

REGISTERED MAIL

June 16, 1952.

Mr. K.W. Wright, Chairman,
Administration Board, and Chief Counsel,
Office of the Custodian,
Department of the Secretary of State,
Ottawa, Canada.

Dear Sir:

Re: Your File No. 1468 & E/1433,
Yeisaku Kubodera, Deceased, and
Ayako Kubodera, in Japan.

In reply to my inquiry addressed to Mr. F.G. Shears, Director, Office of the Custodian, Vancouver, B.C., regarding assets held in the account of Miss Ayako Kubodera, I was advised in letter of July 31st, 1951, that the amount of \$7,343.90 was being held as Enemy funds" due to the fact that Miss Kubodera was resident in Japan at the outbreak of war.

Since that time I have made additional inquiries regarding the nationality status of Miss Kubodera and have found that she is an alien and has neither the status of a Canadian citizen nor British subject. However, a letter received from the Immigration Branch, dated October 15th, 1951, establishes that she entered Canada in 1926. The letter states, in part, as follows:

"We have ascertained from our records that one, Ayako Kubodera, age 17, arrived in Canada on April 5, 1926, at the port of Vancouver, British Columbia, on the S.S. "Empress of Canada". She was allowed entry under temporary status effective May 7 destined to her father, Mr. Y. Kubodera of Lotimer Rd., Cloverdale, British Columbia. Miss Kubodera was accompanied by her mother, Chikaye, age 37, who was allowed entry on May 7 as a returning Canadian." (Immigration Branch File No. D. 60254).

I have also made investigations to determine the nationality status of Yeisaku Kubodera, father of Ayako. I have been advised by the Canadian Citizenship Registration Branch that Yeisaku Kubodera was granted naturalization at Moose Jaw, Saskatchewan, on June 5th, 1912. In addition, I have received a Certificate of Discharge which establishes that Yeisaku Kubodera enlisted in the 27th L.H., Canadian Expeditionary Force at Swift Current on November 19th, 1915, and served in France with the 49th Battalion from which he was given his discharge on September 19, 1919.

You will notice that the first name of Kubodera has been spelled variously, "Yeisaku", "Yesaku", "Yeasaku" and "Eisaku", but all names are the phonetic equivalent of the same Japanese ideograph and the differences are a matter of emphasis in pronouncing the first syllable. Likewise, the name "Kubodera" may be pronounced "Kubotera" as given in the translation of the

Imperial Japanese Government Passport No. 28744, issued in the name of Eisaku Kubotera on the 1st day, 10th month, 39th year of Meiji (1906), which is enclosed herewith.

I am also advised by Miss Kubodera that she was resident in Canada from the time of her entry in 1926 until her departure for Japan in 1936.

Although, so far as determined at present, Miss Kubodera has no valid claim to Canadian citizenship or the status of a British subject, in view of the circumstances whereby the funds now held by the Custodian are the residue of the estate of her late father, and by virtue of the fact that he saw service with the Canadian Expeditionary Force in France during the First World War, and by the further fact that Miss Kubodera was resident in Canada for ten years, it would seem contrary to essential justice should these funds now be denied to her.

It would appear that the residue of the estate and proceeds from the life insurance policy would be subject to Chapter V, Article 14, Paragraph 2. (1) of the Treaty of Peace with Japan, nevertheless, I would appreciate having your opinion on this point.

In the event that the funds now held would be subject to the above-noted paragraph of the Treaty of Peace, I would respectfully urge and request that powers under "Regulation 1 of the Schedule, Trading with the Enemy (Transitional Powers) Act, 1947, be invoked and that the Governor in Council declare that Miss Kubodera is not an enemy under the Regulations.

For purposes of reference I have enclosed the following documents:

1. Photostat copy of Certificate of Discharge.
2. Letter of J.E. Duggan, Registrar of Canadian Citizenship.
3. Passport issued by Imperial Japanese Government.

Yours very truly,

Kunio Hidaka.

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