

V-8

RECORD GROUP

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VOLUME

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FILE

V-8-12

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SUBJECT OR NAME

SUB-SUBJECT.

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LAND DESCRIPTION

CROSS REFERENCES

(OFFICIAL NO.)

Volume No.

Account No.

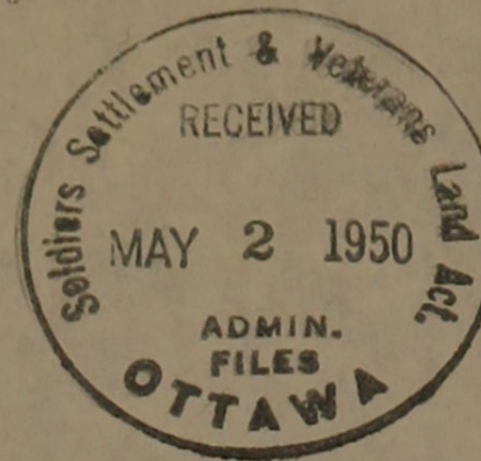
V-8-12

File No.

JAPANESE LANDS
AND HOMES

Mr. D. J. Baldwin,
District Superintendent,
VANCOUVER, B. C.

Japanese Land



H. O. OTTAWA,
May 1,

A. D. McCracken

1. The Director has referred to me your letter of the 27th ultimo and I have enquired of the Department of Justice as to whether or not the report of the Royal Commission, headed by Mr. Justice Bird, had yet been received.
2. The reply received from the Department of Justice was in the affirmative but contained the additional information that the report was before Cabinet for consideration and that Cabinet had not yet indicated what disposition is to be made of it.
3. The last time this file was on my desk, which was February 27th, 1950, the situation was that this matter of disposal of Japanese properties was to be deferred until the report had been received from the Royal Commission and further, until the matter could be discussed with the Custodian of Enemy Property in light of the Commission's report. You will appreciate, from the information contained in the above paragraph, that it has not yet been possible to formulate any policy concerning this matter. As to when such will be possible, it is extremely difficult to foretell but off hand, I would say that it will not occur prior to your meeting of Regional Supervisors and D. O. Division Heads around the 9th of June.
4. I will keep you informed of further developments as they occur.

A. D. McCracken,
Executive Assistant.

ADMCC:GE

February 27, 1950.

Memorandum to

- The Acting Deputy Minister -

In accordance with our telephone conversation of this date, I am setting out hereunder information obtained from Mr. K. W. Wright, Legal Counsel to the Custodian of Enemy Property, with respect to the recommendation previously made by the Director to the effect that the residue of Japanese properties surplus to V.L.A. requirements be returned to the Custodian for such disposal as the Government might deem fit to authorize:

- (1) Mr. Wright advised that the various Orders in Council which authorize the Custodian to acquire property have been revoked. The Custodian is consequently unable to take back from the Director titles to those Japanese properties which are surplus to the requirements of the Director.
- (2) Mr. Wright further advised that the Custodian has reason to believe the report from the Royal Commission, headed by Mr. Justice Bird, will be received on or about April 1, this year.

In view of the information contained in (2) above, it would appear that this matter of disposal of Japanese properties might properly be deferred until the Commissioner's report has been received and until, possibly, the matter can be discussed with the Custodian in light of the Commissioner's report.

Original Signed by
T. J. RUTHERFORD

T. J. Rutherford,
Director.

Dictated by ADMcCracken:GE

February 16, 1950.

Memorandum to The Acting Deputy MinisterRe: Japanese Property Claims - Rinichiro Yoshihara

I have received your letter of the 4th instant, together with enclosure, from which I note that any action which may be taken in this case is to be deferred until the Commissioner has given judgment on Yoshihara's claim, or at least until the Minister receives information from Mr. Mayhew.

With respect to the second paragraph of your letter, no action is in progress to replace Japanese who were Canadian veterans of World War I on their properties. Action of this nature has been contemplated for some time now, however, specifically since the Minister's letter of December, 1948, to Mr. Justice Bird which, although it dealt particularly with the case of Zennosuke Inouye, mentioned also that after arrangements had been concluded satisfactorily in that case, the Minister would be glad to proceed on Mr. Justice Bird's recommendation as to disposition of the others (of which there are 5 - 2 Japanese soldier settlers and 3 Japanese who were Canadian veterans of World War 2) depending upon the relative circumstances at that time. To date, we have no knowledge of any further recommendation being received from Mr. Justice Bird.

There are very few, if any, further comments or recommendations which I can make on this subject in addition to my previous recommendation that the Japanese properties surplus to the requirements of the Director be returned to the Custodian of Enemy Property for such disposal as the Government might deem fit to authorize. With respect to this previous recommendation, I note from the copy of your letter of December 23rd to the Deputy Minister of Justice, which I received, that the Minister desires to follow an alternative proposal, namely that these Japanese properties be offered for public sale.

It is appreciated that this is certainly a more to-the-point proposal, insofar as actual disposal of the properties by the Government is concerned, than that contained in my recommendation. In this connection, however, I consider I should mention that, inasmuch as V.L.A. would be responsible for determining, after receipt of tenders, the person to whom the property would be sold, the Minister's proposal may have some serious adverse affect on the excellent relations which now exist between the veterans established under The Veterans' Land Act and the V.L.A. Administration should the successful tender be received from a Japanese.

*Original signed by
A. Jamieson*

for T. J. Rutherford,
Director.

Dictated by ADMcCracken:GE

c.c. V-8-12

DL.1-1006
BC.530-P

Ottawa Head Office
May 26,

49

Chief Treasury Officer.

J.M.Lomax

INOUE, Zennosuke

I refer to your memorandum of April 23, 1949,
and my letter of today's date to the District Superintendent,
Vancouver, and would appreciate if immediate action could
be taken to reinstate this account.

It will be noted from the attached Order in Council
P.C.172/2540, that authority has now been received from
Treasury Board to credit the account of Zennosuke Inoue,
in the amount of \$23.05, representing the difference between
the amount of rentals, \$1,306.00, and the amount of \$1,282.95,
disbursed for taxes and insurance during the period this farm
was administered by the Custodian of Enemy Property.

*3 June 1949
He reinstated affected 21/8/44
at loan repaid in full 13 June 1949
and little issued as per Inoue*

For-A/General Superintendent,
Farms Division.

Encl.

JML/MKO

"AIR MAIL"

DL.1-1006
BC.530-P
V-8-12

District Superintendent,
Vancouver, B.C.

Ottawa Head Office
May 26,

49

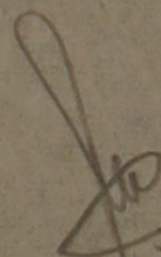
Mr. W.H.Ozard

J.M.Lomax

INOUE, Zennosuke.

I am in receipt of your letter of 20th instant, in which you advise that Mr. Inoue has arranged a sale of 10 acres of his property, and wish to know what action is being taken to hasten the reinstatement of this account.

In reply I wish to advise that I am instructing Treasury today to take the necessary action, and presume we will receive submission from you with regard to the above sale in due course.


For-A/General Superintendent,
Farms Division.

JML/MKG

COPY.

P.C.172/2540

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 18th May, 1949.

VETERANS AFFAIRS

The Board recommend that authority be granted to credit the account of Zennosuke Inouye, a soldier settler, in the amount of \$23.05, representing the difference between the amount of rentals, \$1,306.00, collected during the period that this settler was absent from his farm as a result of the Custodian of Enemy Property having taken over the farm at the time that all members of the Japanese race were evacuated from the protected areas of British Columbia, and the amount of taxes and insurance, \$1,282.95, paid from the Administration Vote during this same period, chargeable to the current Administration Vote.

(sgd) N.A. Robertson

Clerk of the Privy Council

The Honourable
the Minister of Veterans Affairs.

A/District Superintendent - Vancouver.

H.O., Ottawa,

February 15,

49.

Mr. W.C. Miller

A. Jamieson.

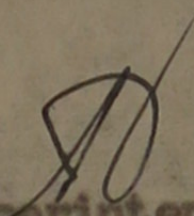
INOUE, Zennosuke

In reply to your memo of 8th instant, this will authorize you to advise the former soldier settler, Zennosuke Inoue that the indebtedness against the property with interest to October 1st, 1948, is \$2184.26, less \$71 received in rentals since that date.

From the statement received from the Custodian, it is noted that he has a credit balance of \$1452.03 which will be paid over on the order of the settler. As stated in your letter, it will be necessary, therefore, for Inoue to pay \$537.22 to recoup the Director, Veterans' Land Act.

Will you please keep us advised as to the progress and developments in this case.

AJ/VP


Superintendent
Secretarial Section.

District Superintendent - VANCOUVER.

H.O., Ottawa,
January 22,

49.

INOUE, Zenosuke

A. Jamieson.

Since receiving your letter of December 24th, a considerable amount of work has been done by Treasury Branch in recasting the account of this former Japanese soldier settler. A copy of a memorandum sent to me by the Chief Treasury Officer, dated January 19th, 1949, is attached. From the statement of the account given therein you will note that the total debt is \$2,184.26 at October 1st, 1948, including arrears of \$664.10. You will also note that the sum of \$1,989.25 is to be recovered from the Custodian of Enemy Properties.


Before proceeding to obtain Treasury Board authority or Order-in-Council, it is considered advisable to find out from you if Mr. Inoue has returned to the property or made any direct representations to you about obtaining possession. The letter addressed to him on December 20th by Mr. C.V. Booth of the Japanese Division, Department of Labour, enclosed a permit covering his return to the Coastal Area of British Columbia.

You might also ask the office of the Custodian if there will be any difficulty about the refund of \$1,989.25 to the Director, Veterans' Land Act. Perhaps you might let the appropriate official know of our intention to secure requisite authority from Treasury Board.

It is of some importance that an attempt be made to find out what the intentions of Mr. Inoue may be with regard to the property. If he intends to take up residence, then we will proceed to take title again in the name of the Director, Soldier Settlement. On the other hand, if it is his intention to dispose of the property, then there is a possibility that the transfer might very well be made direct to the purchaser from the Director, Veterans' Land Act, in whose name it now stands.

Will you please let the Director have the benefit of your opinion and advice on the points mentioned above.

Encl.
AJ/VP


Superintendent
Secretarial Section.

INTER-DEPARTMENT
CORRESPONDENCE

VETERANS' LAND ACT ADMINISTRATION
DEPARTMENT OF VETERANS AFFAIRS

YOUR FILE NO.

PLEASE QUOTE **V-8-12.**

TO **A/District Superintendent - VANCOUVER.**

H.O., Ottawa,

December 13, **1948.**

For attention of **W.C. Miller**

Mark Your Reply For

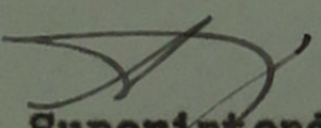
SUBJECT **Japanese Lands.**

A.Jamieson.

Attached is a copy of a letter sent out in the early days of December over the signature of the Minister to Justice Bird on the Japanese question. This copy is sent to complete your file.

When forwarding the information requested in my letter of November 26th last, will you please advise at the same time if you have had any discussion with officials of the Custodian about refunding the amount paid to him on account of the Inouye property.

Encl.


Superintendent
Secretarial Section.

Copy made for Director.

Files: BC-530-P
V-8-12.

SOLDIER SETTLEMENT AND VETERANS' LAND ACT
DEPARTMENT OF VETERANS AFFAIRS

Memorandum:

November 30, 1948.

Deputy Minister.

As requested in your memorandum of
November 25th, attached is draft reply to
Honourable Justice Bird, for the Minister's
signature.

T. J. Rutherford
T. J. Rutherford,
Director.

Copy to be returned to Soldier Settlement & V.L.A.

Files: BC-530-P
V-8-18.

Vancouver, December , 1948.

Dear Justice Bird,-

In reply to your further letter of November 28th, I may tell you that I would prefer to proceed with the one case in the first instance, namely that of Sennosuke Inaya, before considering any further commitments.

There are quite a number of technicalities to be considered before the account of this former soldier settler can be reinstated. For example, the whole transaction will require formal approval of the Governor General in Council to provide for the return of the purchase money paid to the Custodian; to the Director, Soldier Settlement; and to provide for the application of rental monies from consolidated revenue to the credit of the account, subject to provision for taxes.

After arrangements have been concluded satisfactorily in this one case, I shall be glad to proceed on your recommendation with disposition of the others depending, of course, upon the relative circumstances at that time.

Yours sincerely,

The Honourable Justice H.I. Bird, (Milton F. Gregg).
District Court of Appeal,
Court House,
Vancouver, B.C.

Dictated by: A.Jamieson/VP

Copies made for: Director.
District Superintendent, Vancouver.
Minister's Office.
Deputy Minister's Office.

Files: BC-530-P
V-6-12.

Ottawa, December , 1949.

Dear Justice Bird,-

In reply to your further letter of November 22nd, I may tell you that I would prefer to proceed with the one case in the first instance, namely that of Teenosuke Inouye, before considering any further commitments.

There are quite a number of technicalities to be considered before the account of this former soldier settler can be reinstated. For example, the whole transaction will require formal approval of the Governor General in Council to provide for the return of the purchase money paid to the Custodian; to the Director, Soldier Settlement; and to provide for the application of rental monies from consolidated revenue to the credit of the account, subject to provision for taxes.

After arrangements have been concluded satisfactorily in this one case, I shall be glad to proceed on your recommendation with disposition of the others depending, of course, upon the relative circumstances at that time.

Yours sincerely,

The Honourable Justice H.I. Bird, (Milton F. Gregg).
District Court of Appeal,
Court House,
Vancouver, B.C.

Dictated by: A.Jamieson/VP

Copy made for Director.
Copy made for file BC-530-P.

File: V-8-12.

MEMORANDUM:-

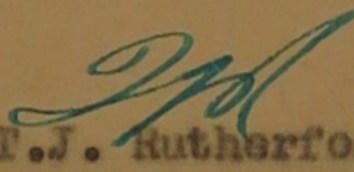
November 26, 1948.

Deputy Minister.

This will acknowledge your memorandum of 22nd instant, advising that the Minister has concurred in the recommendation to proceed with the reinstatement of a former Japanese soldier settler, Inouye Zennosuke.

Appropriate instructions have gone forward to the Acting District Superintendent at Vancouver and in due course, when the full particulars are known, the required submission to Council will be prepared.

Dictated by: A. Jamieson/VP


T.J. Rutherford,
Director.

AY

INTER-DEPARTMENT
CORRESPONDENCE

VETERANS' LAND ACT ADMINISTRATION
DEPARTMENT OF VETERANS AFFAIRS

H.O., Ottawa,

November 26, 1948.

TO

District Superintendent - VANCOUVER.

MARK YOUR REPLY:

For attention of

Mr. W.C. Miller

For attention of

A. Jamieson

SUBJECT

Inouye Zennosuke.

File: V-8-12
BC-530-P.

This will acknowledge with thanks your memo of 18th instant, referring to previous correspondence about the above-named former Japanese soldier settler. As you state, the Minister is interested in seeing that the reinstatement proceedings are handled promptly.

Under date of November 10th a memorandum over the signature of the Deputy Minister was sent to the Minister and on the 22nd instant the Deputy Minister advised that the Minister concurred in the recommendations and instructed that the necessary action be taken. A copy of the memorandum of November 10th is attached, from which you will note that the plan is to proceed immediately with the case of Inouye Zennosuke only.

There are a considerable number of details to be worked out which may take some time, but in so far as is possible reinstatement will be dealt with expeditiously. In the first place, it will be necessary to obtain the approval of the Governor General in Council to the whole transaction in general and, in particular, to reversing the application of the various sums of money involved, including rentals. This has been discussed with the Chief Treasury Officer and the following figures are quoted:-

1. Refund from the Custodian	\$1,989.25 ✓
2. Refund from Director, Soldier Settlement	1,738.56 ✓
3. Charge to soldier settler's account for taxes	180.19
Total	<u>\$3,908.00</u>

Rents collected, less taxes paid while the property was held as a project, will be credited to the reinstated account of the soldier settler. Here again, a special Order-in-Council may be required to obtain this money, which has been credited to the Consolidated Revenue Fund in previous fiscal years. With regard to rents and taxes, will you please furnish a


(2)

(2)

statement as to the exact amounts. When these amounts are known, the account will be recast here and steps taken to secure the required Orders-in-Council.

With regard to the property itself, it is not anticipated that there will be any difficulty in securing possession if this is what Mr. Inouye wants. It may be that his main concern is to have the account reinstated so that he can dispose of the property.

Needless to say, care must be taken in the handling of the whole case, but it is assumed that you will keep in close consultation with His Honour Chief Justice Bird and with Mr. J.F. MacKinnon of the Department of Labour, when you make known to them the decision that has been reached by the Minister.


Superintendent
Secretarial Section.

Encl.

AJ/VP

cc: Chief Treasury Officer.

DEPARTMENT OF VETERANS AFFAIRS
DEPUTY MINISTER'S OFFICE

Memorandum:

November 22, 1948.

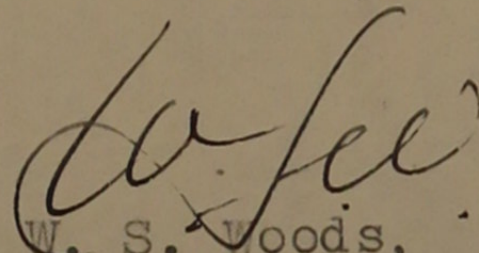
Mr. T. J. Rutherford,
Director, Veterans' Land Act

Will you please refer to the memorandum of November 10 to the Minister, which you drafted for my signature, concerning the return of the Inouye Zennosuke property. You will recall that Mr. Justice Bird recommended the return of this property to the veteran.

The Minister has appended as a footnote on the memorandum -

"I concur. Please take the necessary action. M.F.G."

Will you please accept this as his authority to proceed accordingly.


W. S. Woods,
Deputy Minister.

WSW: b

INTER-DEPARTMENT
CORRESPONDENCE

VETERANS' LAND ACT ADMINISTRATION
DEPARTMENT OF VETERANS AFFAIRS

SL-1
10-8-48
YOUR FILE NO.-----

PLEASE QUOTE BC/530-P-----

TO The Director,
Ottawa.

D.O., Vancouver

November 18, 1948

For attention of Mr. S. H. Radford

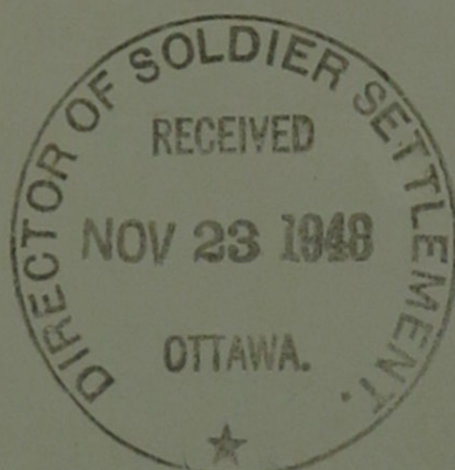
Mark Your Reply For

SUBJECT INOUE, Zennosuke

ATTACH and RETURN
TO SL-2

With reference to my letter to you of October 25, 1948, this file has come up for review. I have noted the copy of the Director's memo to the Deputy Minister on the above Japanese Soldier Settler and I have also been in conversation over the telephone with Mr. Justice Bird who informs me that although he wrote to the Minister some days ago submitting his recommendations, so far he has had no reply. In view of the Director's letter, paragraph 2, of September 24th wherein he states the Minister does not wish this matter to drag on indefinitely, I was wondering if there are any new developments regarding this case.

WCM:MN



W. Clinton Miller
(W. Clinton Miller)
A/District Superintendent

Copy made for Director.

File: V-8-12.

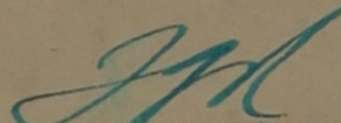
SOLDIER SETTLEMENT AND VETERANS' LAND ACT
OFFICE OF THE DIRECTOR

November 10, 1948.

MEMO

Deputy Minister.

As requested in your memorandum of November 1st, a report to the Minister for your signature is attached, in connection with the proposed return of Japanese veterans to their former holdings in British Columbia.


T.J. Rutherford,
Director.

November 10, 1948.

MEMORANDUM:-

The Minister.

After careful consideration of the letter addressed to you by the Honourable Justice Bird and previous correspondence and records on the subject of permitting Japanese veterans to return to the lands they formerly occupied in the protected area of British Columbia, I would recommend concurrence in the view expressed by Justice Bird, the Chairman of the Royal Commission appointed to investigate Japanese claims. His recommendation is a change in policy applicable only to Japanese veterans, to provide for re-transfer of the title of such lands to the veteran, that is to say, to replace him in the position which he occupied as at the date of sale to the Veterans' Land Act administration. This recommendation is concurred in by the Acting District Superintendent, Vancouver, and by the Director. If this policy is adopted, Mr. J.F. MacKinnon, Commissioner in charge of Japanese Placements, Department of Labour, is prepared to issue permits to such veterans and their families, for which he has the requisite authority under Order-in-Council.

In addition to the three soldier settlers, veterans of War I, namely, Seichi Kinoshita, Zennosuke Inouye and George Yasuzo Shoji, and Tom Imada, a veteran of War II, there is record of two other veterans of the second war, namely, Shoi Gura, whose land is described as $\frac{1}{2}$ of Lot 2 of $\frac{1}{2}$ of Lot 263, Gp.1, Map 1061, Maple Ridge, and Goro Suzuki, whose land was Lot 8 of N.E. $\frac{1}{4}$, Sec. 36, Tp.4, Map 1166, Delta.

In each instance the land holdings are rented on a monthly basis and arrangements will therefore have to be made for possession at the appropriate time. With the exception of Inouye Zennosuke, there is little or no record of pressure from the other veterans concerned to return to their former holdings. In the case of Inouye Zennosuke, however, there have been, as you are aware, many representations on his behalf, as well as correspondence he has addressed personally to officials of the Department, all to the end that he be allowed to return to his former holding. In the spring of 1939, this man was reported to be 55 years of age, married, with his wife 40 years old and with three sons and two daughters, then aged 17, 15, 13, 11 and 9, respectively. His latest known address is Box 1636, Vernon, B.C.

As a test case, I would recommend for your concurrence that immediate steps be taken by the Director, the Veterans' Land Act, to provide

(2)

for the return of Inouye Zensuke to his property, including the necessary legal steps to replace him in the position which he occupied as a former soldier settler at the date of sale of the property to the Veterans' Land Act administration, and that arrangements be made with Mr. MacKinnon to issue the required permit or permits. This is in accordance with the recommendation of Justice Bird, although restricted to the one family at the present time. I suggest that the other Japanese veterans might very well be dealt with at a later date, after the details have been worked out in this case, and seeing that there is apparently no insistence on their part for reinstatement.

Dictated by: A.Jamieson/VP

W.S. Woods,
Deputy Minister.

Copy made for Director.

File: V-8-12.

" " " Deputy Minister.

" " " Minister.

" " " District Superintendent - VANCOUVER.

MEMORANDUM:-

November 10, 1948.

The Minister.

After careful consideration of the letter addressed to you by the Honourable Justice Bird and previous correspondence and records on the subject of permitting Japanese veterans to return to the lands they formerly occupied in the protected area of British Columbia, I would recommend concurrence in the view expressed by Justice Bird, the Chairman of the Royal Commission appointed to investigate Japanese claims. His recommendation is a change in policy applicable only to Japanese veterans, to provide for re-transfer of the title of such lands to the veteran, that is to say, to replace him in the position which he occupied as at the date of sale to the Veterans' Land Act administration. This recommendation is concurred in by the Acting District Superintendent, Vancouver, and by the Director. If this policy is adopted, Mr. J.F. MacKinnon, Commissioner in charge of Japanese Placements, Department of Labour, is prepared to issue permits to such veterans and their families, for which he has the requisite authority under Order-in-Council.

In addition to the three soldier settlers, veterans of War I, namely, Seichi Kinoshita, Sennosuke Inouye and George Yasuo Shoji, and Tom Ikeda, a veteran of War II, there is record of two other veterans of the second war, namely, Shoi Gura, whose land is described as R₂ of Lot 2 of S₂ of Lot 263, Sp.1, Map 1051, Maple Ridge, and Goro Suzuki, whose land was Lot 8 of N.E.1, Sec. 36, Tp.4, Map 1186, Delta.

In each instance the land holdings are rented on a monthly basis and arrangements will therefore have to be made for possession at the appropriate time. With the exception of Inouye Sennosuke, there is little or no record of pressure from the other veterans concerned to return to their former holdings. In the case of Inouye Sennosuke, however, there have been, as you are aware, many representations on his behalf, as well as correspondence he has addressed personally to officials of the Department, all to the end that he be allowed to return to his former holding. In the spring of 1939, this man was reported to be 56 years of age, married, with his wife 40 years old and with three sons and two daughters, then aged 17, 15, 13, 11 and 9, respectively. His latest known address is Box 1636, Vernon, B.C.

As a test case, I would recommend for your concurrence that immediate steps be taken by the Director, the Veterans' Land Act, to provide

(2)

(2)

for the return of Inouye Zennosuke to his property, including the necessary legal steps to replace him in the position which he occupied as a former soldier settler at the date of sale of the property to the Veterans' Land Act administration, and that arrangements be made with Mr. MacEwan to issue the required permit or permits. This is in accordance with the recommendation of Justice Bird, although restricted to the one family at the present time. I suggest that the other Japanese veterans might very well be dealt with at a later date, after the details have been worked out in this case, and seeing that there is apparently no insistence on their part for reinstatement.

Dictated by: A.Jamieson/VP

W.S. Woods,
Deputy Minister.

A.J.

mfg/mcb
DEPARTMENT OF VETERANS AFFAIRS
MINISTER'S OFFICE

Memorandum:

Ottawa, November 1, 1948.

Deputy Minister.

For comment and whatever action is indicated.

If these are to be cleared up I think we
might write to Mr. Morrow, Mayor of Vernon, who was interested
in Inonye.

M.F.G.

COURT OF APPEAL

Law Courts,
Victoria, B.C.,
23rd Oct. 1948.

The Honourable Milton F. Gregg,
Minister of Veterans Affairs,
Ottawa, Canada.

Dear Mr. Minister:

Since receipt of yours of the 22nd ult. I have had discussions with J.F. MacKinnon, Commissioner in charge of Japanese Placements, Department of Labour, as well as with Miller the Local Director, Soldier Settlement Board.

Miller tells me that he anticipates no difficulty in restoring to the former Japanese veteran owner the farm lands from which he was evacuated in 1942, which lands were subsequently sold to the Director, Veterans' Land Act Administration. He tells me that such lands, formerly the property of veterans both of War 1 and War 2, have been retained by the Director V.L.A. Consequently it is possible to restore the status quo as at the time of evacuation.

The only difficulty which may stand in the way of such transactions lies in the fact that some of these Japanese veterans may not have the money to finance themselves on their former lands until such time as income can be derived from them. Miller and I are of opinion that this difficulty is not insurmountable, by reason of the fact that most, if not all of these properties, will have increased substantially in market value due to the rise in farm land prices, which has occurred over the past five years. Consequently if the Japanese veteran is unable to finance his future farming operations, he should be able to sell the land to advantage.

In view of the foregoing I would recommend a change in policy applicable only to Japanese veterans, to provide for re-transfer of the title of such lands to the veteran, that is to say, replace him in the position which he occupied as at the date of sale to the V.L.A. Administration. Mr. Miller concurs in this recommendation.

Mr. MacKinnon advises that if the proposed change in policy is made he will issue a permit or permits to such veterans and their families to reside in the protected area of British Columbia from which the veteran was evacuated. He tells me he now has authority to issue such permits.

I am enclosing herewith a memorandum showing the name of each veteran, with a description of his real property, sold to the V.L.A.

I would appreciate your comment on the recommendation so made.

Yours sincerely,

(sgd) H.I. Bird

MEMORANDUM

KINOSHITA Seichi - Veteran War 1. (Case #524 Lethbridge)

FARM - Lot 1 of S/D. of
S.1/2 of S.E. 1/4 of Sec.35,
Tp. 10, Langley.

INOUE Zennosuke - Veteran War 1. (Case #142 Vernon)

FARM - near Kennedy B.C.
S. 1/2 of N.W. 1/4 Sec. 32,
Tp.2, District of
New Westminster.

SHOJI George Yasuzo -

Veteran War 1. Claim at Toronto for hearing.
Realty #3,735.72
Personalty \$989.30.

IMADA Tom

- Veteran War 2. BUSH LAND near Haney B.C.
S.1/2 of S.W. 1/4 Sec. 26,
Tp. 12, except parcel 1.446 ac.
shewn on plan 8314.
Lands contain 78.55 acres.

KINOSHITA and IMADA have accepted payment of the
proceeds of sale of their lands to the V.L.A.

INOUE AND SHOJI have declined payment of the
selling price of their lands after deduction therefrom of
the amount of encumbrances. These credits are held by
the Custodian.

(H.I.B.)

File: BG/530-P.

Copy for file V-8-12.

Copy sent District Superintendent, Vancouver.
Copy passed to Director.

October 29, 1943.

MEMORANDUM:-

Deputy Minister.

Re: Inouye, Zenosuke.

I refer to your memorandum of the 21st ultimo, with respect to the above-named former soldier settler, concerning whom Mr. Justice Bird made representations to our Minister on July 23rd last.

Attached for your information is copy of a further report received from Mr. Miller, Acting District Superintendent at Vancouver.

T.J. Rutherford,
Director.

Encl.

Dictated by: S.H.Radford/VP

File BG/550-P

Ottawa, October 13, 1948.

Memorandum:

Deputy Minister

Re: Inouye, Kennosuke

With reference to the representations made by Mr. Justice Bird on behalf of the above-named Canadian Japanese veteran of World War I, and your memorandum of the 21st ultimo, attached for your information is copy of interim report received from the A/District Superintendent at Vancouver.

In view of Mr. Miller's remarks relative to policy respecting the resale of the farm to Mr. Inouye, I am forwarding to him copy of Mr. Murchison's memorandum of March 13, 1947, to the former Minister. It is felt the information contained in this memorandum will give the A/District Superintendent a review of the background of policy with respect to Japanese veterans.

Encl.

T. J. Rutherford
Director

Dictated by S. H. Radford-J

A/District Superintendent,
Vancouver, B. C.

Mr. W. C. Miller

Inouye, Zennosuke

Ottawa, Ontario,
October 18, 48.

S. H. Radford

BC/530-P

I have your letter of the 13th instant and note that you have had a preliminary discussion with Mr. Justice Bird regarding the above-named veteran.

It is noted from the third paragraph of your letter you mention that under present regulations and policy it is not possible to resell the farm to this veteran. In the Director's memorandum of August 16 last to Mr. Macbeth, copy of which was furnished you, it was stated that provided it is decided to return properties of Japanese veterans to them, either for occupation or resale, no difficulty was anticipated in retracing the steps by which the lands were acquired by the Director. It is possible you have overlooked this point. In this connection I am enclosing, for your information, copy of the Director's memorandum to the Minister of March 18, 1947, which outlines the policy in this regard.

Encl.

SHR/IJ.

Superintendent
Secretarial Section

INTER-DEPARTMENT
CORRESPONDENCE

VETERANS' LAND ACT ADMINISTRATION
DEPARTMENT OF VETERANS AFFAIRS

C O P Y

D. O., Vancouver,

October 13, 1948.

TO The Director,
Ottawa.

MARK YOUR REPLY:

For attention of Mr. S. H. Radford

For attention of

SUBJECT INOUE, Zennosuke

File: BC/530-P

In reply to your letter of September 24, 1948, I would advise I have not been able to contact Mr. Justice Bird until this morning due to the fact that he has been out of town.

In my interview with Mr. Justice Bird he told me he had not written to the Minister because he was not in possession of all the facts pertaining to this case and was delaying his reply until such time as he could make definite recommendations. He further advised that this veteran of World War I was not prepared to accept the price paid by the Director, The Veterans' Land Act, on August 21, 1944, namely \$3,908.00, and this will be one of the claims coming before the present Commission.

Mr. Justice Bird informed me the prohibition of Japanese from the B.C. Coastal area will definitely end on March 31, 1949, and will not be renewed. In the meantime he anticipates it will be a further six months before all claims by Japanese have been heard. He is also not sure just how Mr. Inoue will be able to get his farm back from the Director, The Veterans' Land Act, as under the present regulations and policy of V.L.A. it is not possible to resell the farm to him. Mr. Justice Bird feels some way will have to be found to get around these regulations.

He was unable to give me further information, but he did advise that as soon as he was in possession of all facts pertaining not only to this particular veteran, but to other veterans of both World War I and World War II he would arrange a meeting of Mr. J.F. MacKinnon, Commissioner in charge of Japanese Placements, Department of Labour, himself, and the writer and we would go into the whole matter after which a recommendation would be submitted to our Minister for his consideration. Just how long it will be before this meeting takes place I am unable to say, but it will likely not be until well into the new year.

I regret I am unable to give you further information in this regard and this can only be taken as an interim report.

(SGD) W. Clinton Miller

(W. Clinton Miller)
A/District Superintendent

WCM:MN

A/District Superintendent,
Vancouver, B.C.

Mr. W. C. Miller

Inouye, Zenosuke

Ottawa, Ontario,

September 24,

48.

S. H. Radford

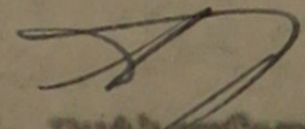
BC/580-9

Attached is copy of a letter dated July 23rd addressed to the Minister by the Honourable Justice H. I. Bird of the Court of Appeal of British Columbia, in which he makes representations on behalf of Mr. Zenosuke Inouye, a former soldier settler whose property was taken over by the Custodian of Enemy Property at the time of the evacuation of members of the Japanese race from the protective areas of British Columbia. Attached also is copy of my memorandum to the Minister of the 16th ultimo.

The Minister agrees that the present situation with respect to Japanese veterans should not be allowed to drag on indefinitely, and concurs in my suggestion that the matter be discussed by Mr. Justice Bird with Mr. J. F. MacKinnon, Commissioner in Charge of Japanese Placements, Department of Labour, with a view to making a joint submission to our Minister. The Minister does not say that he has replied to Mr. Justice Bird, but it may be assumed that he has. Will you, however, please discuss this matter with Mr. Justice Bird having in mind the submission of an appropriate recommendation.

You will recall that on March 15th last there was a discussion in the House regarding the Japanese question and it might be desirable to again peruse this debate commencing with the remarks of the Minister of Labour on page 2226.

Encls.


T. J. Rutharford
Director

Dictated by S. H. Radford-J

Copy sent Director

Files BC/530P

V- 8-12

, August 16, 1948.

Memorandum:

Mr. J. D. Macbeth

Re: Zenosuke Inouye

Consideration has been given to your memorandum of the 4th instant enclosing letter received by the Minister from the Honourable Mr. Justice H. I. Bird of the Court of Appeal of British Columbia in which he refers to the claim of the above-named for the return of the property at one time held by him as a settler under The Soldier Settlement Act.

It is noted that you have perused Mr. Murchison's memorandum to the Minister of March 13, 1947, which outlined our position with respect to this veteran and also two others who were relieved of their properties at the time all members of the Japanese race were evacuated from the protected areas of British Columbia during World War II. As pointed out by Mr. Murchison, the properties of these veterans of World War I, together with the properties of the two veterans of World War II, are withheld from sale pending the clarification of the status of these individuals.

The case of Z. Inouye has been the subject of considerable correspondence from time to time and the substance of our reply has been an assurance to the veteran that no action would be taken to dispose of the property in which he is interested until his status has been clarified. In June, 1946, Mr. Inouye appealed to the Department of Labour, at which time the Deputy Minister stated the Department was prepared to consider the issuance of a license under the provisions of Order in Council P.C. 5973, dated September 14, 1945, to enable Mr. Inouye to become re-established on the property he acquired under The Soldier Settlement Act. However, the former Minister, Mr. Ian Mackenzie, was opposed to the return to the Fraser Valley of any members of the Japanese race.

It is evident from the file record that the present situation should not be allowed to drag on indefinitely and that a policy should be established with respect to the lands of Soldier Settlers taken over by the Custodian of Enemy Property and later acquired by the Director, The Veterans' Land Act. Policy with respect to the lands of the two veterans who enlisted in World War II might also be decided at this time. A careful account has been kept of all revenue received in connection with

- Soldier -

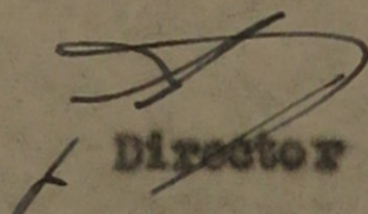
Soldier Settlement properties and provided it is decided to return their properties to them either for occupation or resale, no difficulty is anticipated in retracing the steps by which the lands were acquired by the Director, The Veterans' Land Act.

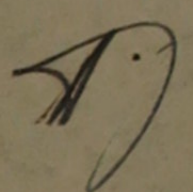
I have endeavoured to discuss this matter in general with officers of the Custodian of Enemy Property familiar with the situation, namely, Messrs. G. W. McPherson and K. W. Wright, neither of whom were available. It would seem, however, that there is sufficient authority under P.C. 5973 for the Minister of Labour to deal with the veterans, provided the proper recommendations are made in their behalf. I have been in touch by telephone with Mr. MacNamara and he has informed me that since consultation with Mr. Ian Mackenzie, the former Minister, no members of the Japanese race have been permitted to return to properties held by them in the restricted areas of British Columbia. Before proceeding further in the matter it might be desirable that Mr. Justice Bird discuss this matter with Mr. J. F. MacKinnon, Commissioner in Charge of Japanese Placements, Department of Labour, for the purpose of making a joint submission to the Minister of Veterans Affairs.

Attached is copy of P.C. 5973 referred to above, also letter from the Deputy Minister of Labour, dated June 14, 1946, and memorandum from the Office of the Minister of Veterans Affairs, dated June 25, 1946.

The correspondence forwarded with your memorandum of the 4th instant is returned herewith.

Encls.


Director

 Dictated by S. H. Radford-J

Copy IJ.

July 23 48

Court of Appeal

Law Courts
Vancouver

Minister of Veteran's Affairs,
Ottawa, Ont.

Dear Mr. Gregg,

Some claims have been presented to me as Commissioner investigating Japanese property claims of which I think you should be informed.

Zenousuke Inouye, a Canadian Japanese Veteran of War I, was compulsorily evacuated from his Surrey farm along with all other persons of Japanese origin resident in B.C.

Subsequently the farm was sold to the V.L.A administration - and I was told is now held by the V.L.A.

This land was taken up by Inouye, soon after War I, under the Soldier's Settlement Act. He had served from 1916 with the 52nd Bn. under Lt Col. (now Maj. Gen) W. W. Foster D.S.O, and was wounded with that unit in the Somme fighting in 1917. It occurred to me that special consideration might be given to his case, and I have so reported to Colin Gibson, Secty of State - Inouye expressed to me a preference to have his property restored to him - a solution which though possible, since V.L.A. have not resold it, may not be practicable in view of the fact that the property probably cannot be re-conveyed to him in the condition in which it was upon his evacuation. Col. Gibson suggested that I might write you in regard to this and other claims by veterans.

The only other such claim of which I now have notice - is that of Toshio Imada who served in this war with other Japanese Canadians who volunteered to serve in the South Pacific. He was sent to the Pacific with the Canadian Intelligence Corps, but I believe did not arrive in time to see active service.

Imada, was one of two or three joint owners of 78.55 acres near Haney, B.C. being the S. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ of Sec. 26 Tp 12 x pt 1.446 ac. shown on Plan 8314.

Will you kindly advise me whether there is any possibility that special consideration will be given to such claims of war veterans - particularly of Inouye - and other veteran's of War I, of whom I'm told there are some, whose claims have not yet been heard.

Yours very truly,

(Sgd.) H. I. Bird

Mr. Justice H.I. Bird
Court House
Vancouver, B.C.

ver/

Z. Inouye

Reg. No. 229458

B C M R -

Posted to PPCL.I. Sept. 21/16

S.O S. - To 52nd Bn. Oct 4 1916

September 19, 1946.

MEMORANDUM:

MISS JOAN B. KENNEDY

Re: S. M. Omura.

Upon receipt of your memorandum of the 9th instant, regarding the allegation of the above noted Japanese, the District Superintendent at Vancouver, was communicated with and I am now in receipt of his reply in which he states that he has not spoken to any person of the Japanese race since they were removed from the protected area of British Columbia. He further states that he has been unable to contact any one in the organization who has knowledge of the alleged interview.

The property to which you refer was withheld from sale last November as has the properties formerly occupied by three settlers established under The Soldier Settlement Act, 1919, final disposition not to be made until Omura's status as a member of the Japanese race had been clarified. Mr. Omura is one of a number of Japanese who enlisted in the Canadian Army during the last war and served with a unit known as the Security Intelligence Department. At the time of the Japanese evacuation from British Columbia he was a student at the Toronto University.

The Minister's views with respect to the possible return of these Japanese to their former properties in British Columbia, is contained in his personal and confidential memorandum of the 20th of May last, and Miss Dixon's subsequent memorandum of the 25th of June.

Director.

SER/DH



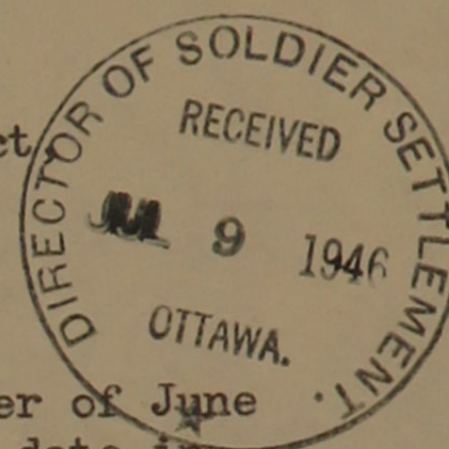
SOLDIER SETTLEMENT AND VETERANS' LAND ACT

8-6
YOUR FILE NO.

PLEASE QUOTE Gen. 5

VANCOUVER - July 3, 1946.

G. Murchison, Esq.,
Director of Soldier Settlement and Veterans' Land Act
O t t a w a.



I have for acknowledgment your letter of June 27th in which you advise that there is no change to date in the status of Japanese soldier settlers whose properties lie within the protected area on the Pacific Coast.

A handwritten signature in cursive script, appearing to read "I.T. Barnet".

(I.T. Barnet)
District Superintendent.

ITB:B

LEMENT AND VETERANS' LAND ACT
OFFICE OF THE DIRECTOR

June 27, 1946

Nixon

The attached copy of letter
for information of the Minister.

Original signed by
G. MURCHISON
DIRECTOR

June 27, 1946

I.T. Barnet Esq.,
District Superintendent,
VANCOUVER, B.C.

Dear Mr. Barnet,

An understanding has existed for some time that the properties formerly occupied by certain Japanese Soldier Settlers in the Fraser Valley would not be restored to them until their status as members of the Japanese race in Canada had been determined by the appropriate authorities.

I am sending you this letter to advise that the situation has been under recent review and that, without specific instructions from Ottawa, there is no change in the situation which has existed for some time.

Yours very truly,

Original signed by
G. MURCHISON

GM/E
cc Mr. Mackenzie

Director

BC 530P
8-6

July 30, 1946

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

Dear Mr. MacNamara: Re: Zennozuke Inouye

Replying to your recent letters regarding the above named veteran of World War I, I am advised by my Minister that he is opposed to re-consideration of the re-instatement of Japanese Soldier Settlers in the Fraser Valley.

Yours very truly,

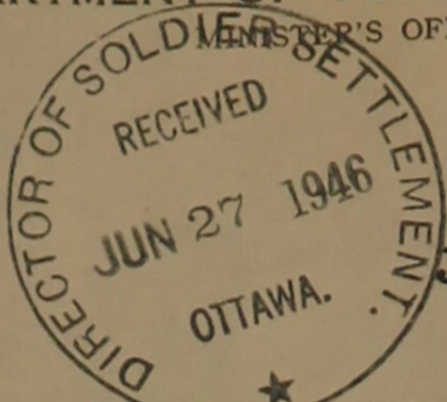
Original signed by
G. MURCHISON

Director

GM/E

DEPARTMENT OF VETERANS AFFAIRS
MINISTER'S OFFICE

Memorandum:



8-6
June 25, 1946.

Mr. Gordon W. Murchison,
Director, Soldier Settlement and V.L.A.

With reference to your memorandum of the 18th instant - your file BC - 530P - 8-6, together with copies of correspondence from the Deputy Minister of Labour, relating to reinstatement of Japanese soldier settlers in the Fraser Valley, the Minister's comment is -

"No.

I.A.M."

C. J. M.

Private Secretary.

dj

BC - 530P
8-6

June 18, 1946

Memorandum to the Minister

Attached hereto for your information are copies of letter to Dr. A. MacNamara, Deputy Minister of Labor of June 6, his reply of June 14, and my reply to him of today's date.

I should appreciate advice from you at your earliest convenience if re-instatement of Japanese Soldier Settlers in the Fraser Valley is to be reconsidered.

GM/E

Original signed by
G. MURCHISON

Director

June 18, 1946

Dr. A. Mac Namara,
Deputy Minister,
Department of Labour,
OTTAWA, Canada

Dear Dr. MacNamara,

Re: Files BC/530 - P,
8 - 6
1 - 1006

I agree fully with the comments contained in your letter of the 14th but, as stated in my letter of the 6th, I am under instructions from my Minister to take no action on any application for re-instatement of Japanese in British Columbia under the Soldier Settlement Act without reference to him.

Your letter of the 14th and copy of this reply is being passed on to the Minister for his consideration.

Yours faithfully,

GM/E

Original signed by
G. MURCHISON
Director

Copy 1J.

Deputy Minister
of Labour

Ottawa,
June 14, 1946.

Mr. G. Murchison,
Director, Soldier Settlement and Veterans' Land Act,
71 Bank Street,
O t t a w a

Re: Files BC/530-P
8-6
1-1006

Dear Mr. Murchison:

I have your letter of June 6th in reference to the case of
Zennoyuke Inouye.

The regulations presently in effect require any person of the
Japanese race to obtain a licence from the Minister of Labour as a condition
precedent to the purchase or acquisition of any interest in real property.
Our policy insofar as any Japanese who served in the Armed Forces of Canada
is concerned is to issue a licence for this purpose upon the request of
the veteran.

It would seem that the case for reinstatement of any Soldier
Settlement contract of any veteran of the last war of the Japanese race is
a very strong one. The Department of Labour suggests that the matter is one
upon which we would follow the advice of the Department of Veterans' Affairs.
If Veterans' Affairs say this man should be re-established as a "Soldier
Settler" the Department of Labour would issue the licence. If he is to
be considered as a "Soldier Settlement" case, it would seem that the
arrangements in regard to resettling him on his old farm could be worked out.

The first thing that seems to require to be established is
whether or not the Department of Veterans' Affairs under the circumstances
recognizes this man as having soldier's settlement privileges. It seems
to me that he has a very strong case.

Yours very truly,

(Sgd.) A. MacNamara

A. MacNamara

June 6, 1946.

A. MacNamara, Esq.,
Deputy Minister,
Department of Labour,
Ottawa, Canada.

Dear Mr. MacNamara:

1. I have your letter of June 3rd enclosing copy of one addressed to you May 25th by Zennosuke Inouye of Box 1636, Vernon, B.C. The following particulars have been extracted from our files for this man.
2. Inouye is reported to have served in England and France in the First Great War with the 13th C.M.R., Regimental Number 228458. He was established in the Fall of 1919 under the provisions of the Soldier Settlement Act on an 80-acre parcel, the S. $\frac{1}{2}$ of the N.W. $\frac{1}{4}$, Sec. 32, Twp. 2, N.W.D., purchased on his behalf at a cost of \$3,200.00. Additional amounts of \$1,000.00 for buildings and other improvements and \$700.00 for Stock and Equipment were also made available.
3. His debt to the Director of Soldier Settlement as at April 17th, 1944, was \$1708.32. Inouye's property was one of those taken over by the Custodian when the Japanese were evacuated from the Coast areas and in turn disposed of to The Director, The Veterans' Land Act, for use in the establishment of returned men of the war just concluded. The purchase price fixed for this particular property in the Master Deed to The Director, The Veterans' Land Act, was \$3,908.00. This means that Inouye had an equity of approximately \$2,200.00 in the property.
4. As he states, he has written us on a number of occasions protesting the taking over of his property by the Custodian and the possibility of being permitted to resume occupation and active operation of the land. My replies

..... 2

consistently have been to the effect that pending clarification of his position as a member of the Japanese race, no action of any kind would be taken to dispose of the land which he formerly held. I last assured him to this effect on April 24th, 1946.

27
25
23
21
19
5.
In the Spring of 1939, this man was then described as 56 years of age, married, with his wife 40 years old, and with three sons aged 17, 15 and 13, and two daughters aged 11 and 9. In February, 1941, the Field Supervisor reported that the settler had three sons of working age, one home all the time and two still at high school.

6.
I take it from your letter that you have under consideration the question of issuing Inouye a licence to return to his property under the provisions of Order in Council P.C. 5973 of September 14th, 1945. Before I, as Director of the Veterans' Land Act, could agree to his resuming possession and operation of the property, appropriate arrangements would have to be made to refund the purchase price paid to the Custodian. Probably I should also mention that I have instructions from my Minister to take no action upon any application for reinstatement of a Japanese in British Columbia under the Soldier Settlement Act without reference to him.

Yours very truly,

Original signed by
G. MURCHISON

Director.

HRH:grh



SOLDIER SETTLEMENT AND VETERANS' LAND ACT

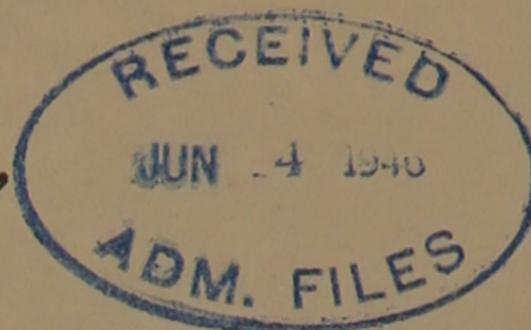
YOUR FILE NO. 8-6

PLEASE QUOTE

CONFIDENTIAL

VANCOUVER - May 28, 1946.

Gordon Murchison, Esq.,
Director of Soldier Settlement and Veterans' Land Act,
Ottawa.



Dear Sir:

I have for acknowledgment and thanks your letter of the 22nd instant in which you advise that the reinstatement of Japanese in British Columbia under the Soldier Settlement Act, or the establishment of any Japanese veteran under the Veterans' Land Act, must first receive the approval of our Minister.

If I may express a personal opinion I think this is a matter that can be well delayed until the whole problem of handling people of the Japanese race in this province has been finally considered by the Government.

Yours very truly,

A handwritten signature in dark ink, appearing to read "I.T. Barnet".

(I.T. Barnet)

District Superintendent.

A handwritten mark or signature in the left margin, possibly initials.

ITB:B

8-6

May 23, 1946

Memorandum to the Minister

I refer to your confidential memorandum of the 20th, with particular reference to the re-instatement of three Japanese settlers who were established under the Soldier Settlement Act of 1919. You ask to be advised as to the discretion vested in me with respect to such applications and on what grounds I could refuse them.

P.C. 5973 does not deprive a person of the Japanese race of capacity to hold land acquired or held by such person prior to February 24, 1942. This has particular significance in the case of the three Japanese Soldier Settlers referred to. The lands upon which they were established passed into the custody of the Official Custodian and thence to the Director the Veterans' Land Act. I have thus far declined to restore these lands to these Soldier Settlers until their status as members of the Japanese race is established. But since the date of P.C. 5973, namely, September 14, 1945, I cannot very well maintain this position if the settlers concerned invoke the rights which are theirs under the terms of this order, as it would seem to me that the terms of the order imply that the right of occupancy is recognized.

I have noted your request that no action be taken upon any application for re-instatement of Japanese in B.C. without reference to you.

WKC
Original signed by
G. MURCHISON

GM/E

See file
8-6
Original signed by
G. MURCHISON
Director

October 7, 1944.

Z. Inouye, Esq.,
Kaslo, B. C.

Dear Sir:

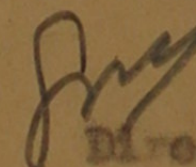
Re S. 1 of H.W. 1 Sec. 32, Twp. 2, N.W.D.

I have your letter of September 29th protesting against the transfer of the above described land by the Custodian of Enemy Property to The Director, The Veterans' Land Act.

I wrote you on September 13th, 1943, advising it was expected that this property, which you had occupied under contract with the Director of Soldier Settlement, would be transferred by the Custodian to The Director, The Veterans' Land Act, and that there was no intention of disposing of this land to any other party for the time being at least. Since then the anticipated transfer has been made and title now stands in The Director, The Veterans' Land Act.

The only reply I am prepared to make to the protest you now file is that pending clarification of your position as a member of the Japanese race The Director, The Veterans' Land Act still proposes to retain title to this land.

Yours truly,


Director

COPY

Kaslo, B.C.
September 29th, 1944.

Director of Veterans Land Act,
Ottawa.

Dear Sir:

Re My farmland which is described as
S $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec.32, Tp.2 Dist. N.W.
and in the Municipality of Surrey

I am informed by the Custodian that the above property has been transferred by the Custodian of the Department of the Secretary of State to you.

This transaction has been completed against my will, and I have never given the custodian any consent for the sale nor have I been consulted by the Custodian of this transfer until the transfer was completed.

I understand that you are acquiring Japanese owned farmland in the Fraser Valley for the purpose of reselling them to soldiers who are returning from the present war.

I am an ex-service man of the last great war serving in P.P.C.I. and 52nd Battalion while overseas. Returning from the oversea service in 1919, I acquired the above farmland which was then uncultivated wild land. However, I changed this land into cultivated productive small fruits farmland (32 acres were cleared since I bought this land) and all buildings including dwelling houses, two root houses, a barn and woodshed thus raising the value of the property from the original buying value of \$3200 to about \$14000. I raised my family in this farmland and all of my 5 children eldest of whom is 22 years old were all born there and brought up there, and we enjoyed our home life there until we were forced to evacuate in 1942.

From the above circumstances I can not refrain from resenting your action of taking away valuable property from a pensioned returned soldier of the last war who fought for Canada for the purpose of giving to another soldier who is returning from the present war.

On the above ground, I hereby lodge my protest to you and the Custodian for the action taken on my said property.

Yours truly,

"Z. Inouye"

COPY

AIR MAIL

1-990.

OTTAWA, April 21st, 1944

Colonel W.K. Chandler,
Legal Adviser,
Soldier Settlement and Veterans' Land Act,
VANCOUVER, B.C.

Dear Colonel Chandler:-

The Director has drawn to my attention the statement in your letter to him of April 18th that you were still awaiting reply from Head Office regarding the amount of the debt to Soldier Settlement in the cases of the three Japanese soldier settlers whose lands were taken over by the Custodian and sold to us.

On the 11th instant you wrote asking for information respecting the outstanding debt in the cases of Seuchi Kinoshita - DL 1085 (BC/331P) and Zennosuke Iouye - DL 1006 (BC/530P). The required advice respecting the debt in these two cases was sent you on the 17th.

The third case involved is that of George U. Shoji - DL 1990. No specific request for the debt in this case has been received, at least I can find no record of it here. Treasury inform me that this debt, as at April 20th, 1944, is \$1494.03, with interest accruing thereafter at the rate of twenty-two and one half cents per day.

Yours very truly,

HRH/GJ.

Assistant Superintendent,
Land and Loans Branch.

8-6-2

1-1085

1-1006

1-1990

Ottawa, November 9th, 1943.

"Air Mail"

Colonel W. K. Chandler, K.C.
Legal Adviser,
Soldier Settlement of Canada,
Vancouver, B.C.

Re: S. Kinoshita, Z. Inouye,
G. Y. Shoji.

I have your letter of the 3rd instant entitled as above in which you ask me to let you have a deed from the Director of Soldier Settlement to the Director of the Veterans' Land Act of the farms of the above named soldier settlers.

Before getting very far in the preparation of this deed we were assailed by a number of doubts as to just how we should draft the deed and I am writing you with a view to having these doubts cleared up. In the first place would you prefer to have one deed covering the three farms or a separate deed for each property. Then again what consideration should be set out in the deed or deeds. In each instance the settler agreed to pay a particular price for his farm but each of them still owes part of the purchase price and unless the Director of the Veterans' Land Act intends to pay the outstanding balance in each case to the Director of Soldier Settlement, it would not seem that we could acknowledge having received the full purchase price.

In naming the Director of the Veterans' Land Act as the grantee should we insert an address or should we otherwise describe the grantee? Should we describe the grantee as a corporation sole? Any information you care to give us along the foregoing lines will be much appreciated.



Superintendent,
Land and Loans Branch.

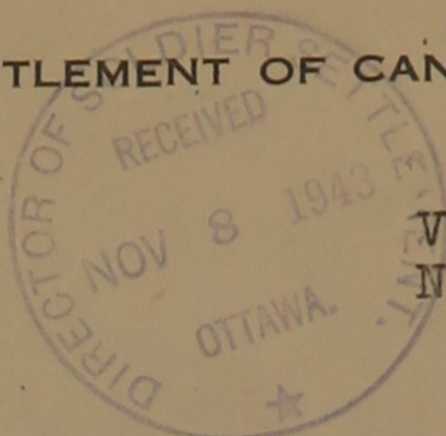
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SOLDIER SETTLEMENT OF CANADA

YOUR FILE NUMBER.....

PLEASE QUOTE FILE.....



Vancouver, B.C.
November 3rd, 1943.

Attention - Mr. J.F. Nash

The Director of Soldier Settlement & Veterans' Land Act,
Sovereign Building, Ottawa.

Re: S. Kinoshita, 1-1085;
Z. Inouye, 1-1006;
G.Y. Shoji, 1-1990.

Will you kindly let me have a Deed from the
Director of Soldier Settlement to the Director, The
Veterans' Land Act, of the properties of the above named
soldier settlers, together with duplicate certificates
of title.

W.K. Chandler

WKC/W

Legal Adviser.

Bd. File 8-6-2
File 1-1006
September 13, 1943.

Z. Inouye, Esq.,
Kaslo, B.C.

Dear Sir:

With regard to the property which you formerly occupied under contract with the Director of Soldier Settlement, I wish to advise you that title to this property will in due course pass to the Director, The Veterans' Land Act, with compensation payable to the Custodian, to whom you should address any further inquiries in the meantime. I may say in addition that the Director, The Veterans' Land Act, does not intend to dispose of this land to any other party, at least for the time being.

Yours very truly,

Director.

GM/D

1-1006

September 13, 1943.

Col. W.K. Chandler,
Legal Adviser,
Soldier Settlement & Veterans' Land Act,
Vancouver, B.C.

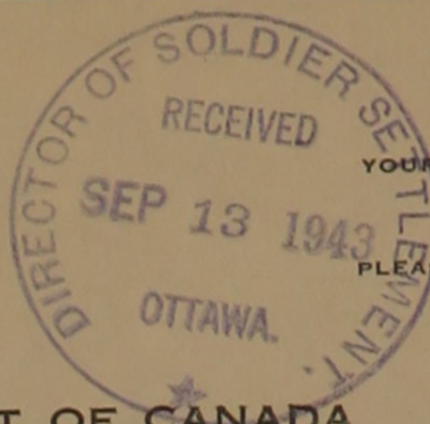
S. Kinoshita
Z. Inouye
G.Y. Shoji

Replying to your letter of the 11th, it will be in order for you to proceed in the regular way in acquiring titles in the name of the Director, The Veterans' Land Act, and that when this is done a suitable notation be made in the respective project accounts that these properties are not to be disposed of to anyone until the situation with regard to the three Japanese concerned is fully clarified and without the approval of the Director.

I attach hereto a copy of a letter which I have today sent to Inouye in response to an inquiry received from him.

Director.

GM/D



YOUR FILE NUMBER.....
D.L.1085
D.L.1006
D.L.1990

SOLDIER SETTLEMENT OF CANADA

Via Air Mail

Vancouver, B.C.
September 11th, 1943.

G. Murchison, Esq.,
Director of Soldier Settlement & Veterans' Land Act,
OTTAWA, Ontario

Dear Sir:

Re: S. Kinoshita
Z. Inouye
G.Y. Shoji

I have your letter of September 4th and agree with you that there is no difficulty about transferring the lands back to the Director of Soldier Settlement if the Japanese or the Custodian refund the money paid to them. This, however, depends on what the Custodian does with the monies paid to him as purchase price. I anticipate that he will probably send the money to the Japanese, but in any event the matter is then beyond our control. However as long as the land is not sold by the Director, The Veterans' Land Act, you could reinstate under the Soldier Settlement Act upon repayment of the purchase price, though I think as a matter of law the Japanese is foreclosed as soon as the land is sold by the Director of Soldier Settlement.

However the point may never arise and if the lands are not settled in the meantime there is always a bridge by which to retreat if circumstances should alter.

Yours truly,

W.K.C. W.

WKC/W

Legal Adviser.

GM/K

Air Mail

September 4, 1943.

Colonel W.K. Chandler,
C/o District Superintendent,
Vancouver, B.C.

Dear Colonel Chandler,-

S. Kinoshita, 1-1085;
Z. Inouye, 1-1006;
G.Y. Shoji, 1-1990.

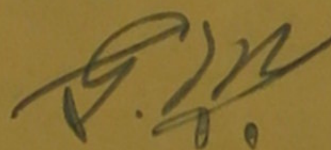
Replying to your air mail letter of the 1st instant, I may say that if the representatives of the Custodian are prepared to assign the leases and future administration of these properties to the Director of Soldier Settlement the situation will be satisfactory.

What we must avoid is any possibility of the Custodian negotiating a sale of these properties to any party other than the Director of the Veterans' Land Act. I have in mind a report from Mr. Barnet that a number of the properties which were included in our general offer have already been sold to other parties.

Notwithstanding Section 23 of the Veterans' Land Act, I do not foresee any insurmountable difficulty if these lands are acquired now by the Director of the Veterans' Land Act, and withheld from sale to any other person until the status of the three Japanese concerned is clarified. Later on it may be decided to transfer the lands back to the Director of Soldier Settlement upon receipt from the Director of Soldier Settlement and the Japanese or the Custodian of the amount disbursed by the Director of the Veterans' Land Act. I believe this could quite well be done with the approval of the Minister under Section 20, or if not, by an appropriate Order in Council.

Will you please let me have your comments on the foregoing?

Yours very truly,



Director.



YOUR FILE NUMBER.....
D.L.1085
PLEASE QUOTE FILE D.L.1006
D.L.1990

SOLDIER SETTLEMENT OF CANADA

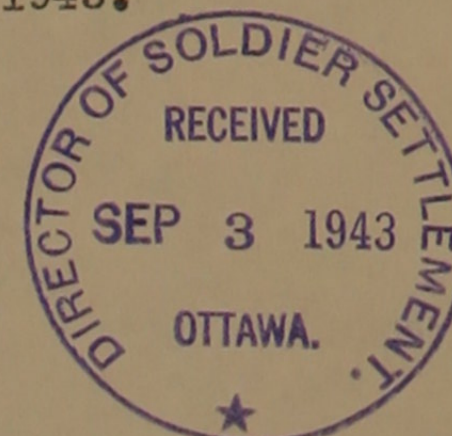
Via Air Mail

Vancouver, B.C.
September 1st, 1943.

G. Murchison, Esq.,
Director of Soldier Settlement & Veterans' Land Act,
OTTAWA, Ontario

Dear Sir:

Re: S. Kinoshita.
Z. Inouye.
G.Y. Shoji.



The District Superintendent has shown me your letter to him of August 24th dealing with the properties of the above Japanese soldier settlers. I am not quite clear from your letter as to the procedure which you wish adopted.

The sale by the Custodian of the interest of the Japanese in these properties to the Director, The Veterans' Land Act, will in rough figures result as follows:

D.L. 1085 - Kinoshita, S.	- A credit of \$200.00.
D.L. 1006 - Inouye, Z.	- A credit of \$2300.00.
D.L. 1990 - Shoji, G.Y.	- A debit of \$200.00.

The title to each of these properties is in the Director of Soldier Settlement and a conveyance from him to the Director, The Veterans' Land Act, is necessary to complete the purchase for land. The Custodian has no legal estate whatsoever in the lands. He has merely the temporary ownership of the tenancy at will (which is not a legal estate) held by the Japanese under Section 31 of the Soldier Settlement Act. The Custodian, however, has the right to receive for the Japanese soldier settlers the excess of the purchase price over and above the amount necessary to pay off his debt to the Director of Soldier Settlement.

From a legal point of view, and not considering any practical difficulties, there is no difference between these Japanese soldier settlers and any other settler who for some reason beyond his control has to leave his Soldier Settlement farm. The Director simply terminates the settler's tenancy at will if he wishes to take possession of the land and administer it.

If the lands are passed to the Director, The Veterans' Land Act, by a conveyance from the Director of Soldier Settlement the situation is quite simple for the Director, The Veterans' Land Act, who then holds the land for the purposes and under the trusts placed upon him under the

- Veterans'

G. Murchison, Esq. - Cont'd.

Veterans' Land Act. In view of the express provision in that Act that land acquired by the Director may not be disposed of to soldier settlers, the question of the rights of the Japanese soldier settler to any interest in the land in question is finally settled. He has no chance of obtaining the land or any part thereof from the Director, The Veterans' Land Act.

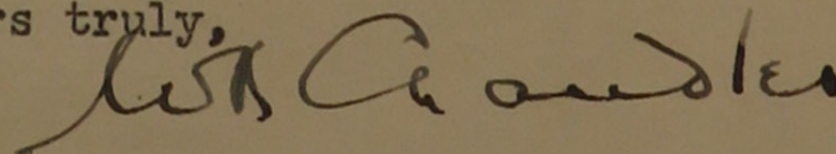
These are the simple facts in the case and you see the difficulties that arise therefrom. If the sale to the Director, The Veterans' Land Act is put through along with others, I am not clear from your letter whether the monies in excess of the amount required to clean up the debt to Soldier Settlement is to be retained by the Director of Soldier Settlement or is to be paid to the Custodian. Like yourself, in these three cases I am acting in a dual capacity and I do not want the Director of Soldier Settlement to be involved in any difficulty because of this sale. Mr. Shears will probably feel that the surplus purchase money must be paid to him; in that case these Japanese soldier settlers are definitely foreclosed of their interest in the land.

I had in mind to treat these three cases differently from the rest on the ground that the Custodian cannot make title to the Director, The Veterans' Land Act. The Order-in-Council does not take the land away from Soldier Settlement. I proposed, therefore, to leave these three cases undisturbed for the present. Mr. Crux and I have decided and roughly settled on the form of a general conveyance to be executed by the Secretary of State to the Director, The Veterans' Land Act, of the properties covered by the list contained in the offer and acceptance. This conveyance will have a schedule attached setting out a short land description of each parcel, the name of the Japanese, the appraised value and the purchase price for each individual parcel. The consideration of the whole will be \$850,000. This will show the fact that the Custodian agreed to sell these three properties, along with the others, at a set purchase price. In fact the Custodian will not be able to make title until such time as the Director of Soldier Settlement agrees to convey the property. The completion of the sale could then be left until such time as you had decided whether as Director of The Veterans' Land Act, you proposed to take these properties over for the purposes of that Act, or whether you preferred to deal with them under the Soldier Settlement Act. The question of taxes, insurance, and leasing can, in the meantime, all be handled under the latter Act.

In any event, there is no hurry because I propose to leave these three properties until the very last and there will be plenty of time to decide what you wish to do.

Mr. Crux and I hope to get the general conveyance down to the Justice Department by the end of this week.

Yours truly,



WKC/W

Legal Adviser.



CANADA

SOLDIER SETTLEMENT AND VETERANS' LAND ACT

GM/K

YOUR FILE NO. 1-1006
1-1990
PLEASE QUOTE 1-1085

August 24, 1943.

Mr. I.T. Barnet,
District Superintendent of Soldier Settlement,
Vancouver, B.C.

Dear Mr. Barnet,-



I have carefully considered your letter of August 16th with reference to the cases of three Japanese soldier settlers who have been evacuated from the defence area.

There will be a probelm of administration here if we do not acquire these properties under the Veterans' Land Act, as otherwise the administration will be left in the hands of the Custodian, and under his authority there will be nothing to prevent the farms from being sold to any party he decides upon. It is believed advisable, therefore, that you should follow routine procedure in these cases. The titles, while being vested in the Custodian, are encumbered in favour of the Director of Soldier Settlement, to whom the appropriate cheques should be made payable, thus closing out Soldier Settlement accounts and administering these lands under project accounts set up under the Veterans' Land Act.

Careful note should be made on these project accounts that the lands concerned were formerly held by Japanese soldier settlers and that no action is to be taken to dispose of them to any person until future Government policy with respect to people of the Japanese race is clearly defined.

I am asking Mr. Rathwell to attach statements to this letter showing the standing of the claims of the Director at the present time and the daily rate of interest which will accrue.

I think, in fairness, these three Japanese soldier settlers are entitled to be notified that while their properties are being dealt with in the routine way under the agreement with the Custodian and under the authority of the Dominion Government, no action will be taken by the Director of the Veterans' Land Act at the present time to dispose of their farms, and that reasonable attention will be paid to their administration in the meantime.

Yours very truly,

Director.