;
 - (b) by striking out the words "and may by order" where they appear therein and substituting therefor the word "to"; and
 - (c) by striking out the words
"from engaging in any activities,
employment or business or in
any specified activities,
employment or business in Canada"
and the words
"or from associating or communicating with any persons"
where they appear therein and by inserting the word "or" before the words "from residing" where they appear therein.
4. Sections three A and three B be revoked.
5. Section nine be revoked.

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6. Section ten be amended by striking out the following words where they appear therein:

"and any such agreement may provide that any such persons will be removed from such Province upon the termination of the state of war now existing between Canada and Japan".

7. Sections eleven, twelve and fifteen be revoked.

8. Section sixteen be amended by striking out the following words where they appear therein:

"to carry out measures deemed necessary in consequence of the existence of a state of war" and substituting the words "for such purposes".

9. Section seventeen be revoked.

Respectfully submitted,

Minister of Labour.

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Ottawa, 23rd January, 1947.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to recommend that Your Excellency in Council, under the authority of The National Emergency Transitional Powers Act, 1945, be pleased to make the following order:

1. The following Orders in Council are hereby revoked, namely:

P.C. 9760 of December 16, 1941

P.C. 9761 of December 16, 1941

P.C. 1348 of February 19, 1942 as amended

P.C. 10773 of November 26, 1942

P.C. 7357 of December 15, 1945

P.C. 7356 of December 15, 1945

Respectfully submitted,

Minister of Labour.

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GENERAL CORRESPONDENCE RE CABINET COMMITTEE ON JAPANESE

Ottawa, 23rd January, 1947.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to recommend that, under the authority of the National Emergency Transitional Powers Act, 1945, Your Excellency in Council be pleased to order that Order in Council P.C. 6247 of July 20, 1942, and Order in Council P.C. 469 of January 19, 1943, be revoked, except the paragraph of Order in Council P.C. 469, aforesaid, which reads as follows:

"Wherever, under Orders in Council under the War Measures Act, Chapter 206 of the Revised Statutes of Canada 1927, the Custodian has been vested with the power and responsibility of controlling and managing any property of persons of the Japanese race evacuated from the protected areas, such power and responsibility shall be deemed to include and to have included from the date of the vesting of such property in the Custodian, the power to liquidate, sell, or otherwise dispose of such property; and for the purpose of such liquidation, sale or other disposition the Consolidated Regulations Respecting Trading with the Enemy (1939) shall apply mutatis mutandis as if the property belonged to an enemy within the meaning of the said Consolidated Regulations".

Respectfully submitted,

Secretary of State.

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

PRIVY COUNCIL OFFICE

MEMORANDUM

MR. HEENEY

RE: CABINET DOCUMENT NO. 366, RE REPORT FROM
CABINET COMMITTEE ON JAPANESE PROBLEMS

The Minister of Veterans Affairs has brought my attention to the second paragraph of Cabinet Document No. 366 in connection with the rescinding of the existing orders to regulate the issue of fishing licences to Japanese.

Mr. Mackenzie would like sub-paragraph (a) to be changed to read as follows:

"(a) that the second part of Administrative Order No. 2, issued February 19, 1944, by the Minister of Labour and relating to fishing by persons of Japanese race in any inland waters in the Province of British Columbia, be rescinded; and"

I am attaching herewith for your information copy of Administrative Order No. 2.

I understand that Mr. Mackenzie will not be present at today's Cabinet Meeting.

Raymond Ranger.

14-1-47

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

PRIVY COUNCIL OFFICE

MEMORANDUM

ADMINISTRATIVE ORDER NO. 2 ISSUED BY
MINISTER OF LABOUR, DATED FEB. 19, 1944

No person of the Japanese race shall fish for or take fish by any means whatsoever from any Pacific coastal waters of Canada or any inland waters in the Province of British Columbia without first having obtained a written permit therefor from the Commissioner of Japanese Placement.

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SECRET

Ottawa, Ontario,
January 20, 1947.

MEMORANDUM FOR MR. HEENEY

RE: CABINET DOCUMENT NO. 366 - REPORT FROM
CABINET COMMITTEE ON JAPANESE PROBLEMS

With reference to Mr. Mackenzie's suggestion of amending sub-paragraph (a) of paragraph 2 of Cabinet Document No. 366, Order-in-Council P.C. 251, January 13, 1942, (copy attached), prohibits the issuing of fishing licences to fish in or off British Columbia to persons of Japanese racial origin, and also prohibits these persons to serve on fishing vessels. Therefore, if Administrative Order No. 2, February 19, 1944, issued by the Minister of Labour, is revoked, there still remains a prohibition to issue fishing licences in or off British Columbia to persons of Japanese racial origin.

Order-in-Council P.C. 251 was passed on the recommendation of the Minister of Fisheries, and under the authority of the War Measures Act and, consequently, will lapse on March 31, 1947, unless its life is extended by authority to be provided in the proposed bill to extend for one year the "National Emergency Transitional Powers Act". Therefore, if Cabinet decides that persons of Japanese racial origin should not be allowed to fish in the coastal waters of British Columbia, I would suggest that necessary action to amend P.C. 251 and extend its life, should be taken by the Minister of Fisheries.

*Mr. S.V. Ozere, Solicitor
Dept of Fisheries
Local 6103*

Raymond Ranger.

RR/GV
Enc.

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COMMITTEE ON JAPANESE

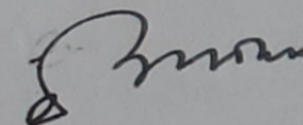
DEPARTMENT OF LABOUR

MEMORANDUM to: Mr. A. MacNamara,
Deputy Minister.

OTTAWA, January 14, 1947.

The present Ministerial Order prohibits the issue of fishing licenses to Japanese to fish in either coastal or inland waters of Canada. The amended minute proposed by Mr. Ranger by inference would leave the order in effect in so far as it relates to fishing in coastal waters. The Department wishes to rescind the order entirely and thus restore to the Dominion and Provincial fisheries authorities the regulation of their authority over fishing licenses and permits.

The decision of the Sub-Committee of the Cabinet, as I understand it, was to this latter effect.



A. H. Brown.

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COMMITTEE ON JAPANESE

MEMORANDUM: Mr. MacNamara:

The draft Minutes of the Cabinet Committee on Japanese problems relating to fishing licenses, read as follows:

"Mr. Mitchell reviewed the situation regarding issuance of fishing licenses to Japanese in British Columbia and recommended:

- (a) That existing orders issued by the Minister of Labour to regulate the issue of fishing licenses to Japanese be rescinded and
- (b) That authority for granting such fishing licenses be left to the Federal Department of Fisheries and the Provincial Government."

The Minister of Veterans Affairs has brought my attention to this question and has suggested that same should read as follows:

- "(a) That the second part of Administrative Order No. 2 issued February 19, 1944, by the Minister of Labour and relating to fishing by persons of the Japanese race in any inland waters in the Province of British Columbia, be rescinded; and
- (b) That authority for granting such fishing licenses be left to the Federal Department of Fisheries and the Provincial Government."

May I have your concurrence on this resolution please, so that Cabinet Commitment No. 366 regarding report from Cabinet Committee on Japanese problems may be amended accordingly.

Raymond Ranger.

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RE CABINET
COMMITTEE ON JAPANESE

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COPY NO. 9

CABINET COMMITTEE ON
JAPANESE PROBLEMS

AGENDA FOR SIXTH MEETING TO BE HELD IN THE PRIVY
COUNCIL OFFICE AT 11 A.M., FRIDAY, JANUARY 10, 1947

1. Report on activities of Japanese Division. (Reference Document 'A' circulated December 13, 1946)
2. Future Policy on Deportation and Repatriation. (Reference Document 'B1' circulated December 13, 1946)
3. Future Policy on Relocation and Controls in Canada. (Reference Document 'B2' circulated December 13, 1946)
4. Future Policy on Status of Canadian-born Japanese in Japan. (Reference Document 'C' circulated December 13, 1946)
5. Review of existing Orders in Council relating to Japanese to determine what continuing powers required to carry out policy decisions. (Reference Document 'D' circulated December 13, 1946)
6. Report on activities of Custodian. (Reference Document 'E' circulated December 13, 1946)
7. Disability and Dependent Pensioners World War I - Japanese. (Resolution adopted by Cabinet Committee on Demobilization and Re-establishment, December 27, 1946)
8. Removal of prohibition - Japanese fishing - interior of British Columbia.

Raymond Ranger,
Secretary.

Privy Council Office,
January 7, 1947.

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

DRAFT

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CABINET COMMITTEE ON

COPY NO. _____

JAPANESE PROBLEMS

AGENDA FOR ^{SIXTH} MEETING TO BE HELD IN THE PRIVY
COUNCIL OFFICE AT 11 A.M., FRIDAY, JANUARY
10, 1947.

1. Report on activities of Japanese Division. (Reference Document 'A' circulated December 13, 1946)
2. Future Policy on Deportation and Repatriation. (Reference Document 'B1' circulated December 13, 1946)
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6. Report on activities of Custodian. (Reference Document 'E' circulated December 13, 1946)
7. Disability and Dependent Pensioners World War I - Japanese. (Resolution adopted by Cabinet Committee on Demobilization and Re-establishment, December 27, 1946)

~~8. Right to fish of Interior of B.C.~~
Removal of prohibition - Japanese fishing - interior of British Columbia

Raymond Ranger,
Secretary.

Privy Council Office,
January 6, 1947.

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RE CABINET
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SECRET

Minutes of Meeting of
the Cabinet Committee on Japanese Problems
held in the Privy Council Office, Friday, December 13, 1946,
at 2.30 p.m.

Present:

The Acting Minister of Labour,
(Mr. McCann), *for James J.* Chairman

Also Present:

The Deputy Minister of Labour,
Mr. A. MacNamara

The Under Secretary of State, and Deputy Custodian,
Dr. E.H. Coleman

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

Mr. D.H.W. Henry,
Department of Justice,

Mr. A.R. Menzies,
Department of External Affairs,

Mr. R. Ranger,
Privy Council Office,

Mr. R.G. Robertson,
Prime Minister's Office,

Mr. K.W. Wright,
Counsel to the Custodian,

Mr. Eric Stangroom,
~~Acting Secretary~~
Department of Labour

a/secretary

1. The Chairman enquired as to the reaction in various parts of the country to the present distribution of persons of Japanese race, and as to measures required to maintain adequate stability.

2. The Deputy Minister of Labour enlarged on the details contained in the reference documents before the Committee, referring to the ~~present~~ ~~situation in Alberta~~, and the choice between continuing existing Orders in Council under the National Emergency Transitional Powers Act, new legislation, and providing only for welfare and ~~transportation~~ *voluntary relocation* through an item in the estimates.

3. The Under Secretary of State explained the Custodian's position, mentioning that if Japanese were not to be allowed to return to the coast, authority would be required to dispose of halls, churches, etc., owned by Japanese societies. Mr. ~~A.H.~~ Wright outlined the process by which, at present, title to the property of individuals was conveyed.

opposition of the Alberta government to the present concentration of Japanese in that Province; and also the

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4. Mr. A.H. Brown and Mr. D.H. Henry agreed that consolidation of present Orders in Council was not feasible, and that new powers could not be obtained under the present National Emergency Transitional Powers Act.

5. Mr. R.H. Robertson and Mr. A.P. Menzies pointed to the necessity for decision regarding various categories of Japanese who might be entitled to re-admission into Canada. It was agreed that the Secretary of State's Department should discuss the relevant legal issues with the Department of Justice.

6. The Deputy Minister of Labour mentioned that Japanese pensioners of World War I, mostly widows and mothers, would be seeking re-instatement. The Under Secretary of State felt this should be done when feasible, and that the payment of accumulated sums be made in the light of investigations by our mission in Tokyo.

He then read a telegram received by the Clerk of the Privy Council from the Minister of Veterans Affairs:-

"Vancouver, December 12, 1946. Confidential

"Would prefer Japanese question be deferred until my return to Ottawa December Twenty-third STOP Otherwise request that you firmly state my position that I am definitely against any Japanese being allowed back to protected areas of British Columbia.

(signed) Ian Mackenzie. "

7. As there was not a quorum of Ministers at the Committee, it was decided to distribute the file of reference documents to all members of the Cabinet for their information, and that an endeavour be made to have the Committee meet again on Wednesday, January 8, 1947, at 2.30 p.m.

The meeting adjourned at 3.30 p.m.

Eric Stangroom,
A/Secretary.

Privy Council Office,
Ottawa, December 13, 1946.

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15/ This Document is the Property of the Govt of C.
 to the Cab. Committee on Japanese Race Ref. Document 'D'
 MEMORANDUM ARE ORDERS IN COUNCIL RELATING
 TO PERSONS OF THE JAPANESE RACE

P.C. No.	Date	Subject Matter
9590	7/12/41	Makes the regulations re trading with the enemy applicable to the Japanese. <u>Remarks:</u> May be allowed to expire.
9760	16/12/41	This made provision for compulsory re-registration by the R.C.M. Police of all persons of the Japanese race in Canada who had reached their sixteenth birthday and provided penalties for non-compliance. It contained instructions concerning issuance of Registration Certificates to Japanese and the details of registration. <u>Remarks:</u> Required in connection with control of travel and residence, which would be most difficult without Japanese being required to carry registration cards.
9761	16/12/41	This prohibited any person of the Japanese race from using or operating any vessel in waters adjacent to the west coast of Canada without written authority from the Commissioner of the R.C.M. Police. It also provided for the seizure and detention of any vessel so illegally used by a person of the Japanese race and provided penalties for non-compliance. <u>Remarks:</u> Has lapsed as vessels have all been sold and Japanese are still prohibited from entering the coastal area.
251	13/1/42	Prohibition of Japanese fishing licences. <u>Remarks:</u> May be allowed to expire. Department of Fisheries.
1348	19/2/42	Authorizes Department of Mines and Resources to establish road camps for employment of evacuee Japanese. Amended by P.C. 6758 - 31/7/42 P.C. 8173 - 11/9/42 <u>Remarks:</u> May be allowed to expire.
1665	4/3/42	Creates British Columbia Security Commission to evacuate all Japanese from protected area, and to provide housing, welfare and placement for evacuees. Amended by P.C. 2483 - 27/3/42 P.C. 2541 - 30/3/42 P.C. 3231 - 21/4/42 Repealed except as to section 12 thereof by P.C. 946 - 9/2/43

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<u>P.C. No.</u>	<u>Date</u>	<u>Subject Matter</u>
		Section 12 vested in the Custodian all property in the protected area of evacuated Japanese except liquid assets.
		<u>Remarks:</u> The complete repeal of this order is a matter for decision of the Department of Secretary of State.
4615	2/6/42	Concurred in agreement of B.C. Security Commission with Province of Alberta for temporary placement of evacuee Japanese in sugar beet culture in Alberta, and containing a provision that at end of war the Commission would at request of province remove the evacuees.
		<u>Remarks:</u> May be allowed to expire. The obligation of the B.C. Security Commission under this agreement has by P.C. 946 of February 9, 1943, been assumed by the Minister of Labour. The obligation under the agreement remains although the order lapses.
6247	20/7/42	As amended by P.C. 469 of January 19, 1943. Revokes P.C. 5523 of June 29, 1942. P.C. 6247 amended to give Custodian authority to complete liquidation of fishing vessels of evacuee Japanese, and authorizes the Custodian to sell and liquidate or otherwise dispose of all property of persons of Japanese race evacuated from protected area which was placed in the custody of the Custodian by any other order. This order is therefore an extension of the powers vested in the Custodian by section 12 of P.C. 1665 of March 4, 1942, as well as amending P.C. 6247 of July 20, 1942, referred to above.
		<u>Remarks:</u> Continuation of this order and of section 12 of P.C. 1665 a matter for Secretary of State. Evidently, however, this authority is required to be continued.
10773	26/11/42	This provides that British subjects who have applied for repatriation to an enemy country during the war shall in leaving Canada lose their Canadian citizenship.
		<u>Remarks:</u> This is an order of the Secretary of State and decision on this order rests with the Secretary of State and Department of External Affairs. Presumably the order may be permitted to lapse.

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<u>P.C. No.</u>	<u>Date</u>	<u>Subject Matter</u>
946	5/2/43	<p>Dissolves B.C. Security Commission. Revokes P.C. 1665 of March 4, 1942, except section 12.</p> <p>Vests in the Minister of Labour power to provide for the welfare, placement, control of movement and discipline of persons of the Japanese race in Canada; to issue licences to Japanese to acquire an interest in real property which is otherwise prohibited. Amended by P.C. 5973 of September 14, 1945, and P.C. 5793 of December 18, 1945, P.C. 5637 of August 16, 1945, and P.C. 9743 of December 24, 1943.</p> <p><u>Remarks:</u> To be continued in effect by extension of emergency powers or replaced by legislation if continued controls over movement and placement of Japanese in Canada is necessary.</p>
1422	22/2/43	<p>This suspends the operation of B.C. legislation which prohibits the employment of Orientals on Crown timberlands.</p> <p><u>Remarks:</u> May be allowed to expire.</p>
4002	17/5/43	<p>This approves of an agreement entered into between the Province of Alberta and the B.C. Security Commission under which the Security Commission agreed to pay for the schooling of Japanese children moved to Alberta at the rate of \$5.00 per pupil per month for Public School education.</p> <p><u>Remarks:</u> The obligation under this agreement which is now vested in the Minister of Labour by P.C. 946 of February 9, 1942, still exists and will continue to exist even if the order lapses. The order may be permitted to lapse.</p>
4365	28/5/43	<p>Authorized the Minister of Labour to operate the fuel cutting project with Japanese labour in B.C. to be financed out of revolving fund.</p> <p><u>Remarks:</u> This may be allowed to lapse.</p>
7355	15/12/45	<p>Provides for deportation of Japanese who requested repatriation to Japan and for payment of repatriation allowances to persons deported or repatriated on a voluntary basis; and payment of transportation expenses for these persons.</p> <p><u>Remarks:</u> Continuation of order beyond expiry date is a matter of Government policy.</p>

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<u>P.C. No.</u>	<u>Date</u>	<u>Subject Matter.</u>
7356	15/12/45	Revokes naturalization of naturalized Canadians of Japanese race who are deported or repatriated under P.C. 7355. <u>Remarks:</u> See 7355.
7357	15/12/45	Authorizes the establishment of an Inquiry Commission to inquire into the activities of persons of Japanese race with a view to determining whether they should be deported because of disloyalty or lack of co-operation. <u>Remarks:</u> See 7355.
219	22/1/46	Establishes the rate of exchange of money turned in by Japanese repatriates for transmission to Japan and authorizes the Controller of the Treasury to make necessary arrangements with U.S. authorities to provide for transfer of funds of Japanese repatriates from Canada via U.S. via a Supreme Allied Commander in Japan to repatriated Japanese. <u>Remarks:</u> Will be required as long as funds are being transferred to repatriates, pursuant to provisions of P.C. 7355 above.

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REFERENCE DOCUMENT 'B' (1)

RECOMMENDATIONS OF THE DEPARTMENT OF LABOUR
TO THE CABINET COMMITTEE ON JAPANESE PROBLEMS

A. Deportation

The Department of Labour recommends:

1. That no Deportation Orders be issued for deportation of Japanese on the basis of voluntary declarations for repatriation.
2. That, with respect to the small group of Japanese Nationals formerly interned, approximately 30 in number, with dependents, who have shown continued lack of co-operation since release from internment, either of the following courses be pursued:

- (a) Orders for their deportation be issued by the Minister of Labour under the authority of P.C.7355, and that these persons be deported accordingly on the next ship sailing for Japan on December 23rd, and that their dependents be treated as voluntary repatriates where they elect to go with the deportee, or
- (b) That the present accommodation provided for these Nationals and their dependents in the hostel at Moose Jaw be closed in the Spring of 1947 and if these parties still refuse to make efforts to support their families, they be dealt with under Canadian law relating to non-support, etc.

The Department of Labour is of opinion that the number of persons involved in possible deportation does not warrant the Government carrying through forcible deportation of persons of the Japanese race at this time. It is, therefore, of opinion that alternative (b) is preferable.

B. Relocation and Control of Persons of the Japanese Race in Canada.

The authority to control is given by Order in Council P.C.946 which Order will lapse on March 31, 1947. The policy of the government has been declared to be one of distribution across Canada.

Relocation and distribution is now reasonably satisfactory. It will be noted that 4,262 are in Alberta and it is desirable that this number be reduced by moving a number to the eastern provinces. The number in British Columbia will be

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reduced to a total of about 6,500 which is not considered excessive when it is remembered that about 800 will be under the care of the Labour Department in the housing centre and sanitarium at New Denver.

It could be said that the relocation task had been completed and a solution of a problem which has been bothering the British Columbia people for a long period of years had been found.

If any assurance could be obtained that these persons would not move back to British Columbia as soon as Order in Council P.C.946 lapsed there would be no need to suggest any further control of the movement of persons of the Japanese race. No such assurance can be given.

The opinion of the Labour Department, therefore, is that the safe course to pursue is to continue control of movement for a year or two more until these people become more settled in their new locations.

The recommendation, therefore, is that legislation be introduced in place of P.C.946 in form as per attached draft (Ref.Doc.No.'B'(2)), enabling continued control over movement of Japanese in Canada, the lifetime of this Act to be for one year. Any continuing authority required by the Custodian to complete the liquidation and distribution of property of Japanese in the former evacuated area could be incorporated therein.

The introduction of a Bill in the House of Commons will undoubtedly create a critical debate. It is, we believe, a fact that the incentive against controlling the movement of Japanese is becoming stronger. The Manitoba Free Press carried an editorial in this connection on December 9, 1946.

The Department of Labour is of the opinion that the safe course would be to exercise control of movement for a further period; nevertheless, it recognizes the objection inherent in the recommendation for introduction of legislation and refers for consideration of the committee an alternative plan to avoid the necessity of bringing a Bill into the House of Commons which is to rely on keeping a reasonable control by giving assistance in placement, transportation, and welfare. This alternative would mean that no special power would be required and the only authority which would be needed from the House of Commons would be a passing of an item in the estimates providing for an appropriation for placement, transportation and welfare of the evacuated Japanese in Canada, the wording of the item to be so framed as to permit of the continuation of existing administrative arrangements for voluntary relocations.

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REFERENCE DOCUMENT 'B'(2)

CABINET COMMITTEE ON JAPANESE PROBLEMS

~~CONFIDENTIAL~~
~~SECRET~~

An Act to provide for the Resettlement of Displaced
Persons of the Japanese Race

WHEREAS during the war certain persons of the Japanese race resident on the Pacific Coast manifested sympathy with or support of Japan as a result of which it became necessary as a security measure to remove from the coastal area of British Columbia all persons of the Japanese race;

AND WHEREAS the Governor in Council by Order in Council P.C. 946 of February 5, 1943, enacted under the authority of the War Measures Act has made provision for relocation and resettlement of persons of the Japanese race displaced by removal from the coastal area;

AND WHEREAS the said Order in Council will cease to be operative with the expiration of the National Emergency Transitional Powers Act, 1945;

AND WHEREAS it is deemed undesirable in the public interest that persons of the Japanese race displaced by removal from the coastal area should again be permanently settled on the Pacific Coast of Canada;

AND WHEREAS the responsibility for the resettlement of persons of the Japanese race displaced by the aforesaid removal from the coastal area is a responsibility of the people of Canada as a whole;

NOW THEREFORE His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:-

Short Title

1. This Act may be cited as The Japanese Resettlement Act, 1946.

Interpretation

2. In this Act and in any order or regulation made thereunder, unless the context otherwise requires

- (a) "Minister" means the Minister of Labour
- (b) "displaced person" means a person of the Japanese race who left the coastal area of British Columbia during the war after the fifteenth day of February, one thousand nine hundred and forty-two
- (c) "person of the Japanese race" means a person who
 - (i) is wholly or partly of the Japanese race,
 - (ii) was, on the fifteenth day of February, one thousand nine hundred and forty-two, ordinarily resident in the coastal area of British Columbia, and
 - (iii) left that area on or after the said fifteenth day of February.
- (d) "coastal area" means that area of the Province of British Columbia including all islands west of a line commencing at Boundary Point No. 7 on the International Boundary between the Dominion of

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Canada and Alaska, thence following the line of the "Cascade Mountains", as defined by paragraph 2 of section 24 of the Interpretation Act of British Columbia, being Chapter 1 of the Revised Statutes of 1936, to the northwest corner of Lot 1410, Range 5, Coast Land District, thence due east to a point due north of the northwest corner of Lot 373, Range 5, Coast Land District, thence due south to said northwest corner of Lot 373 being a point on the aforementioned line of the "Cascade Mountains", (being the area surrounding the village Municipality of Terrace), thence following said line of the "Cascade Mountains" to the western boundary of Township 5, Range 26, west of the sixth Meridian, thence following the northerly, easterly and southerly boundaries of said Township 5, to the southwest corner thereof, being a point on the line of the "Cascade Mountains", (being the area surrounding the Village Municipality of Hope); thence following the "Cascade Mountains" to the southerly Boundary of the Province.

- (e) "removal" means the removal of a person of the Japanese race from one place in Canada to another pursuant to this Act.

3. The Minister may

- (a) take such measures as he deems advisable to assist persons of the Japanese race to resettle themselves under this Act and to provide for shelter, maintenance, employment, care and welfare of such persons during the period of their resettlement and for such purposes, enter into contracts and acquire real or personal property on behalf of His Majesty or lease or dispose of the same, but no such contract shall be entered into by him for an amount in excess of fifteen thousand dollars nor shall any real property be purchased or disposed of by him pursuant to this Act except with the approval or under the authority of the Governor in Council as to the terms of purchase or disposition.
- (b) employ persons of the Japanese race in the operation of any housing or employment projects or hostels administered or operated by the Department of Labour for the purposes of this Act, at such wage rates and terms as he deems advisable;
- (c) make rules or regulations governing the welfare, conduct or discipline of persons of the Japanese race in any hostel, camp or housing project administered or operated by the Department of Labour for the purposes of this Act;
- (d) make arrangements with any department or agency of the Government of Canada to assist in the administration of this Act;
- (e) with the approval of the Governor in Council enter into an agreement with any province with respect to any of the matters enumerated in this section.

4. For the purpose of facilitating the resettlement in Canada of persons of the Japanese race the Governor in Council may make regulations and may authorize the Minister to make orders governing the movement of such persons in any area in Canada or from one place or area to another place or area in Canada,

General

~~5. Notwithstanding anything contained in this Act no displaced person shall settle in, or be permitted to settle in the coastal area of British Columbia.~~

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- 5 ~~6.~~ The Minister may make such orders, rules or regulations as he deems necessary for the purpose of carrying out the provisions of this Act.
- 6 ~~7.~~ (1) The Governor in Council shall appoint an officer to be known as the Commissioner of Japanese Placement who under the direction of the Minister is charged with the administration of this Act.
- (2) Such other officers, clerks and employees as may be necessary for the administration of this Act shall be appointed or employed in the manner authorized by law.
- (3) Notwithstanding this section or any other statute or law, the officers, clerks and employees employed by the Minister pursuant to order of the Governor in Council made on the fifth day of February, one thousand nine hundred and forty-three (P.C. 946) and who immediately prior to the coming into force of this Act were employed under that order, may be employed by the Minister for the purposes of this Act at the rate of remuneration received by them at that time and such officers, clerks and employees shall perform such duties as are assigned to them by the Minister.
- 7 ~~8.~~ (1) All real and personal property or any interest therein acquired by or vested in His Majesty in right of Canada by or pursuant to the order of the Governor in Council made on the fifth day of February, one thousand nine hundred and forty-three (P.C. 946) shall be deemed to have been acquired by the Minister on behalf of His Majesty pursuant to this Act.
- (2) The Minister may, in the name of the British Columbia Security Commission, established by Order of the Governor in Council made on the fourth day of March, one thousand nine hundred and forty-two (P.C. 1665), execute any conveyance, transfer or other document necessary to transfer to His Majesty in right of Canada the title to any real or personal property or any interest therein held in the name of the said Commission.
- 8 ~~8.~~ Any person who resists or obstructs or attempts to resist or obstruct any peace officer or other person from carrying out any order made pursuant to the provisions of this Act shall be guilty of an offence against the Act.
- 9 ~~10.~~ Any person who contravenes or omits to comply with any of the provisions of this Act or any regulation or 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.
- 10 ~~11.~~ 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 Act 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.
- 11 ~~12.~~ When any question arises in any prosecution under this Act as to whether the accused person is a person of the Japanese race as defined in this Act, the onus of proof that the accused person is not a person of the Japanese race shall lie upon the accused.
- 12 ~~13.~~ The costs and expenses incurred in the administration of this Act shall be paid out of moneys appropriated by Parliament for that purpose.
- 13 ~~14.~~ After the close of each fiscal year the Minister shall as soon as possible prepare an annual report respecting the administration of this Act and shall lay the said report before Parliament.
- 14 ~~15.~~ This Act shall come into force on a day to be fixed by proclamation of the Governor in Council and shall expire on a day to be fixed by such a proclamation.

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CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ADDRESS ALL
COMMUNICATIONS
TO THE
CUSTODIAN'S OFFICE
PLEASE REFER
TO
FILE NO. J 174

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
April 11, 1947

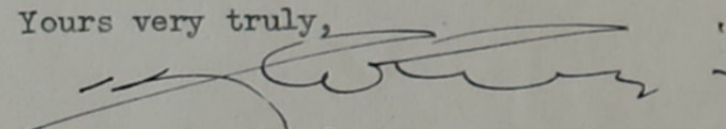
Raymond Ranger, Esq.,
Secretary,
Privy Council Office,
East Block,
Ottawa, Ontario

Re: Japanese Associations & Societies

Dear Mr. Ranger:

Confirming our telephone conversation, I enclose herewith
copy of communication addressed to Mr. Varcoe, Deputy Minister of
Justice, under date of January 10, 1947, together with copy of
Mr. Varcoe's reply, dated January 24, 1947.

Yours very truly,


K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

3-7756
KWW/JF
Encl.

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COPY

DWM/TC

Please Address
THE DEPUTY MINISTER OF JUSTICE
OTTAWA

OTTAWA January 24th, 1947

K. W. Wright, Esq., Counsel to the Custodian,
Department of the Secretary of State, Ottawa

151845
Re: Japanese Associations and Societies
Your File No. J-71

I acknowledge your letter of January 10th and the enclosure therein mentioned.

I understand from you that, with the exception of the first, third and seventh parcels listed by you, in all cases the property is vested in an association or other body that is incorporated. I am of opinion that Order in Council P.C. 1665, of March 4, 1942, as amended, is not applicable to vest the property of such a corporation in the Custodian. In my opinion, the Order in Council is applicable only in respect of property belonging to a natural person.

I am further of opinion that the National Emergency Transitional Powers Act, 1945, does not authorize the Governor in Council to make an order or regulation vesting the property of these associations in the Custodian.

With reference to the first, third and seventh parcels referred to by you, I note that these are vested in trustees who are persons of the Japanese race. I am of opinion that the titles held by the Japanese trustees are vested in the Custodian subject to the interests of the beneficiaries under the trusts therein.

"F. P. Varcoe"

Deputy Minister

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J-71

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
January 10, 1947

F. P. Varcoe, Esq., D.C.,
Deputy Minister of Justice,
Department of Justice,
Justice Building,
Ottawa, Ontario

Re: Japanese Associations and Societies

Dear Mr. Varcoe:

You will recall that Orders in Council P.C. 1665, dated March 4, 1942, as amended by P.C. 2483, dated March 27, 1942, and P.C. 469, dated January 19, 1943, empowered the Custodian to administer assets of persons of the Japanese Race evacuated from the Protected Area of British Columbia.

Mr. F. G. Shears, Director of the Custodian's Office in Vancouver, has submitted a list of properties owned by Japanese Organizations, which are situated in the Protected Area of British Columbia, and the question of the application of the above Orders to such Japanese Associations and Societies is a matter upon which the Custodian would appreciate your advice.

The Director indicates that it is desirable to proceed with the liquidation of approximately 20 parcels, registered as aforesaid, but states that Mr. Sheppard of the firm of Messrs. Locke, Lane, Guild & Sheppard of Vancouver, is of opinion that the Orders in Council are not wide enough and should be amended by extending authority to a Japanese Company, Association or Society. It does not appear that under the National Emergency Transitional Powers Act (1945) we may do more than continue or discontinue measures adopted during the war, which leaves us in the position of having to rely on the Orders in Council as they now stand.

You will note from the enclosed that the properties listed are owned by Japanese.

Will you be kind enough to let us have your opinion as early as convenient.

Thanking you for your co-operation in this matter, we are,

Yours very truly,

K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF

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COPY

OTTAWA , April , 1947

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report as follows:

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

That by Order in Council P.C. 469 of January 19, 1943, it was provided that whenever the Custodian had been vested with the power and responsibility of controlling and managing any property of persons of the Japanese race evacuated from the said protected areas, such power and responsibility should be deemed to include and to have included from the date of the vesting of such property in the Custodian, the power to liquidate, sell or otherwise dispose of such property.

That during the war fishing vessels belonging to persons of the Japanese race were impounded and by Order in Council P.C. 288 of January 13, 1942, a committee on the disposal/

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disposal of Japanese fishing vessels was established and was empowered, inter alia, to make such arrangements as would make it possible for the owners of such detained vessels freely to negotiate for sales of such vessels.

That pursuant to the above mentioned Orders real and personal property of persons of the Japanese race was disposed of and claims have been made by persons of the Japanese race that they have suffered pecuniary loss by reason of such disposition of their property and also by reason of their evacuation from the protected areas of British Columbia.

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

The undersigned, therefore, has the honour to recommend:

1. That the Honourable be appointed a Commissioner pursuant to the Inquiries Act, chapter ninety-nine of the Revised Statutes of Canada, 1927, to inquire into the claims set out in the Schedule hereto of persons of the Japanese race for pecuniary loss sustained by them by reason of their evacuation from the protected areas of British Columbia and the management and disposition of their real and personal property and to report his findings to the Governor in Council.
2. That the Commissioner shall examine into each claim and make a report to the Governor in Council advising as to the amount of compensation that in his opinion would be fair and reasonable.
3. That the Commissioner shall give public notice in such manner as he deems advisable of the time for the filing of claims and for the hearing of evidence and that all claims shall be in writing, verified by statutory declaration and filed in the office of the Custodian at Vancouver, British Columbia.

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4. That the Commissioner be authorized to engage the services of such counsel, technical advisers or other experts, clerks, reporters and assistants as he may deem necessary or advisable.
5. That the expenses of and incidental to the said inquiry be paid out of moneys appropriated by Parliament.

re page
SCHEDULE

- ✓ 1. Claims that any real or personal property was sold pursuant to the Orders hereinbefore referred to at a price less than the market value thereof at the time of sale.
- ✓ 2. Claims that any real or personal property was sold pursuant to the Orders hereinbefore referred to at a price less than the market value thereof at the time of the evacuation of the owner.
3. Claims for compensation for loss of revenue by reason of the sale pursuant to the Orders hereinbefore referred to of revenue-producing real or personal property.
4. Claims for compensation for loss of ~~real or~~ personal property *which has been lost by the Custodian* by theft while such property was under the control and management of
 - (a) the Custodian, or
 - (b) a person appointed by the owner to control and manage such property.
5. Claims for loss of life insurance policies by reason of failure to pay premiums directly attributable to the evacuation of the policyholder.
6. Claims for loss of income directly attributable to the evacuation.

before signature of time
time signature of time
time signature of time
Respectfully submitted,

Secretary of State.

2201
GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

March 27, 1947

MEMORANDUM TO THE SPECIAL CABINET COMMITTEE ON CLAIMS BY JAPANESE EVACUEES

The type of claim in which the Custodian is particularly interested relates to the liquidation of real and personal property left in the Protected Area of British Columbia. Representations made indicate that the Japanese claimants feel that the losses they incurred went far beyond this. By reason of evacuation they were required to surrender their businesses and the positions in which they were employed and generally speaking, their chances of earning a livelihood were cut off. All such claims are based upon the economic loss caused by the results of evacuation. Unless the enquiry is strictly confined to claims of the nature mentioned in the Prime Minister's announcement of January 24, 1947, it is reasonable to suggest that claims put forward will go beyond those referred to in the statement. In support of this, I attach copy of a Questionnaire which, I understand, is being used by the Japanese Canadian Committee for Democracy in their survey.

Apart from demands for compensation covering economical and personal property losses, claims may be made in regard to parcels of real estate which the Custodian advertised and sold on the basis of valuation and with the approval of the Advisory Committees.

At a meeting of the Special Cabinet Committee on Claims by Japanese Evacuees held in the Privy Council Chamber on Monday, March 24, 1947, it was agreed that it would be advisable to appoint a Commissioner under Part I of the Inquiries Act to recommend the amount, if any, which, in his opinion, should be granted to any Japanese claimant.

The following are matters to be considered in reaching decisions as to the scope of such inquiry:

1. Real Estate - The difference between the sale price and fair market value. It is altogether likely that the Japanese idea of value will not coincide with the market value, but in my opinion, a properly established market value should be the only basis for claim in this connection.

The inquiry should be on the basis set out in Section 47 of the Exchequer Court Act, as follows:

"47. The Court, in determining the amount to be paid to any claimant for any land or property taken for the purpose of any public work, or for injury done

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

to any land or property, shall estimate or assess the value or amount thereof at the time when the land or property was taken, or the injury complained of was occasioned".

Is this the understanding as to the scope of the inquiry?

2. Real Estate Depreciation - The possibility of the market value having decreased at the time of sale due to depreciation of the property after the Japanese were evacuated.

This would apply chiefly to rural properties and possibly occurred in connection with the Fraser Valley Fruit Farms. It should be noted that the appraisal of these lands was, I believe, made in June of 1942, so that there would not have been an exceptionally long period in which depreciation would have taken place insofar as the actual land and buildings were concerned. Greenhouses quickly fall into disrepair and quite a disparity exists between the Japanese valuation and the amount at which some of this property has been sold.

Should the Commissioner be empowered to review claims arising out of depreciation?

3. Real Estate - Loss of Revenue - Some claims in connection with real estate may be based on the fact that after evacuation, the properties were leased and the income was more than sufficient to carry the overhead and this income was cut off by the sale of the property. The Japanese may claim that they were compelled to expend the capital derived from the liquidation of real estate in order to maintain their families in the Housing Centres and elsewhere.

Should the Commissioner be empowered to review claims falling within this category?

4. Chattels - The difference between the sale price and the market value of the goods actually sold. There are cases where losses were sustained by those who were operating businesses such as stores, dry cleaning plants, garages, shingle and rice mills, drug stores and rooming operations. In a number of cases, stock in trade, plant machinery and equipment were sold by the Custodian on the basis of valuation, but the matter of goodwill or the revenue bearing possibilities of these operations were lost to the Japanese. In addition to this, where the real estate did not belong to the owner of these types of busi-

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noses, dismantling, removing and re-assembling costs entered into the price which the purchaser was prepared to pay for such chattels and equipment.

Certain types of equipment in use by the Japanese were definitely old-fashioned and while capable of producing revenue in the hands of the Japanese, did not have a sale value equivalent to the Japanese idea of its worth.

Should the Commissioner be empowered to review claims of this type?

5. Chattels - The Market value of goods unaccounted for because of loss by theft, depreciation, while in storage warehouses which belonged to the Custodian. This not only concerns household effects, but a certain amount of equipment, the main item of which is most probably that of fishing tackle. The matter to be considered is whether, the Custodian having exercised all reasonable care, there is any responsibility on the Government for shortages which have occurred for the reasons above mentioned.

Should the Commissioner be empowered to entertain such claims?

6. Chattels - The market value of goods unaccounted for because of loss by theft, depreciation, while in storage and under the control of Agents appointed by the Japanese.

Should the Commissioner be empowered to review claims for loss occasioned as aforesaid?

7. Fishing Vessels - These are referred to (Item 6) in the attached copy of the Questionnaire. In connection with fishing vessels, approximately 90% of these sales were negotiated by the Japanese themselves through the Japanese Fishing Vessels disposal Committee. The boats which were sold by the Custodian were of the poorest type and dissatisfaction has been expressed in some cases in regard to the prices obtained.

Should the Commissioner be empowered to consider claims in respect to sales both by the Japanese Fishing Vessels Disposal Committee and the relatively small number of sales effected by the Custodian after the Fishing Vessels Disposal Committee had been disbanded?

8. Motor Vehicles - Automobiles are referred to (Item 7) in the Questionnaire, copy of which is attached. Complaints have been very considerable in regard to the prices obtained for cars and trucks.

By Government Notice, dated February 26, 1942, the Minister of Justice ordered the Japanese to deliver up motor vehicles, cameras, radios and

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RE CABINET
COMMITTEE ON JAPANESE

firearms to the R.C.M.P., and a notice was published in the press requiring surrender by March 9, 1942. In the interval, many Japanese disposed of their cars at very low prices or by turning them over to friends. It was the opinion of the British Columbia Security Commission that it would not be desirable for Evacuees to be permitted to take their cars out of the Protected Area and as the majority of vehicles were stored at Hastings Park, not under cover, it was considered that due to rapid depreciation, liquidation was necessary. Independent appraisals were obtained on all vehicles and tenders equal to or in excess of the appraised price were accepted. It should be noted that these cars were sold at what was probably the poorest market in used car history. Apart from the Japanese vehicles, all used car dealers were heavily stocked and gasoline and tire shortages created a near panic situation and prices were cut as much as 50% on stocks in the hands of used car dealers.

Should the Commissioner be empowered to review claims within this category?

9. Life Insurance - There have been complaints that life insurance policies have had to be surrendered for cash value or allowed to lapse owing to insufficient earnings by the Japanese.

Should the Commissioner be empowered to entertain this type of claim?

10. Economic Losses - These are referred to in the attached copy of Questionnaire (Items 9 and 10). Due to war conditions, economic loss has been sustained by many citizens altogether apart from nationality and without the factor of evacuation. Business operations were curtailed in many instances due to lack of supplies, to say nothing of the economic disruption caused by enlistment in the forces, sometimes resulting in the supreme sacrifice of life itself. If consideration were to be given to the question of economic loss caused by evacuation, and such loss could be accurately established, this would not, in my opinion, of necessity be a justifiable claim.

Should the Commissioner be empowered to entertain claims coming within this category?

Reference has been made to the fact that a Commissioner should be appointed to consider the Japanese claims and in my opinion the Commissioner so appointed should be a person who holds, or has held, judicial office.

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

When the matter of the type of claims to which consideration should be given is determined, I recommend that advertisements be inserted in numerous newspapers, including The New Canadian, calling upon the Japanese to file their claims, duly verified, and to address all such claims to the Office of the Custodian, 506 Royal Bank Building, Vancouver, B. C. This will afford the officials in the Custodian's Vancouver Office an opportunity to review files and assemble data which will be helpful to the Commission. A time limit should be fixed for the filing of such claims.

I am informed that the distribution of Japanese in Canada at November 30, 1946, was as follows:

British Columbia	6,981
Alberta	4,262
Saskatchewan	503
Manitoba	1,193
Ontario	6,617
Quebec	1,210
Nova Scotia	1
New Brunswick	10
Prince Edward Island	6
Yukon and Northwest Territories	31
Total	20,814

Representatives of the Japanese have indicated that they desire to be heard in centres of the different provinces, but I am of opinion that it should be left to the Commissioner to determine where such hearings are to take place.

It is very probable that thousands of claims will be filed, but very improbable that the vast majority could be substantiated in a Court of Law. The Japanese have inflated ideas as to the value of their assets and doubtless their claims will be grossly exaggerated.

It is very difficult to estimate the amount that will be required to meet the claims and defer the expenses of the Commission. At all events, it appears necessary to insert an item in the supplementary estimates in order to provide funds.

Secretary of State

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

CLAIM FOR DAMAGE

1. Current value of land at the time of evacuation _____
Value of the above, at which the Custodian sold without
my consent _____
Difference in the values, to be claimed _____
2. Current value of buildings and other improvements with the
lot, at the time of evacuation _____
Value of the above, at which the Custodian sold without
my consent _____
Difference in the values, to be claimed _____
3. Current value of personal property at the time of evacuation _____
Value of the above, at which the Custodian sold without
my consent _____
Difference in the values, to be claimed _____
4. Current value of machinery at the time of evacuation _____
Value of the above, at which the Custodian sold without
my consent _____
Difference in the values, to be claimed _____
5. Current value of fishing boat, at the time of evacuation _____
Value of the above, at which the Custodian sold without
my consent _____
Difference in the values, to be claimed _____
6. Current value of fishing apparatus at the time of evacuation _____
Value of the above, at which the Custodian sold without
my consent _____
Difference in the values, to be claimed _____
7. Current value of automobile at the time of evacuation _____
Value of the above, at which the Custodian sold without
my consent _____
Difference in the values, to be claimed _____
8. Expected four years income from farming, industry, trade,
forestry, fishing, and etc., after evacuation _____
Annual Income received after the evacuation _____
Difference in the Income, to be compensated _____
9. Expected four years wage from labour, after the evacuation _____
Annual wage received, after the evacuation _____
Difference in the wages, to be compensated _____
10. Other Claims:- _____

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COMMITTEE ON JAPANESE

NATIONAL WAR LABOUR BOARD

MEMORANDUM to Mr. A. MacNamara

OTTAWA

Department of Labour
FEB 7 1947
To: February 6, 1947
DRAFT LETTER
YOUR COMMENTS
NOTED & RETURNED
NOTED & RETURNED

Re: Restrictions on Japanese

My knowledge of the Jap problem in Canada is not sufficient to enable me, with any reasonable degree of competence, to express an opinion on the subject.

In view of the effective control over Japan generally, common sense seems to dictate that control over Japs in Canada should be limited accordingly as public opinion has expressed itself. It seems as though the people of British Columbia are the only ones who are still concerned over the Japs. In the circumstances it would seem logical to limit control over Japs in that province and also those who wish to enter British Columbia. I suggest, however, that the control should not be made to apply to Japs who served in the Armed Forces of Canada, or to those who were born in Canada. I do not think that it would be politically expedient to continue to regulate the lives of the people in the last mentioned groups in the manner indicated by existing regulations.

On page 2 of Mr. Brown's memorandum, three items are noted. I believe that items 1 and 3 are reasonable, provided they are limited to the B.C. area. I suggest that item 2 is not necessary. In place of that item there might be a provision to the effect that no Japanese presently residing in any of the other provinces of Canada, may enter the province of British Columbia without a permit.

C.A.L.

C.A.L. Murchison,
Chairman.

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

C
O
P
Y

c/o Mr. Seichi Uenobu,
Hiroshima Prefecture,
Asa-gun, Muri-son,
Azanabara, Japan.
April, 6th, 1947.

Rt. Hon. W.L. Mackenzie King,
Prime Minister of Canada,
And Minister of External Affairs,
Ottawa, Canada.

Dear Sir:-

On behalf of my two younger brothers, Yoskinobu Kawaguchi, age 15, Masao Kawaguchi age 16, and also my mother Itsuno Kawaguchi and I, Mamoru Kawaguchi age 24, wish to take venture to solicit a favour of a testimonial from you. A favour we gratefully wish to request is that we so desirably wish to process of repatriation to Canada, and to retain our national status as Canadian.

Please allow me to lay before you the following justification of procedure:-

We arrived in Japan on the 13th of August 1946 from Vancouver, British Columbia by means of under deportation. Our coming to this strange country of Japan was more or less a great mistake. It all happened like this, our mother did not wish to come to Japan, truthfully, but her other son 28 years of age who came along to-gether with us was the only one who wanted to come to Japan which I have not mentioned his name in this letter.

Just because of this son wanted to come our mother naturally did not wanted to interfere with his affair more than she had to, although, mother did not wanted to let him come to Japan by himself as she feared it may cause him a lot of trouble when he arrives in Japan because it was his first trip to this country and there is no house of our's except our cousin's resident so she more or less brought him here. Of course mother will take the youngest sons with her but my situation was different. I came to Japan was because of my mother, and I thought it will be very hard for my elder brother to support his mother and his two youngest brothers so I somehow pitifully tagged along with them.

We are Canadian born and we educated and lived on the

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RE CABINET
COMMITTEE ON JAPANESE

- 2 -

Canadian way of living never had seen Japan before in our life except than our mother, and so the reason why our desire to return to our native country is quite true.

Our mother lived in Canada for forty years never had return to her country in those years, and she was a naturalized Canadian. We, mother and all were all true to the Canadian government while we were there and we served our every possible effort to the government even during the war with Japan. You may refer that to our brothers and sisters who are still in Canada, and they are honestly serving the Canadian rights and our mother and ourselves are so desirably wish to rejoin them.

I will be very much appreciate if our mother and I could reestablish our Canadian citizenship and be able to become a real Canadian once more.

On behalf of our family I thank you ever so much in accepting our request and we greatly appreciate your very kindness in exerting great interest towards us.

Yours sincerely,

Mamora Kawaguchi.

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COMMITTEE ON JAPANESE

OFFICE OF THE PRIME MINISTER

MEMORANDUM

Mr. Murphy:

- reference my memo of
Feb. 26 on this.

If the matter has not
yet come up in Cabinet, you
may feel that it should be
brought forward in the light of
MacKenzie's letter. The thing
will almost certainly come up
in the debate on Alsop's
Bill for continuation of the
controls.

22/III/47.

RR.
what is the position?

Do

OTTAWA, March 11, 1947.

On February 26th,
correspondence in

question has been
by B.C. Liberal
member, opposed to such
extension of further
security zone.

Yours sincerely,

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ada,

2201
GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE



MINISTER OF VETERANS AFFAIRS

OTTAWA, March 11, 1947.

Dear Mr. Robertson,-

You wrote me on February 26th,
enclosing exchange of correspondence in
regard to Mr. S.A. Cato.

The whole question has been
discussed with the other B.C. Liberal
Members, who are, I fear, opposed to such
a move as being an indication of further
intrusion into the security zone.

Yours sincerely,

R.G. Robertson, Esq.,
Secretary to the Prime Minister
of Canada,
O t t a w a.

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RE CABINET
COMMITTEE ON JAPANESE

COPY

Ottawa, February 28, 1947.

My dear Colleague:

I have just received a file from the Prime Minister's Office.

You wrote me on February 11th in this connection.

Mr. S.A. Cato wants settlement under the Veterans' Land Act.

You are opposed.

You have received a copy of a communication from the Prime Minister's Office and I shall be glad to have the benefit of your opinion.

There are so few of these Japanese veterans that I would be inclined to grant them the privilege of returning to British Columbia if they wish and also give them the other privileges as veterans. It does not seem to me that anyone could seriously object.

Yours sincerely,

Honourable Ian A Mackenzie,
Minister of Veterans Affairs,
O t t a w a.

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RE CABINET
COMMITTEE ON JAPANESE

PRIVY COUNCIL OFFICE

MEMORANDUM

February 27th, 1947.

For Mr. Ranger:

Permission to ex-Servicemen of
Japanese origin to reside in
British Columbia protected area.

Please note the attached correspondence which is self explanatory; follow up with Labour and Veterans Affairs, seeing that we get copies of replies sent to P.M.'s office with a view to preparing explanatory note for Cabinet in due course.

I am sending a copy of this note to Mr. Halliday for Cabinet B.F.

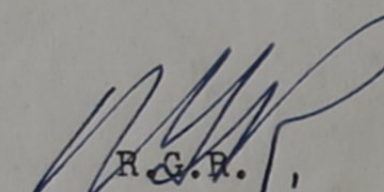
A. D. P. H.

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RE CABINET
COMMITTEE ON JAPANESE

Memorandum for Mr. Heeney.

Attached are copies of letters dated January 31st and February 4th, and February 21st and February 25th, between this office and the Citizens' Rehabilitation Council of Greater Vancouver. The correspondence involves the question of giving permission to reside in the protected area of British Columbia to a Canadian veteran of Japanese origin, Mr. S.A. Cato. Also enclosed is a copy of a letter of today's date which is being sent to the Minister of Veterans Affairs. An identical letter is being sent to the Minister of Labour.

The Prime Minister has indicated that he would wish to have this matter brought up in Council for consideration.


R.G.R.

February 26th, 1947.

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

Ottawa, 26th February, 1947.

Right Honourable Ian Mackenzie,
Minister of Veterans Affairs,
Ottawa, Canada.

Dear Mr. Mackenzie:

--
The Prime Minister has asked me to send you the enclosed copies of an exchange of letters dated February 21 and February 25 between himself and the President of the Citizens' Rehabilitation Council of Greater Vancouver. It deals with the case of Mr. S.A. Cato, earlier communications on which were forwarded to you on February 4th.

The Prime Minister has indicated that he feels that this matter should be discussed in Council in an effort to see if something cannot be done. He feels that the fact that it involves veterans and that there are so few veterans of Japanese origin gives the matter a special character.

At Mr. King's direction I am forwarding copies of the correspondence to Mr. Heeney. A letter identical with this one is being sent to the Minister of Labour, Mr. Mitchell.

Yours sincerely,

(R.G. Robertson)
Secretary.

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

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Office of the Prime Minister
Canada

Ottawa, 25th February, 1947.

O.L. Erickson, Esq.,
President,
Citizens' Rehabilitation Council
of Greater Vancouver,
700 West Georgia Street,
Vancouver, B.C.

Dear Mr. Erickson:

I duly received your letter of
February 21st written on behalf of the Executive
of the Citizens' Rehabilitation Council of Greater
Vancouver, with regard to the case of Mr. S.A.
Cato.

The representations of the Council
with regard to permission for Japanese persons
who served in the armed forces of Canada to re-
side in the protected area of British Columbia
will be given careful consideration.

Yours sincerely,

W.L. Mackenzie King.

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GENERAL CORRESPON-
DENCE RE CABINET
COMMITTEE ON JAPANESE

C
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Citizens'
Rehabilitation
Council
of Greater Vancouver

700 West Georgia St.

February 21st, 1947.

The Right Honourable W.L. McKenzie King,
Prime Minister of Canada,
Ottawa, Ontario.

Dear Sir: re S.A. Cato

We wrote you on the 31st of January drawing attention to the fact that this Canadian veterans of Japanese origin with a very distinguished war record had been refused a small holding under the Veterans' Land Act. A letter in reply was received from your Secretary informing us that this matter had been turned over to the Minister of Labour for his attention, he being directly responsible in the matter.

Subsequently we had a letter from the Right Honourable Ian Mackenzie, Minister of Veterans' Affairs, pointing out that the provisions of the existing regulations did not permit of Japanese residing permanently in the security zone unless a special exception is worked out.

The Executive of this Council respectfully request that consideration be given not only to this man but to all Japanese who have served in His Majesty's forces and have thereby established their moral right to all the privileges of citizenship. We would again refer to the fact that this is in accordance with the principal laid down following World War I in respect to Japanese serving in Canadian forces and that the Canadian Citizenship Act, which came into force on January 1st, affords to all veterans of World War II special consideration.

We respectfully submit that these men who have served in the armed forces be granted permission

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RE CABINET
COMMITTEE ON JAPANESE

- 2 -

to live in any part of the Dominion they so desire, that they be granted this citizenship right, and that they be afforded all the rights and privileges of full Canadian citizenship, irrespective of racial origin. We believe that this will be in accordance with your own public statements from time to time and we respectfully present this for your early consideration.

Yours very truly,

(sgd.) O.L. Erickson,

O.L. Erickson,
President.

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

C
O
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Y

Office of the Prime Minister
Canada

Ottawa, February 4, 1947.

A. W. Cowley, Esq.,
Executive Director,
Citizens' Rehabilitation Council
of Greater Vancouver,
700 West Georgia Street,
Vancouver, B.C.

Dear Sir:

I should like to acknowledge
your letter of January 31st addressed to the
Prime Minister concerning the refusal of a
small holding under the Veterans' Land Act
to Mr. S.A. Cato.

In view of the fact that you
state that this matter relates to the question
of a permit to reside in the coastal area, your
letter is being brought to the attention of the
Minister of Labour, who is the Minister directly
concerned with matters of this character.

Yours sincerely,

G.J. Matte,
Private Secretary.

RGR:McK

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GENERAL CORRESPON-
DENCE RE CABINET
COMMITTEE ON JAPANESE

C
O
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CITIZENS'
REHABILITATION
COUNCIL
OF GREATER VANCOUVER

700 West Georgia St.

31 January 1947.

The Right Honourable W.L. McKenzie King,
Prime Minister of Canada,
Ottawa, Ontario.

Dear Sir:

Re: S.A. Cato,
c/o Mrs. T. Flaherty, R.R. 2,
New Westminster, B.C.

It has been drawn to the attention of the Citizens' Rehabilitation Council that a Canadian veteran of Japanese origin, with a very distinguished war service, has been refused a small holding under the Veterans' Land Act in the vicinity of Vancouver, due to his racial origin.

The Veterans' Land Act Administration informed us that they were unable to accept his application until he had received a permanent permit to reside in the coast area.

We respectfully request that his application be immediately ratified, as this would be in accordance with the principle laid down after World War I when Japanese serving in the Army received the same treatment as any other Canadians. The Canadian citizenship Act which came into force January 1st accords veterans of World War 2 special consideration, and it is the opinion of this Council that this man is included in this category. We are certain that the Government desires to accord to all men who served overseas and demonstrated their loyalty by offering themselves should be afforded all the rights and privileges of full Canadian citizenship irrespective of their racial origin.

We respectfully present this for your consideration.

Yours very truly,

(sgd.) A.W. Cowley
A.W. Cowley,
Executive Director.

AWC:LH

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RE CABINET
COMMITTEE ON JAPANESE

COPY

Document JAP 5

EAD/CM

DEPARTMENT OF JUSTICE, CANADA

Ottawa April 1, 1947

152189

Your File No. J-175

I have been asked to prepare a draft Report to Council for the appointment of a Commissioner under the Inquiries Act to investigate claims made by persons of the Japanese race in respect of the disposition of their property and also in respect of claims for loss resulting from their evacuation from the protected areas of British Columbia.

I understand that as a matter of policy the Government has not yet decided upon the types of claims that will be admitted; I have, therefore, set out in the schedule the complete list of claims. The schedule can then be amended in accordance with Government decisions on policy.

Encl.

"F. P. Varcoe"

Deputy Minister

The Under Secretary of State

O T T A W A

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COMMITTEE ON JAPANESE

DEPARTMENT OF
LABOUR



Order in Council P.C. 946 of Feb. 5, 1943

ADMINISTRATIVE ORDER NO. 5 (New Series)

Pursuant to the authority vested in me under the provisions of section three of Order in Council P.C. 946 of February 5th, 1943, I, the undersigned Minister of Labour, do hereby make the following Order effective the 21st day of April, 1947:

1. In this Order "coastal area" means that area of the Province of British Columbia including all islands west of a line commencing at Boundary Point No. 7 on the International Boundary between the Dominion of Canada and Alaska, thence following the line of the "Cascade Mountains", as defined by paragraph 2 of section 24 of the Interpretation Act of British Columbia, being Chapter 1 of the Revised Statutes of 1936, to the northwest corner of Lot 1410, Range 5, Coast Land District, thence due east to a point due north of the northwest corner of Lot 373, Range 5, Coast Land District, thence due south to said northwest corner of Lot 373 being a point on the aforementioned line of the "Cascade Mountains", (being the area surrounding the village Municipality of Terrace), thence following said line of the "Cascade Mountains" to the western boundary of Township 5, Range 26, west of the sixth Meridian, thence following the northerly, easterly and southerly boundaries of said Township 5, to the southwest corner thereof, being a point on the line of the "Cascade Mountains" (being the area surrounding the Village Municipality of Hope); thence following the "Cascade Mountains" to the southerly Boundary of the Province.

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

Mr Raymond Range
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For attention -
Return -

ruce

Henry

OF LABOUR

DEPUTY MINISTER'S OFFICE

OTTAWA, February 26, 1947

ht the wisest thing to do with
ve the Cabinet Committee on
atter. Do you agree?
ld, of course, dispose of the
and I should think you would
Committee deal with the case.

A. MacNamara
A. MacNamara

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GENERAL CORRESPON-
DENCE RE CABINET
COMMITTEE ON JAPANESE

FROM	TO
Minister	
Asst. to Minister	
Secy. to Minister	
Deputy Minister	
Accountant	
Administrative Officer	
Can. Vocational Training	
Central Registry	
Ind. Prod. Co-op. Board	
Information Relations	
Japanese Division	
Labour Gazette	
Legislative Research	
Library	
National Employment Service	
National Registration	
National War Labour Board	
Personnel	
Research & Statistics	
Solicitor	
Supplies	
Stenographers Pool	
Regulators	
General Personnel. W. B.	
Unemployment Insurance	

DEPARTMENT OF LABOUR

DEPUTY MINISTER'S OFFICE

OTTAWA, February 26, 1947

MEMORANDUM - The Minister:

I thought the wisest thing to do with this file would be to have the Cabinet Committee on Japanese deal with the matter. Do you agree?

You could, of course, dispose of the point at issue yourself and I should think you would want to have the Cabinet Committee deal with the case.

agree

HM

Henry

A. MacNamara
A. MacNamara

2201
GENERAL CORRESPONDENCE RE CABINET COMMITTEE ON JAPANESE

February 6,

47

to Mr. A. MacNamara

Re: Restrictions on Japanese

My knowledge of the Jap problem in Canada is not sufficient to enable me, with any reasonable degree of competence, to express an opinion on the subject.

In view of the effective control over Japan generally, common sense seems to dictate that control over Japs in Canada should be limited accordingly as public opinion has expressed itself. It seems as though the people of British Columbia are the only ones who are still concerned over the Japs. In the circumstances it would seem logical to limit control over Japs in that province and also those who wish to enter British Columbia. I suggest, however, that the control should not be made to apply to Japs who served in the Armed Forces of Canada, or to those who were born in Canada. I do not think that it would be politically expedient to continue to regulate the lives of the people in the last mentioned groups in the manner indicated by existing regulations.

On page 2 of Mr. Brown's memorandum, three items are noted. I believe that items 1 and 3 are reasonable, provided they are limited to the B.C. area. I suggest that item 2 is not necessary. In place of that item there might be a provision to the effect that no Japanese presently residing in any of the other provinces of Canada, may enter the province of British Columbia without a permit.

C.A.L. Murchison,
Chairman.

CALM/MML

2201
GENERAL CORRESPON-
DENCE RE CABINET
COMMITTEE ON JAPANESE

2201
GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

Deliver to: .. Mr. C. A. L. Murchison

Room:

From: .. A. MacNamara

Room:

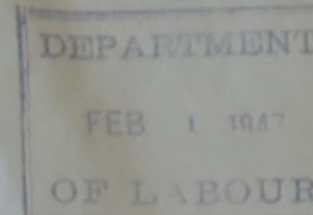
Remarks: I wish you would look
this over and let me have the benefit
of your views.

What I am looking for is
someone to express an independent view-
point.



DEPARTMENT OF LABOUR
JAPANESE DIVISION

360 Homer Street,
VANCOUVER, B.C.



AIR MAIL

30th January 1947

A. H. Brown, Esq.,
Assistant to the Deputy Minister of Labour,
O T T A W A.

Re: Travel Restrictions on Japanese

I have just received your letter of January 28th which would have crossed in the mails with my letter of the same date in respect to the same subject.

The main difference between your thought and my recommendation is the retention of control over change in residence in those provinces other than British Columbia.

It seems to me that the only people in Canada who wish to maintain control over the movements of Japanese are certain people in the province of British Columbia. That being the case, if we are going to retain some control, why do we extend that control beyond British Columbia? Why should we penalize the persons of Japanese origin who, in co-operation with us, have moved out of British Columbia and who have no intention of returning? Why should we for instance, in effect say to the persons of Japanese origin in Ontario ---- "We are still going to retain control of your movements in Ontario because the people of British Columbia demand it. We know there is no call in Ontario for this sort of restriction over your movements insofar as change of residence is concerned but the people in British Columbia want this restriction effective in their province so we are going to put it in effect here."

The demand for this legislation obviously emanates from British Columbia. Alright, then let us confine the restrictions to those persons of Japanese origin now in British Columbia and to those persons who are to enter British Columbia. If we are going to have any restrictions, I would go a little further than you suggest for British Columbia. I would retain the fifty mile travelling limit provision in that province. I have in mind the fact that at the moment we have requests from Kelowna to take Japanese out of that area. We also have objections from other points in British Columbia against any further numbers entering their areas.

Insofar as registration cards are concerned, I would also limit this requirement to persons of Japanese origin

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now in British Columbia and to those persons desiring to enter British Columbia. If we continue our requirements that young Canadian born Japanese in the province of Ontario for example require registration cards, I am fearful that we will meet with open defiance from a group who up to date have been most co-operative.

Insofar as restrictions on the purchase of property is concerned, I would also limit this to the province of British Columbia.

I would further repeat my recommendation that we exempt from all the restrictions all persons of Japanese origin who were enlisted in our Armed Forces.

On receipt of your reply to my letter of January 28th and this letter I will discuss the matter with the Superintendent of the Royal Canadian Mounted Police at Vancouver as requested in your letter and will then forward to you a suggested draft revision.

The reason that the Royal Canadian Mounted Police will advise continuation of the registration cards is to ensure successful prosecutions.

J. F. MacKinnon
J. F. MacKINNON.

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CANADA

PRIVY COUNCIL OFFICE

CABINET SECRETARIAT

Ottawa, March 21, 1947.

The Honourable Humphrey Mitchell, M.P.,
Minister of Labour,
O t t a w a.

Dear Mr. Mitchell:

Attached is a copy of a Resolution passed at the annual general meeting of the Provincial Command (B.C.) of the Army, Navy and Air Force Veterans in Canada, in regard to the return of Japanese to the protected coastal area.

This Resolution was passed to this office by the Right Honourable I. A. Mackenzie, Minister of Veterans Affairs, and is forwarded to you for your information and whatever action you may deem advisable.

Yours sincerely,

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

Encl.

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

C
O
P
Y

No. 2 - East Vancouver Unit No. 68
Re: Japanese

WHEREAS the responsible citizens of British Columbia view with grave concern the imminent repeal of War legislation restricting the movements of Japanese within Canada, with the probability that these people will soon be infiltrating into the Coastal Areas of this Province, classified as Defence Districts;

AND WHEREAS the return of this centrally-controlled dual citizenship foreign bloc will operate as an insidious menace to all citizens of this area, particularly to our War Veterans now seeking re-establishment in farming, fruitgrowing, fishing and small businesses, and on their past record the presence of these people in our midst, whether Canadian-born, naturalized or otherwise, is equally objectionable.

BE IT THEREFORE RESOLVED by this Provincial Command of the ARMY NAVY AND AIR FORCE VETERANS IN CANADA, in Annual Meeting assembled, that the Federal Government be urged to extend the present restrictive measure for a further term of ten years, after which probationary period the position of the Japanese in Canada might again be reviewed.

AND that copies of this resolution be forwarded to the Right Honourable W.L. Mackenzie King, Prime Minister of Canada, the Right Honourable Ian A. Mackenzie, P.C., K.C., Minister of Veterans Affairs; British Columbia members of Parliament, Honourable John Hart, Premier of British Columbia; The Honourable Gordon S. Wismer, K.C., Attorney-General of British Columbia.

It was regularly moved and seconded that the foregoing resolution be adopted.

CARRIED

2201
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DENCE RE CABINET
COMMITTEE ON JAPANESE



MINISTER OF NATIONAL DEFENCE

Ottawa, Ontario,
March 21, 1947.

A. D. P. Heeney, Esq.,
Secretary to the Cabinet,
East Block,
O t t a w a.

Dear Arnold,

Henry Angus spoke to me yesterday about an Order-in-Council passed in February, 1942 establishing the defence zone of one hundred miles inland from the Pacific Coast. He says that this is keeping students of Japanese origin, who have been in Canada for three generations, from attending the University of British Columbia.

I would be glad if you could let me know if such an order exists and if it should be changed.

Yours sincerely,

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

DEPARTMENT OF LABOUR

Japanese Division

ORDER NO. 4 (New Series)

Pursuant to the authority vested in me under the provisions of section three of Order in Council P.C. 946 of February 5th, 1943, I, the undersigned Minister of Labour, do hereby make the following Order effective as of and from June 29th, 1946:

ORDER NO. 4 (New Series)

1. In this Order "coastal area" means that area of the Province of British Columbia including all islands west of a line commencing at Boundary Point No. 7 on the International Boundary between the Dominion of Canada and Alaska, thence following the line of the "Cascade Mountains", as defined by paragraph 2 of section 24 of the Interpretation Act of British Columbia, being Chapter 1 of the Revised Statutes of 1936, to the northwest corner of Lot 1410, Range 5, Coast Land District, thence due east to a point due north of the northwest corner of Lot 373, Range 5, Coast Land District, thence due south to said northwest corner of Lot 373 being a point on the aforementioned line of the "Cascade Mountains", (being the area surrounding the village Municipality of Terrace), thence following said line of the "Cascade Mountains" to the western boundary of Township 5, Range 26, west of the sixth Meridian, thence following the northerly, easterly and southerly boundaries of said Township 5, to the southwest corner thereof, being a point on the line of the "Cascade Mountains" (being the area surrounding the Village Municipality of Hope); thence following the "Cascade Mountains" to the southerly Boundary of the Province.

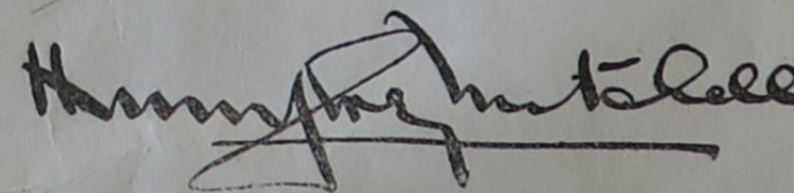
2. No person of the Japanese race shall
- (a) enter or remain in the coastal area, or
 - (b) cross any interprovincial boundary line, or
 - (c) travel a distance of more than fifty miles within the Province of British Columbia, or
 - (d) change his place of residence, or
 - (e) if resident in the Province of British Columbia, be absent from his place of residence for more than eight days, or
 - (f) if resident elsewhere in Canada than in the Province of British Columbia, be absent from his place of residence for more than thirty days

unless such person has first obtained a permit in writing to do so from a member of the Royal Canadian Mounted Police.

3. The provisions of paragraphs (b), (c), (d), (e) and (f) of section two of this Order shall, nevertheless, not apply to any person of the Japanese race who served as a member of the naval, military or air forces of His Majesty in the present war or in the 1914-18 war, nor to the wife or dependent children under sixteen years of age of any such person.

Effective June 29, 1946, Order No. 1 (New Series) dated July 30, 1943 and any and all amendments thereto, made by the undersigned under the authority of Order in Council P.C. 946 of February 5, 1943 are revoked.

Dated at Ottawa, this 26th day of June, 1946.



Minister of Labour.

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE



CANADA

PRIVY COUNCIL OFFICE

CABINET SECRETARIAT

Secret

Ottawa, January 15th, 1948

The Honourable Humphrey Mitchell,
Minister of Labour,
O T T A W A

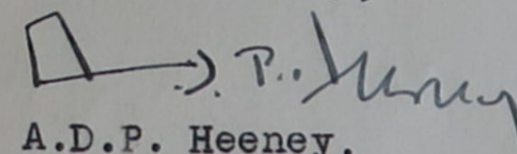
Dear Mr. Mitchell:

In connection with your meeting this morning on Japanese Questions, you will recall that at the Cabinet meeting Tuesday, January 13th, in respect to the report of the Solicitor General on Emergency Legislation, it was agreed:

(1) (a) that the Cabinet Committee on Japanese Questions consider the advisability of allowing all Orders in Council relating to the Japanese to lapse on March 31st, with the exception of those required by the Custodian of Enemy Property for fulfilment of his responsibilities in relation to settlement of Japanese properties;

(b) that the Custodian prepare, for consideration, draft legislation to replace the above Orders pending final decision on their retention.

Yours sincerely,



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

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RE CABINET
COMMITTEE ON JAPANESE

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

ADDRESS ALL
COMMUNICATIONS
TO THE
CUSTODIAN'S OFFICE
PLEASE REFER
TO
J-175
FILE NO.

Victoria Bldg., 7 O'Connor St.,
Ottawa, Ontario
January 14, 1948

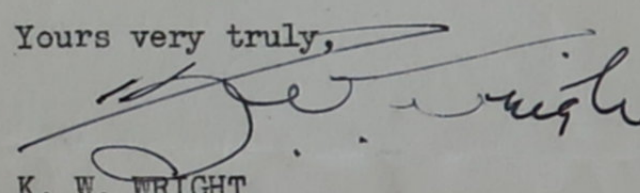
Raymond Ranger, Esq.,
Secretary,
Privy Council Office,
Room 317,
East Block,
Ottawa, Ontario

Dear Mr. Ranger:

With reference to our telephone conversation of today,
I enclose herewith fifteen copies of each of the following recom-
mendations to His Excellency The Governor General in Council:

1. Order amending the terms of reference contained in Order in
Council P.C. 1810 of July 18, 1947, as amended.
2. Order recommending that the deputies appointed by the
Commissioner be authorized to exercise the powers of the
Commissioner.

Yours very truly,


K. W. WRIGHT
COUNSEL TO THE CUSTODIAN

KWW/JF
Encl.

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DENCE RE CABINET
COMMITTEE ON JAPANESE

Document JAP 73

OTTAWA, January 14, 1948

TO: HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL

THE UNDERSIGNED has the honour to report as follows:

After further consideration of the Order in Council P.C. 1810 of July 18th, 1947, as amended by Order in Council P.C. 3737 of September 17th, 1947, providing for an inquiry into the claims of persons of the Japanese race resident in Canada, and evacuated from the coast of British Columbia as a war measure, he is of opinion that the terms of reference should be extended to include claims of corporations of which the majority of the shares were formerly owned by such persons.

THE UNDERSIGNED recommends that the terms of reference contained in Order in Council P.C. 1810 aforesaid, as amended by Order in Council P.C. 3737, be further amended by inserting after the words "at the date of this Order" in Clause 1 on Page 2 of the aforesaid Order in Council the words "and of corporations of which the majority of the shares were formerly owned by such persons".

Respectfully submitted,

Secretary of State

2201
GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

OTTAWA, January 14, 1948

TO: HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL

THE UNDERSIGNED has the honour to report as follows:

That by Order in Council P.C. 1810 of July 18, 1947, as amended by Order in Council P.C. 3737 of September 17, 1947, the Honourable Mr. Justice Henry Irvine Bird was appointed a Commissioner pursuant to the Inquiries Act, Chapter Ninety-nine of the Revised Statutes of Canada, 1927, to inquire into the claims, described in the aforesaid Order in Council, as amended, of persons of the Japanese Race who were resident in Canada on the date of the aforesaid Order in Council.

That the Commissioner has reported that more than thirteen hundred claimants have now filed claims for hearing by the Commissioner and by reason of the fact that the claimants reside in different parts of Canada it will be necessary to hold sessions of the Commission at various places across Canada.

That it is in the interests of justice that hearings of the Commission be expedited and by virtue of Subsection 2 of Section 11 of the Inquiries Act, Chapter Ninety-nine of the Revised Statutes of Canada, 1927, the Commissioner proposes to authorize and depute the following qualified persons to inquire into and hear the testimony of the claimants in person and of witnesses on their behalf other than those called to give expert or technical evidence at sessions of the Commission at the following places:

Kamloops, British Columbia - His Honour Judge J. Ross Archibald.
Vernon, British Columbia - - His Honour Judge J. Ross Archibald
Grand Forks, British Columbia - His Honour Judge Eric Dawson.
Nelson, British Columbia - - - His Honour Judge Eric Dawson.
Lethbridge, Alberta - - His Honour Judge Elmor Best Feir.
Winnipeg, Manitoba - - His Honour Judge A. Gordon Buckingham.
Toronto, Ontario - - - His Honour Judge Armstrong Miller.

THE UNDERSIGNED therefore has the honour to recommend that the persons deputed be authorized to exercise the same powers which the Commissioner has to take evidence, issue subpoenas, enforce the attendance of witnesses, compel them to give evidence, and otherwise conduct the inquiry.

Respectfully submitted,

Secretary of State

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RE CABINET
COMMITTEE ON JAPANESE

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SECRET

COPY NO. _____

CABINET COMMITTEE ON JAPANESE QUESTIONS

AGENDA for eleventh meeting to be held in the Privy Council Chamber, ~~Monday~~ ^{Tuesday} January 12th 1948 at 11:00 a.m.

1. Arrangement with ~~Province~~ ^{Tuesday} of British Columbia of Maintenance and welfare of relocated Japanese persons (Document JAP No. 10, January 10, 1948, attached)
2. Emergency orders in council relating to Japanese ~~leaving~~ ^{leaving} on March 31, 1948 (Document JAP No. 11, January 10, 1948, attached)

Privy Council Office,
January 10, 1948.

Raymond Ranger,
Secretary.

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RE CABINET
COMMITTEE ON JAPANESE

SECRET

COPY NO. ____

CABINET COMMITTEE ON JAPANESE QUESTIONS

Minutes of the eleventh meeting of the Cabinet Committee on Japanese questions held in the Privy Council Chamber, Thursday, January 15, 1948 at 11:00 a.m.

Present

The Minister of Labour
(Mr. Mitchell)

in the chair

The Minister of Veterans Affairs
(Mr. Mackenzie)

The Minister of Justice
(Mr. Ilsley)

The Secretary of State
(Mr. Gibson)

The Minister of Fisheries
(Mr. Gregg)

From Privy Council Office
(Mr. Raymond Ranger)

Secretary

Also Present

From Department of Labour
The A/Deputy Minister of Labour
(Mr. A. H. Brown)

The Deputy Minister of Fisheries
(Mr. Stewart Bates)

From External Affairs
(Mr. A. R. Menzies)

From Department of Justice
(Mr. D. H. W. Henry)

From Prime Minister's Office
(Mr. R. G. Robertson)

From Custodian's Office
(Mr. K. W. Wright)

I. EMERGENCY ORDERS IN COUNCIL RELATING TO JAPANESE

The Chairman reported that, at the Cabinet meeting Tuesday, January 13th, in respect to the report of the Solicitor General on Emergency Legislation, it was agreed:

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

- (a) that the Cabinet Committee on Japanese questions consider the advisability of allowing all Orders in Council relating to the Japanese to lapse on March 31st, with the exception of those required by the Custodian of Enemy Property for fulfilment of his responsibilities in relation to settlement of Japanese properties;
- (b) that the Custodian prepare, for consideration, draft legislation to replace the above Orders pending final decision on their retention.

Mr. Mitchell pointed out that the Transitional Measures Act, 1947, and Order in Council P.C. 5304 of December 30, 1947, continued in effect until March 31, 1948, the following Orders in Council relating to persons of the Japanese race in Canada:

- (a) P.C. 251 of January 13, 1942 - This Order prohibits the issue of fishing licenses on the West Coast to persons of the Japanese race and also prohibits these persons from serving on fishing vessels.
- (b) P.C. 1665 of March 4, 1942 and P.C. 469 of January 19, 1943 - These Orders give the Custodian of Enemy property authority to liquidate property of evacuated Japanese vested in him under these Orders.
- (c) P.C. 946 of February 5, 1943, as amended - This Order gives the Minister of Labour authority to provide for the welfare and relocation of Japanese evacuated from the Coastal area of British Columbia and to make orders governing their movement, places of residence, and discipline.
- (d) P.C. 7355 of December 15, 1945 - This Order authorizes financial assistance to voluntary repatriates to Japan and gives authority to the Custodian of Enemy Property to take over and liquidate the assets of Japanese repatriated to Japan under this Order and to transmit the proceeds to the Japanese in Japan. The Government has already made a decision to discontinue financial assistance for repatriation of Japanese under this Order.

(Memorandum dated January 10, 1948, from the Secretary: JAP Document No. 11, circulated January 10, 1948)

The Committee, after considerable discussion, agreed to refer back to the Cabinet for decision the five Orders in Council referred to above.

II. AGREEMENT WITH PROVINCE OF BRITISH COLUMBIA - MAINTENANCE AND WELFARE OF RELOCATED PERSONS OF JAPANESE RACE

The Chairman, referring to the minutes of the meeting of September 3, 1947, reported that the Department of Labour has been negotiating with the provincial authorities of British Columbia with a view to having the Province take over the responsibility for the welfare and maintenance of evacuated Japanese resident in the Province.

Mr. Mitchell recommended the following proposal which has been agreed to by the British Columbia Government:

- (a) that from March 31, 1948, all expenses relating to welfare and maintenance of the Japanese in the province,

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RE CABINET
COMMITTEE ON JAPANESE

including maintenance, sickness and administration, will be shared by the Province and the Dominion on a dollar-for-dollar basis;

- (b) that the British Columbia authorities will assume complete responsibility for administration, but will set up a joint administrative committee on which the Dominion will be represented;
- (c) that the buildings presently owned by the Dominion in the New Denver Project will continue to be available for the care and treatment of Japanese;
- (d) that the Commissioner of Japanese Administration will be the Dominion representative on the joint committee, and the Department of Labour will continue to pay his remuneration; other members of the Japanese Division staff, Department of Labour, who have been engaged in administration and care of Japanese indigent and invalid cases in British Columbia, will be transferred to the provincial payroll;
- (e) that this arrangement will continue in effect until March 31, 1950, after which date the Dominion contribution will cease;
- (f) that in the cases of Japanese who have moved outside of British Columbia and who claim old age pensions, the residential period in the new Province for the purposes of the Old Age Pensions Act will not start until April 1, 1948, so that such applicants will not be considered to have changed their British Columbia residence until eighteen months have passed following April 1, 1948, i.e., until October 1, 1949.

The Dominion cost for assistance and administration of assistance to Japanese in British Columbia for maintenance and illness during the current fiscal year 1947-48 is estimated at \$175,000, and in the next fiscal year 1948-49 is estimated at approximately the same, since while the number of Japanese to be assisted is decreasing, operating costs are steadily increasing. These estimates do not include headquarters administrative costs of the Japanese Division at Vancouver.

(Memorandum from the Minister of Labour dated January 10, 1948, JAP Document No. 10, circulated January 10, 1948)

The Committee, after discussion, agreed to recommend to the Cabinet the approval of the proposed agreement between the Department of Labour and the Province of British Columbia outlined above.

III. AGREEMENT WITH PROVINCE OF ALBERTA - JAPANESE EVACUEES

The Chairman, referring to the minutes of the meeting of September 3, 1947, reported that the Department of Labour has been negotiating with the provincial authorities of Alberta with a view to having the Province declare those Japanese evacuees who intend to remain in the Province as bona fide residents of Alberta, and to having the Province therewith take over full responsibility for the education and welfare of such Japanese evacuees.

Mr. Mitchell recommended the following proposal, which has been agreed to by the Alberta Government:

- (a) that after March 31, 1948, the Alberta Government would announce that Japanese in Alberta would receive the same

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RE CABINET
COMMITTEE ON JAPANESE

status and treatment as any other residents of the Province;

- (b) that the Province would continue the administration of education and welfare for Japanese evacuees, and would appoint a provincial official to work with the departmental representative, Mr. J. F. MacKinnon, the Commissioner of Japanese Placement;
- (c) that the Dominion and the Province would divide the cost of education and welfare assistance for Japanese evacuees in Alberta on a dollar for dollar basis, for a period of two years from March 31, 1948, and that the Dominion would step out of the picture completely at March 31, 1950;
- (d) that in the case of Japanese evacuees who are now in Alberta and who may claim old age pensions, the residential period in Alberta for the purposes of the Old Age Pensions Act will not start until April 1, 1948, so that such applicants will not be considered to have changed from British Columbia residence until eighteen months have passed following April 1, 1948, i.e., until October 1, 1949. This is the arrangement to which the Province of British Columbia has also agreed.

The Dominion cost of assistance to Alberta Japanese covering education and welfare during the current fiscal year is estimated at \$50,000.00, and for the fiscal year 1948-49 is estimated at approximately the same. The Province will assume half of this cost for the two years April 1, 1948 - March 31, 1950, after which the Province will assume the full cost.

(Memorandum from the Minister of Labour dated January 13, 1948, JAP Document No. 12, circulated January 13, 1948)

The Committee, after discussion, agreed to recommend to the Cabinet the approval of the proposed agreement between the Department of Labour and the Province of Alberta as outlined above.

IV. CLAIMS OF JAPANESE EVACUEES - ~~EXTENSION TO CORPORATIONS~~

1. ~~Extension to corporations~~

The Secretary of State, referring to the minutes of the meeting of April 21, 1947, recommended that the terms of reference contained in Order in Council P.C. 1810 of July 18, 1947, as amended by Order in Council P.C. 3737 of September 17, 1947, be extended to include claims of corporations of which the majority of the shares were formerly owned by persons of the Japanese race resident in Canada and evacuated from the Coast of British Columbia as a war measure.

(Submission to Council from the Secretary of State dated January 14, 1948: JAP Document No. 13 circulated Jan. 15, 1948)

The Committee, after discussion, approved the recommendation of the Secretary of State as outlined above and agreed that in consultation with the Department of Justice a submission to Council be prepared accordingly.

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RE CABINET
COMMITTEE ON JAPANESE

~~V. CLAIMS OF JAPANESE EVACUEES - APPOINTMENT OF DEPUTY COMMISSIONERS~~

2. a
The Secretary of State, referring to the minutes of the meeting of April 21, 1947, recommended that Order in Council P.C. 1810 of July 18, 1947, as amended by Order in Council P.C. 3737 of September 17, 1947, be further amended so that the Commissioner be authorized to depute certain qualified persons to enquire into and hear the testimony of the claimants in person and of witnesses on their behalf other than those called to give expert or technical evidence at sessions of the Commission at certain places.

(Submission to Council from the Secretary of State dated January 14, 1948, JAP Document No. 14 circulated January 15, 1948)

The Committee, after discussion, approved the recommendation of the Secretary of State as outlined above and agreed that in consultation with the Department of Justice a submission to Council be prepared accordingly.

Privy Council Office,
January 17, 1948.

Raymond Ranger,
Secretary.

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RE CABINET
COMMITTEE ON JAPANESE

Document JAP no 11

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SECRET

MEMORANDUM TO THE CABINET COMMITTEE ON JAPANESE QUESTIONS

Re: Japanese Orders in Council
and order in Council PC 5304 of December 30, 1947

The Transitional Measures Act, 1947, continued in effect *March 31, 1948* a number of Orders in Council relating to persons of the Japanese race in Canada. These Orders included the following:

(a) P.C. 946 of February 5, 1943, as amended.

The Order gives the Minister of Labour authority to provide for the welfare and relocation of Japanese evacuated from the Coastal area of British Columbia and to make orders governing their movement, places of residence, and discipline.

The Order ~~should be~~ *has been* extended until March 31, 1948 to carry out the current year's program. The provisions for welfare and relocation ~~can~~ *might* be taken care of after March 31, 1948 by an item in the Annual Estimates of the Department. ~~It, however,~~ it is the policy of the Government to continue restrictions on the movement and residence of Japanese in the Coastal area of British Columbia, ~~it will be necessary to provide for the extension of the life of this Order in Council.~~

The Department of Labour is of opinion that if the restrictions over movement of Japanese into the Coastal area are lifted there will be a movement of Japanese back into the Coastal area, but that it is probable this movement will not be in the nature of an immediate influx but will extend over a period of time and will not comprise a major percentage of Japanese in Canada. It is probable that the greater majority of those who do return to the Coast over a period of time will be drawn from the group now resident in the interior of British Columbia, who number approximately 6000 persons, the greater majority of whom are in self-supporting employment. There may be some movement over a period of time back from Alberta. On the other hand, our Commissioner of Japanese Placement estimates there may be a movement of 500 Japanese east from British Columbia in the Spring of 1948.

(b) P.C. 7355 of December 15, 1945.

This Order authorizes financial assistance to voluntary repatriates to Japan and gives authority to the Custodian of Enemy Property to take over and liquidate the assets of Japanese repatriated to Japan under this Order and to transmit the proceeds to the Japanese in Japan.

The Government has already made a decision to discontinue financial assistance for repatriation of Japanese under this Order. There is, however, a small amount of assets of Japanese still vested in the Custodian under this Order which will not be liquidated for some months at least. We are advised by the Custodian that this consists of amounts totalling around \$3,000, representing the refundable portion of Income Tax payments for 1942, 1943 and 1944, and a limited quantity of other assets of miscellaneous nature, including various company stocks.

It would appear that the extension of the provisions of this Order, to the extent necessary to continue the authority of the Custodian with respect to the disposition of these assets, will be necessary.

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RE CABINET
COMMITTEE ON JAPANESE

(c) P.C. 1665 of March 4, 1942, and P.C. 469 of January 19, 1943.

These Orders are administered by the Department of the Secretary of State and give the Custodian of Enemy Property authority to liquidate property of evacuated Japanese vested in him under these Orders.

It would appear that the extension of the provisions of these Orders will be necessary.

(d) P.C. 251 of January 13, 1942

This Order prohibits the issue of fishing licenses on the West Coast to persons of the Japanese race and also prohibits these persons from serving on fishing vessels. The decision as to the continuation of this Order is one of policy which is tied in with P.C. 946.

The Minister of Fisheries possesses under the Fisheries Act powers to grant or withhold the issuance of fishing licenses.

Without further action of Parliament to the contrary, all of the above Orders will expire on March 31, 1948.

Privy Council Office
January 10, 1948

Raymond Ranger,
Secretary.

2201
GENERAL CORRESPON-
DENCE RE CABINET
COMMITTEE ON JAPANESE

OFFICE OF THE
DEPUTY MINISTER

CONFIDENTIAL

Copy for -

The Secretary,

Cabinet Committee on Japanese Questions Ottawa, December 16, 1947.



CANADA

DEPARTMENT
OF
MINES AND RESOURCES

Dear Mr. Bates,

Re: Commercial Fishing - Great Slave Lake.

The Northwest Territories Council on November 26, 1947, had under consideration representations from certain Canadian-born persons of Japanese origin who desired to obtain licences to enable them to carry on commercial fishing in Great Slave Lake. It was agreed that there should be no discrimination against Canadian-born Japanese as compared with the rights of any other Canadian but attention was called to the necessity of giving a reasonable preference both to the requirements of the native residents and of providing employment for these natives in the development of the natural resources.

It was pointed out that owing to the rapid depletion of wildlife Council had been obliged to restrict hunting and trapping privileges in the Northwest Territories to those who were residents of the Territories in May, 1938. Despite this restriction the supply of game and fur-bearers had continued to decline and it became necessary to impose additional restrictions in the way of close seasons. In spite of these precautions some natives are at present in reduced circumstances and depend for food to a considerable extent upon fishing and upon destitution relief.

It was understood that the Department of Fisheries in granting a substantial concession to the McInnis Products Corporation covering fishing in Great Slave Lake had not insisted that the Corporation give priority in the matter of employment to local natives, half-breeds and other residents of the region and that most of the employees of the firm were Scandinavian or Japanese brought in from outside the Territories. The Department of Fisheries grants individual fishing licences to those employees who operate the firm's fishing equipment. The few holders of these commercial fishing licences actually supply the local market as well as the needs of the Corporation and the native residents who formerly earned some money by this means have lost this source of revenue.

Stewart Bates, Esq.,
Deputy Minister,
Department of Fisheries,
Ottawa.

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Under the circumstances outlined, Council felt that it was desirable to consider the interests of the local residents before granting commercial fishing rights to any other than local people. It was also felt that non-resident holders of commercial fishing licences should not be permitted to engage in fishing operations at locations on Great Slave Lake where the natives secured their fish prior to 1945. Having regard to the actual needs of these natives for food it is recommended that the recognized fishing sites which they have used from time immemorial should be reserved from exploitation by commercial fishermen.

In the interests of conservation of the fishing resources upon which the natives depend, and having regard to the limited opportunities for local employment by the natives and other residents of the Northwest Territories it would seem advisable to give careful consideration to the needs of these people before granting any additional commercial fishing licences to other than bona fide residents until such time as it is possible to determine the ultimate effect of the fishery concessions already granted in Great Slave Lake.

Yours very truly,

H. L. KEENLEYSIDE

H. L. Keenleyside,
Deputy Minister.

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DEPARTMENT OF VETERANS AFFAIRS

OFFICE OF THE MINISTER
OTTAWA

By hand

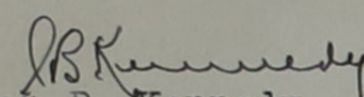
November 24th, 1947.

Dear Mr. Ranger,

You were kind enough to advise me of a meeting of the Cabinet Committee on Japanese problems called for Tuesday afternoon, November 25th, at which time you stated that the meeting was to deal with the revision of Orders in Council on Japanese, covering: control of movement, prohibiting of fishing licenses at the West Coast and liquidation of Japanese properties by the Custodian.

Mr. Mackenzie was advised that the meeting was to be held and I now have a wire from which in which he requests that I inform the Honourable Humphrey Mitchell, Chairman of the Committee, and yourself, that he very strongly desires that no action shall be taken on these matters until his return to Ottawa. For your information, I expect Mr. Mackenzie will return on November 30th.

Yours sincerely,


Joan B. Kennedy
Associate Private Secretary.

Mr. Raymond Ranger,
Secretary,
Cabinet Committee on Japanese problems,
c/o Privy Council,
Ottawa, Ont.

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

The Biltmore,
New York City,
18th November, 1947.

Dear Mr. Ranger,-

I have your letter of November 14th, enclosing copy of a memorandum regarding the request for the issuance of fishing licenses to British subjects of other than white or native origin in the Northwest Territories.

The suggestion in the last paragraph of Mr. Bates' memorandum would appear to be reasonable, namely that as long as the prohibition exists on the Pacific Coast the same prohibition should exist in other provinces. However, I feel that within a reasonable time the prohibition will have to be abolished, both on the Pacific Coast and in the other Provinces, as a prohibition based on racial grounds is not defensible, having in mind the principles to which Canada has subscribed as a member of the United Nations.

Yours very truly,

Raymond Ranger, Esq.,
Secretary,
Cabinet Committee on Japanese Questions,
Privy Council,
O t t a w a, Canada.

Questions,

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GENERAL CORRESPONDENCE RE CABINET COMMITTEE ON JAPANESE



OFFICE OF THE MINISTER

DEPARTMENT OF FISHERIES
OTTAWA

November 18th, 1947.

SECRET

Dear Mr. Ranger,

I have your letter of November 14th relating to the granting of fishing licenses to persons of Japanese race in British Columbia, and to the more recent question of imposing similar restrictions in the Northwest Territories.

Recent request made to this department for the granting of licenses to fishermen of Japanese origin in the Territories, and referred to in my deputy's memorandum of the 24th September apparently at present concerns only a few individuals. Accordingly the urgency of the matter would hardly seem to justify any consideration of this question apart from the wider questions affecting Japanese in Canada. The wider question of course relates to the exclusion of Japanese fishermen in British Columbia as covered by Order-in-Council P.C. 251 of January 13th, 1942. This question runs far beyond matters of fisheries, involving as it does wider matters of policy, and as I understand it the Order-in-Council relating to fishermen was grouped with other orders concerning the Japanese. I would presume that the cabinet committee on Japanese questions would be considering all of these together, and since the present orders will cease to be operative on the 31st December, I presume further that the matter will be under early consideration.

It seems to me personally that there might be some merit in considering whether these various orders might not continue operative until such time as the Japanese peace treaty is finally settled. However so far as fisheries go, the Minister of Fisheries as Minister of Fisheries, while possessed of powers to grant or withhold fishing licenses, can hardly properly do so on a racial basis. His powers as Minister presumably should be related mainly to fishing purposes, the

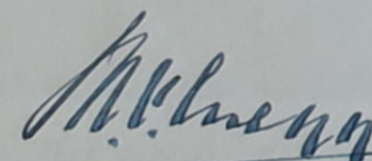
Raymond Ranger, Esq.,
Secretary,
Cabinet Committee on Japanese Questions,
O T T A W A.

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conservation of fish species, etc. In short the matter of Japanese fishermen anywhere in Canada appears to me to be one among other matters relating to the Japanese, and this I presume will be dealt with by the cabinet committee on Japanese questions.

Yours very truly,



Milton F. Gregg
Minister

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THE SECRETARY OF STATE OF CANADA

Ottawa, November 17, 1947.

SECRET

Dear Mr. Ranger:

I have your letter of November 14th, concerning the granting of fishing licenses to persons of the Japanese race who wish to fish in the Northwest Territories.

I am of the opinion that Canadian citizens of Japanese origin should not be debarred from fishing in inland waters.

Yours sincerely,

Raymond Ranger, Esq.,
Privy Council Office,
OTTAWA, Ont.

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COMMITTEE ON JAPANESE



SECRET

Ottawa, November 15, 1947.

Raymond Ranger, Esq.,
Secretary,
Cabinet Committee on Japanese Questions,
Privy Council Office,
Ottawa, Ontario.

Dear Mr. Ranger:

I have your letter of November 14 and
I have read the attached memorandum prepared by the
Deputy Minister of Fisheries.

I may say that my view coincides with that
of the Department of Fisheries in that so long as the
prohibition with respect to the granting of fishing
licenses to persons of Japanese race exists in
British Columbia, it would not be wise to grant such
licenses to such persons in other provinces.

Yours very truly,

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SECRET

OTTAWA, November 14, 1947.

Honourable Colin Gibson,
Secretary of State,
West Block,
OTTAWA.

Dear Mr. Gibson:

At the meeting of the Cabinet of September 11, 1947, the Acting Minister of Fisheries, referred to the existing restrictions on the granting of fishing licenses to persons of Japanese race in British Columbia and reported that the question had risen of imposing similar restrictions in the Northwest Territories.

The Cabinet agreed that the question be referred for consideration to the Cabinet Committee on Japanese Questions.

In this connection, I am attaching herewith, for your information, a memorandum dated September 24, 1947, which has been prepared by the Deputy Minister of Fisheries.

The Chairman of the Cabinet Committee on Japanese Questions has suggested that, rather than calling a meeting of the Committee, I should write you for your opinion and comments on the above noted problem.

It would be appreciated if a reply was received as soon as possible.

Yours very truly,

Raymond Ranger,
Secretary,
Cabinet Committee on Japanese Questions.

Att:

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MEMORANDUM

Re: Request for the issuance of licenses to
British subjects of other than white or
native origin in the Northwest Territories.

While it had been fairly well known for a number of years that there were considerable fisheries resources in Great Slave Lake in the Northwest Territories the fisheries there had not been exploited on account of the transportation difficulties and the availability closer to market of adequate fish supplies.

Following investigations by the Fisheries Research Board confirming the fact that fish exist in commercial quantity, the McInnes Products Limited of Edmonton, Alberta, undertook operations in Great Slave Lake on a considerable scale in 1945 and have been operating there each season since that time. It may be added that the regulations permit the taking up to two and one half million pounds of whitefish and trout and one million pounds in the winter on the understanding that any portion of the summer limitation not taken may be added to the winter limitation. Summer operations have been carried on with headquarters at Gros Cap while winter operations are carried on in the Hay River area of the Lake.

The Company has been utilizing as packers, scalers, etc., a number of Canadian citizens of Japanese origin who had, prior to the war, been engaged in fishing in British Columbia. They have not, however, been carrying on any fishing operations which requires licensing.

When the Department's Chief Inspector of Fisheries at Winnipeg, who is responsible for administration in the Northwest Territories, visited that area recently, he was interviewed by a spokesman

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for a group of Canadian-born Japanese, a Mr. Tak Shikatani. Mr. Shikatani advised the Chief Inspector that from eight to ten Canadian-born Japanese with previous fishing experience in British Columbia would likely take advantage of any concession granted by the Department with respect to commercial fishing licenses.

By Order in Council of January 13th, 1942, P.C. 251, which was enacted under the authority of the then War Measures Act provided that no licenses should be issued to persons of Japanese racial origin and that such persons shall not be permitted to serve on fishing vessels. This applied to British Columbia only and still continues under the special legislation of last Session.

Prior to the war the number of licenses to persons of other than white or native origin in British Columbia was restricted and the endeavour was that through the years they would be gradually reduced. This restriction was put into effect through the absolute discretion to the Minister by Section 7 of the Fisheries Act to issue or authorize to be issued leases and licenses for fisheries and/or fishing.

On account of their frugal means of living and their acceptance of long hours of work together with their fishing ability, fishermen of Japanese origin would likely make it impossible for white fishermen to compete with them if licensing privileges are granted.

At least so long as the prohibition exists on the Pacific Coast it would, in this Department's opinion, be of doubtful wisdom to grant licenses to such persons in other provinces than British Columbia.

Stewart Bates,
Deputy Minister of Fisheries.

Ottawa, Ontario,
September 24th, 1947.

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COMMITTEE ON JAPANESE

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SECRET

COPY NO. _____

CABINET COMMITTEE ON JAPANESE QUESTIONS

AGENDA for ninth meeting to be held in the Privy Council Chambers, Wednesday, September 3, 1947 at 10:00 a.m.:

1. Representations by University of Toronto Liberal Association:
 - (a) restriction on movement
 - (b) denial of federal franchise
 - (c) Canadian status of deportees

(Document JAP 6 attached)
2. Control over movement and residence of Japanese persons within or into British Columbia.

(Document JAP 4 circulated April 17, 1947)
3. Repatriation from Canada to Japan of Japanese persons.

(Document JAP 7, August 12, 1947 attached)
4. Return to Canada of Japanese (Canadian-born, naturalized or Nationals retaining Canadian domicile):
 - (a) persons who left Canada before the war
 - (b) persons who were repatriated

(Document JAP 3 circulated April 16, 1947)
5. Displaced Japanese persons: arrangements with provinces.

(Document JAP 8, August 21, 1947 attached)
6. Custodian's authority - liquidation of properties of Japanese associations or societies.

Privy Council Office,
August 22, 1947.

Raymond Ranger,
Secretary.

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GENERAL CORRESPONDENCE
RE CABINET
COMMITTEE ON JAPANESE

Brief of the University of Toronto Liberal Association

(Submitted under letter of June 16 to the
Prime Minister)

#1. Restrictions on Movement, Residence and Occupation

(a) Statement in Brief -

"We strongly recommend that Orders-in-Council preventing Japanese-Canadian students making use of scholarships won at the University of British Columbia, and making possible the recent Yoskioka incident. The Rev. "Eddie" Yoskioka was a fellow student of ours at the University of Toronto, where he won three prizes for his theological studies. In order to go to Vancouver to be ordained, he was compelled to get a "police permit" (and a return railway fare). His father, who came to Canada in 1919 on a scholarship and who for the last eighteen years has been United Church Minister at Kelowna, B.C., was forced to submit to similar humiliating treatment in order to see his son ordained.

We strongly oppose that type of Canadian "democracy" that permits indefeasible and arbitrary restrictions on the movement, residence and means of livelihood of any group of citizens purely on the basis of race."

(b) Note -

Under Order in Council P.C. 946 of February 5, 1943, which is continued in effect under the Continuation of Transitional Measures Act, restrictions on travel and movement by Japanese persons may be imposed by order of the Minister of Labour. At present the orders in force restrict only movement into British Columbia and travel there. There would be nothing to prevent further modification of the travel control orders now in effect without any change in the legislation.

#2. Denial of Federal Franchise

(a) Statement in Brief -

"We most emphatically protest against those sections of the Dominion Elections Act which (in effect) not only disfranchises Japanese-Canadians in British Columbia, but also those who were moved East. We feel that democracy is destroyed the instant we start to pick and choose among the electorate those whom we will allow to vote and those whom we will not. The "will of the people" loses all meaning if "the people" can be redefined whenever we feel like it. We therefore wish to stress to you the compelling necessity of righting these wrongs particularly as this disfranchisement is based upon the worst of all bases - racial origin. Also, we hope you will see fit to specifically repeal that section of the Act disfranchising Japanese-Canadians moved East of the Rockies, before it lapses on July 1st."

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COMMITTEE ON JAPANESE

(b) Note -

There are two sections of the Dominion Elections Act of relevance here. Section 14(2)(1) provides that the following persons are disqualified for the federal franchise:

"Every person who is disqualified by reason of race from voting at an election of a member of the Legislative Assembly of the province in which he or she resides who did not serve in the military, naval or air forces of Canada in the war of 1914-1918, or in the war that began on the 10th day of September, 1939."

The British Columbia legislature has recently enfranchised Chinese and East Indian persons. As a result, the above section disfranchises only Japanese persons resident in British Columbia. In the Special Committee on the Elections Act, Mr. MacInnis moved on May 29 for deletion of this section. The motion was lost by 10 to 6.

The second relevant portion of the Elections Act is section 14(2)(n) which was introduced in 1945 (1944-45, Chapter 26) and which reads as follows:

"Every person residing in Canada whose racial origin is that of a country at war with Canada who, at the time of the passing of this Act, namely July 1st, 1938, and on the date of the declaration of such war, resided in a province in which on those dates a person of his racial origin was disqualified from voting at an election of a member of the Legislative Assembly of that province, and who did not serve in the naval, military or air forces of Canada in the war of 1914-1918 or in any subsequent war in which Canada may be engaged."

On May 22 the Special Committee agreed that this section should be deleted. The reference in the brief to automatic termination of this section on July 1, would seem to be in error.

#3. Canadian Status of Deportees

(a) Statement in Brief -

"We would welcome a clear statement that those Canadians deported ("repatriated") between December 15th, 1945 and January 24th 1947, did not lose their Canadian citizenship. Further, we are desirous that serious consideration be given to rendering the repeal of P.C. 7356 retroactive to December 15th, 1945, and enabling Canadian citizenship to be restored to naturalized Canadians deported (subject only to a simple request and to the conditions of the Canadian Citizenship Act)."

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RE CABINET
COMMITTEE ON JAPANESE

(b) Note -

The use of the terms "deportee" and "deported" here is not accurate. Apart from dependent children under eighteen years of age, all Japanese who left Canada did so pursuant to a written statement of desire to leave. There are at present further persons of Japanese origin wishing to leave Canada for whom it has not yet been possible to secure transportation.

Order in Council P.C. 7356, which was revoked on January 24 last, deprived of Canadian status those naturalized persons who left Canada prior to that date. There has not been any strong or general suggestion that this measure was in any sense improper. The naturalized Japanese who were affected by the order had ample opportunity for notice of its existence.

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RE CABINET
COMMITTEE ON JAPANESE

Handwritten notes:
I am writing you in connection with your government's policy of discrimination against certain groups of Canadian citizens, particularly those of Japanese ancestry, on the basis of their racial origin. I am desirous of directing your attention to the conclusions contained in the accompanying brief. In the absence of a meeting of our Association, due to the dispersal of our membership in the summer months and the urgent need for action on this matter, responsibility for the views expressed must remain with the Executive of this Association. But, we are confident that they represent the unanimous opinion of our membership, as will be evident from a reference to the letters of December 16th, 1946 and February 15th and April 2nd 1947 addressed to you by this Association, as well as of thousands of Liberals throughout Canada who are deeply perturbed by the continuation of this policy.

LIBERAL UNIVERSITY OF TORONTO ASSOCIATION

34 Ava Road,
Toronto, Canada,
June 16th, 1947.

The Right Honourable W. L. Mackenzie King,
Prime Minister,
House of Commons,
Ottawa, Canada.

Sir:

I am writing you in connection with your government's policy of discrimination against certain groups of Canadian citizens, particularly those of Japanese ancestry, on the basis of their racial origin. I am desirous of directing your attention to the conclusions contained in the accompanying brief. In the absence of a meeting of our Association, due to the dispersal of our membership in the summer months and the urgent need for action on this matter, responsibility for the views expressed must remain with the Executive of this Association. But, we are confident that they represent the unanimous opinion of our membership, as will be evident from a reference to the letters of December 16th, 1946 and February 15th and April 2nd 1947 addressed to you by this Association, as well as of thousands of Liberals throughout Canada who are deeply perturbed by the continuation of this policy.

The Rt. Hon. Ian A. Mackenzie has replied to a recent letter of ours on this subject, as follows, " in reply, I would say that this is a situation about which I happen to be better informed than most." We feel that this is no answer at all to the great weight of evidence that has accumulated to back up the ugly charge of racial discrimination being levelled against the government. We feel that as Liberals, our actions must correspond with our aims. We feel, as the Hon. Paul Martin does, that " the Liberal way is to think in terms of human rights." We feel that, if only for reasons of political expediency, it is imperative that we get back to our Liberal ideals — a generosity of mind and a readiness to recognize and uphold the just rights of other men and other groups.

The accompanying brief is not intended to be a comprehensive survey of the problem. Rather, it is a series of observations and suggestions that have engaged our attention. Because they deal with a subject of general and vital concern, we are taking the liberty of distributing copies to Liberal Members of the House of Commons.

I have the honour to be, Sir,

Your obedient servant,

Douglas G. Anglin

Douglas G. Anglin, President

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GENERAL CORRESPONDENCE RE CABINET COMMITTEE ON JAPANESE

LIBERAL UNIVERSITY OF TORONTO ASSOCIATION

The Executive of the University of Toronto Liberal Association respectfully submits the following observations and conclusions on the question of racial discrimination against Canadians of Japanese origin. We earnestly hope that these opinions will receive your full and sympathetic consideration.

1. Restrictions on Movement, Residence and Occupation

We strongly recommend that Orders-in-Council preventing Japanese-Canadian students making use of scholarships won at the University of British Columbia, and making possible the recent Yoskioka incident. The Rev. "Eddie" Yoskioka was a fellow student of ours at the University of Toronto, where he won three prizes for his theological studies. In order to go to Vancouver to be ordained, he was compelled to get a "police permit" (and a return railway fare). His father, who came to Canada in 1919 on a scholarship and who for the last eighteen years has been United Church Minister at Kelowna, B.C., was forced to submit to similar humiliating treatment in order to see his son ordained.

We strongly oppose that type of Canadian "democracy" that permits indefeasible and arbitrary restrictions on the movement, residence and means of livelihood of any group of citizens purely on the basis of race.

2. Canadian Status of Deportees

We would welcome a clear statement that those Canadians deported ("repatriated") between December 15th, 1945 and January 24th 1947, did not lose their Canadian citizenship. Further, we are desirous that serious consideration be given to rendering the repeal of P.C. 7356 retroactive to December 15th 1945, enabling Canadian citizenship to be restored to naturalized Canadians deported (subject only to a simple request and to the conditions of the Canadian Citizenship Act).

3. Denial of Federal Franchise

We most emphatically protest against those sections of the Dominion Elections Act which (in effect) not only disfranchises Japanese-Canadians in British Columbia, but also those who were moved East. We feel that democracy is destroyed the instant we start to pick and choose among the electorate those whom we will allow to vote and those whom we will not. The "will of the people" loses all meaning if "the people" can be redefined whenever we feel like it. We therefore wish to stress to you the compelling necessity of righting these wrongs particularly as this disfranchisement is based upon the worst of all bases — racial origin. Also, we hope you will see fit to specifically repeal that section of the Act disfranchising Japanese-Canadians moved East of the Rockies, before it lapses on July 1st.

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COMMITTEE ON JAPANESE

4. Compensation for Property Losses

We have long been aware of many cases of grave injustice in connection with the disposal of the property of Japanese-Canadians. Not only did the Government permit their property to be plundered and broken into, to deteriorate scandalously and "disappear" through neglect, but also agents of the Government sold much of the property at ridiculously low prices as has been confirmed by disclosures before the Public Accounts Committee of the House of Commons.

In our letter of December 16th 1946, we recommended that:

- "3. A Commission be set up,
 a) to inquire into the manner in which the Custodian of Alien Property disposed of property of Japanese-Canadians and,
 b) to investigate complaints of injustice concerning such property disposal and to recommend compensation in the many flagrant cases of injustice."

We still feel that this is an essential first step if your pledge of "fair and just" treatment which up to now we regret to say has been ruthlessly violated, is to be implemented. Such a Commission to be effective must assist the Japanese-Canadians in every way to submit their claims for all losses directly or indirectly attributable to government policy, with the minimum of procedural obstruction and delay.

5. Implications of the United Nations Charter

We have noted with pride that Article 56 of the United Nations Charter (" The Pledge ") was an amendment submitted by Canada and adopted by the San Francisco Conference. By this Article, we pledged ourselves "to take joint and separate action" in the promotion of "universal respect for and observation of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion." We are deeply perturbed that the sponsor of this pledge should be, among democratic countries, the most persistent violator of it.

6. Conclusion

The above remarks indicate our deep concern with this policy of racial discrimination and suggest certain urgent needs to right these grievous wrongs. We feel that this policy is repugnant not only to morality and justice but also to the pretensions of the Canadian Citizenship Act, our adherence to the United Nations Charter, the place of respect which we claim among the nations of the world — and to those principles of Liberal democracy which we share.

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 GENERAL CORRESPONDENCE
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 COMMITTEE ON JAPANESE

Dec. 1946

Brief of the University of Toronto Liberal Association

(Submitted under letter of June 16 to the
Prime Minister)

X #1. Restrictions on Movement, Residence and Occupation

(a) Statement in Brief -

"We strongly recommend that Orders-in-Council preventing Japanese-Canadian students making use of scholarships won at the University of British Columbia, and making possible the recent Yoskioka incident. The Rev. "Eddie" Yoskioka was a fellow student of ours at the University of Toronto, where he won three prizes for his theological studies. In order to go to Vancouver to be ordained, he was compelled to get a "police permit" (and a return railway fare). His father, who came to Canada in 1919 on a scholarship and who for the last eighteen years has been United Church Minister at Kelowna, B.C., was forced to submit to similar humiliating treatment in order to see his son ordained.

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(b) Note -

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Brief of the University of Toronto Liberal Association

(Submitted under letter of June 16 to the
Prime Minister)

* #2. Canadian Status of Deportees

(a) Statement in Brief -

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(b) Note -

The use of the terms "deportee" and "deported" here is not accurate. Apart from dependent children under eighteen years of age, all Japanese who left Canada did so pursuant to a written statement of desire to leave. There are at present further persons of Japanese origin wishing to leave Canada for whom it has not yet been possible to secure transportation.

Order in Council P.C. 7356, which was revoked on January 24 last, deprived of Canadian status those naturalized persons who left Canada prior to that date. There has not been any strong or general suggestion that this measure was in any sense improper. The naturalized Japanese who were affected by the order had ample opportunity for notice of its existence.

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COMMITTEE ON JAPANESE

Brief of the University of Toronto Liberal Association

(Submitted under letter of June 16 to the
Prime Minister)

2 #3. Denial of Federal Franchise

(a) Statement in Brief -

"We most emphatically protest against those sections of the Dominion Elections Act which (in effect) not only disfranchises Japanese-Canadians in British Columbia, but also those who were moved East. We feel that democracy is destroyed the instant we start to pick and choose among the electorate those whom we will allow to vote and those whom we will not. The "will of the people" loses all meaning if "the people" can be redefined whenever we feel like it. We therefore wish to stress to you the compelling necessity of righting these wrongs particularly as this disfranchisement is based upon the worst of all bases - racial origin. Also, we hope you will see fit to specifically repeal that section of the Act disfranchising Japanese-Canadians moved East of the Rockies, before it lapses on July 1st."

✓ (b) Note -

There are two sections of the Dominion Elections Act of relevance here. Section 14(2)(1) provides that the following persons are disqualified for the federal franchise:

"Every person who is disqualified by reason of race from voting at an election of a member of the Legislative Assembly of the province in which he or she resides who did not serve in the military, naval or air forces of Canada in the war of 1914-1918, or in the war that began on the 10th day of September, 1939."

The British Columbia legislature has recently enfranchised Chinese and East Indian persons. As a result, the above section disfranchises only Japanese persons resident in British Columbia. In the Special Committee on the Elections Act, Mr. MacInnis moved on May 29 for deletion of this section.

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The motion was lost by 10 to 6.

The second relevant portion of the Elections Act is section 14(2)(n) which was introduced in 1945 (1944-45, Chapter 26) and which reads as follows:

"Every person residing in Canada whose racial origin is that of a country at war with Canada who, at the time of the passing of this Act, namely July 1st, 1938, and on the date of the declaration of such war, resided in a province in which on those dates a person of his racial origin was disqualified from voting at an election of a member of the Legislative Assembly of that province, and who did not serve in the naval, military or air forces of Canada in the war of 1914-1918 or in any subsequent war in which Canada may be engaged."

On May 22 the Special Committee agreed that this section should be deleted. The reference in the brief to automatic termination of this section on July 1, would seem to be in error.

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(Submitted under letter of June 16 to the
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#4. Compensation for Property Losses

(a) Statement in Brief -

"We have long been aware of many cases of grave injustice in connection with the disposal of the property of Japanese-Canadians. Not only did the Government permit their property to be plundered and broken into, to deteriorate scandalously and "disappear" through neglect, but also agents of the Government sold much of the property at ridiculously low prices as has been confirmed by disclosures before the Public Accounts Committee of the House of Commons.

In our letter of December 16, 1946, we recommended that:

"3. A Commission be set up,

a) to inquire into the manner in which the Custodian of Alien Property disposed of property of Japanese-Canadians and,

b) to investigate complaints of injustice concerning such property disposal and to recommend compensation in the many flagrant cases of injustice."

in hand

We still feel that this is an essential first step if your pledge of "fair and just" treatment which up to now we regret to say has been ruthlessly violated, is to be implemented. Such a Commission to be effective must assist the Japanese-Canadians in every way to submit their claims for all losses directly or indirectly attributable to government policy, with the minimum of procedural obstruction and delay".

(b) Note -

On January 24 last the Prime Minister gave the following statement to the press:

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"With respect to the property of persons of Japanese origin who were removed from the Pacific coast, and whose property was sold by the Custodian, the government is of the opinion that the sales were made at a fair price. In all cases a complete appraisal was made before disposition. The total of the prices secured is greater in aggregate than the total appraisal value. To ensure, however, the fair treatment promised in 1944, the government is prepared in cases where it can be shown that a sale was made at less than a fair market value to remedy the injustice."

No further announcement has been made as to the implementation of the policy.

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#5. Implications of the United Nations Charter

(a) Statement in Brief -

"We have noted with pride that Article 56 of the United Nations Charter ("The Pledge") was an amendment submitted by Canada and adopted by the San Francisco Conference. By this Article, we pledged ourselves "to take joint and separate action" in the promotion of "universal respect for and observation of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion." We are deeply perturbed that the sponsor of this pledge should be, among democratic countries, the most persistent violater of it."

(b) Note -

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#6. Conclusion

(a) Statement in Brief -

The above remarks indicate our deep concern with this policy of racial discrimination and suggest certain urgent needs to right these grievous wrongs. We feel that this policy is repugnant not only to morality and justice but also to the pretensions of the Canadian Citizenship Act, our adherence to the United Nations Charter, the place of respect which we claim among the nations of the world - and to those principles of Liberal democracy which we share.

(b) Note -

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