

CO-OPERATIVE COMMITTEE ON JAPANESE CANADIANS

Report of the Sub-committee on Restrictions and Property Losses

October 16, 1946

The Co-operative Committee on Japanese Canadians at its meeting of September 10, 1946, appointed Mrs. Edith Fowke, Kinzie Tanaka and Kunio Hidaka as a sub-committee to investigate and report on present legal restrictions and the sale of property belonging to persons of Japanese ancestry after their evacuation in 1942.

The sub-committee met on September 16, 30, and October 8.

RESTRICTIONS

Legal restrictions imposed upon persons of Japanese ancestry in Canada by order-in-council and subordinate administrative orders are few in number but exceptionally far-reaching in scope and effect.

POWERS UNDER P.O. 946 OF FEBRUARY 5, 1943

Under this order-in-council the Minister of Labour or on his behalf the Deputy Minister and the Commissioner of Japanese Placement may:

"make orders, rules or regulations respecting the conduct, activities or discipline of persons of the Japanese race ... , and may by order prohibit such persons ... , from engaging in any activities, employment or business, in Canada, from moving or travelling anywhere in Canada, from residing in any place in Canada or from associating or communicating with any persons, except subject to permit issued by or on behalf of the Minister and on such terms and conditions as may be prescribed by him or by any person authorized to act on his behalf under these Regulations."

ORDER GOVERNING TRAVEL

Order No. 1 of July 30, 1943, issued by the Commissioner of Japanese Placement under authority of the above powers states that:

"All persons of the Japanese race must obtain a Royal Canadian Mounted Police Travel Permit prior to:

- a) entering for any purpose whatsoever, a Protected Area anywhere in Canada,
- b) crossing any Provincial boundaries within Canada,
- c) a change of residence, which may be interpreted as taking place when a person moves himself or herself and/or their dependents to a new place of residence,
- d) travel for any purpose whatsoever, in British Columbia a distance of more than fifty (50) miles from their place of residence or for a period of over thirty (30) days.

"Subject to the foregoing regulations, a person of the Japanese race resident outside of British Columbia may travel upon visits of a temporary nature up to a period of thirty (30) days duration without obtaining a Royal Canadian Mounted Police permit."

ORDER PROHIBITING FISHING

Order No. 2 prohibits fishing by Japanese in the province of British Columbia or Pacific coastal waters without a permit from the Commissioner.

APPLICATION OF P.C. 946

1. PURCHASE OF PROPERTY

As a result of the powers granted the Minister of Labour under P.C. 946, persons of Japanese ancestry are required to secure a license from the Department of Labour prior to the purchase of property. While it may be conceded that licenses are not refused, nevertheless the department exercises unrestricted control over the issuances and no provision is made to appeal adverse decisions.

2. RESTRICTION ON MOVEMENT

Certain classes of persons were prevented from leaving British Columbia by an order issued June 1, 1946. The order was as follows:

RE: PLACEMENT AND SUSTENANCE ALLOWANCES FOR MOVEMENT
TO POINTS EAST OF THE ROCKIES

Until further advised, placement allowances are to be paid to all Japanese relocating east of the Rockies except Single Japanese Nationals who signed for repatriation and Japanese National couples having no Canadian born children, and where both signed for repatriation, and where wife was born in Japan. These people will not be permitted to go east.

However, with the closing of the Interior settlements later in the year and the opening of hostels in eastern Canada, this order was no longer enforced.

3. COMPULSORY MOVEMENT TO HOSTELS

On June 28, 1946, some twenty sawmillworkers near Tashme who wished to remain at their occupations and protested against attempts to force them eastward received the following order:

Pursuant to the powers and authorities conferred by Order in Council P.C. 946, and amendments thereto, I, the undersigned, T. B. Pickersgill, Commissioner of Japanese Placement, do order and require you, the above-named and dependent children of Tashme, to proceed by passenger train of the Canadian Pacific Railway Company from its station at Hope, British Columbia, at the time of departure of that Company's passenger train scheduled to leave Hope, aforesaid, at the hour of 4:00 p.m., standard time, on Friday, 5th July, 1946, to the town of NEYS, direct, in the Province of Ontario, Dominion of Canada, and to report to Mr. J. S. Burns, Supervisor, Department of Labour, Japanese

Division, in the said town of Neys, immediately on arrival.

You will be provided with proper travel permit, railway passenger ticket and expense monies.

(signed) T. B. Pickersgill
Commissioner of Japanese Placement.

4. COMPULSORY RELOCATION FROM INTERIOR CAMPS

Despite claims of the eastward movement being voluntary, the following NOTICE was posted at Lemon Creek on June 25, 1946:

TO ALL RESIDENTS OF LEMON CREEK

All persons of Japanese origin, 16 years of age and over, are required to report immediately to the Administration Office.

Relocatable persons will be given an opportunity to express their desire as to where they wish to be transferred - Moose Jaw or Neys.

It is assumed that persons failing to report are content to be assigned to the particular re-location centre selected by this office.

(signed) B. C. Whitty
Supervisor.

5. TRAVEL FROM EASTERN TO WESTERN CANADA

The incident related below shows the type of discretion exercised by the Commissioner of Japanese Placement when issuing travel permits.

An application for permission to travel to British Columbia for organizational work was refused by the Commissioner who stated that:

"Our policy is not to grant travelling permits from Eastern to Western Canada except on compassionate grounds or on grounds of extreme business urgency "

When a request for re-consideration was entered because of the extreme urgency of the matter, the Commissioner replied as follows:

"We are of the opinion that the best interests are being served of those people of Japanese origin still residing in our B.C. settlement if arrangements are completed for their relocation at the earliest possible date. We believe that a visit to the settlements for the purpose which you have in mind, would only result in delayed relocation. We believe that such delay is not in the interests of people relocating.

"Our regional offices in the Eastern provinces have complete information on the descriptions of places and areas to which people may be planning to move, and can easily provide such information on request."

6. APPLICATION TO SCHOLARSHIP WINNERS

The New Canadian of August 10, 1946, reported that, although George Fukuyama had won the University of British Columbia Scholarship for the Kootenay District in the Junior Matriculation examinations, he was unable to use it because of the legal restrictions on residing in the coastal area.

In reply to an inquiry, President N. A. M. MacKenzie of the University of British Columbia stated there were two such cases this year and one last year.

7. NISEI VETERANS DENIED FISHING LICENSES

Tom Reid, M.P. for New Westminster, asked in the House of Commons for the number of applications from persons of Japanese ancestry for fishing licenses. It was revealed that two applications had been received.

Our information is that two Nisei Veterans applied and as yet have not been issued fishing licenses.

FAMILY ALLOWANCES DENIED

Although no provision is made in the Family Allowances Act to deny these payments to children of Japanese ancestry, these persons while residing in settlements and hostels have their applications rejected on grounds that health services and other amenities are provided.

This condition also applies to families in the settlements which are totally self-supporting. ^{Lawrence} Any hospitalization provided is deducted from their accounts with the Custodian. As an example: a mother living in an independently rented house in New Denver had ~~the~~ application for her child's allowance refused on grounds that free health services were provided. However, when the child had his tonsils removed, the cost was deducted from the account with the Custodian.

At the hostel at Farnham, Quebec, a notice is posted to state that family allowances will be paid only after the family leaves the hostel. However, contrary to this statement, and also contrary to the philosophy and purpose of allowances, they have been considered in one instance at least, a part of wage payments. As an example: a man was offered \$10.00 per month wages for thirty days work because arrangements would be made for him to receive \$41.00 in family allowances.

STATUS OF VETERANS

Veterans are experiencing the same legal disabilities as non-veterans. The Minister of Labour was petitioned by the veterans of Slocan City on June 24, 1946, for all privileges of Canadian citizenship, the return of their property, and all privileges, grants and pensions applicable to veterans, but received little consolation in the Minister's reply

which informed them that:

"This department has at all times since location attempted to give the Japanese Canadian veterans special consideration and preference insofar as possible. As an example, the Department has recently removed all travel and residence restrictions on veterans of World War I and II and their dependents, except in cases of travel to and residence in the coastal protected area of British Columbia."

LOSS AND SALE OF PROPERTY

A number of sample case histories, collected by the Slocan Valley Nisei Organization, are appended to this report to indicate in some way the nature and extent of property losses.

Property was sold without consulting the owners and in almost all instances the owners claim that sales were made at prices far less than market value. It should also be noted that the total amount of relief payments was deducted from the price received from the property had the person been on relief.

The effect of this practice of deducting relief payments from assets with the Custodian was to force persons who were without employment to support themselves from their personal reserve. In keeping with this policy, persons while in British Columbia did not have free access to their own funds with the Custodian.

CONCLUSIONS OF THE REPORT

Following its investigation into legal restrictions and losses of property this sub-committee reports the following conclusions:

1. that equal citizenship rights should be extended to Canadians of Japanese ancestry. This means that the restrictions on travel, residence and occupations, ~~specifically fishing~~, should be removed. Furthermore no obstacles should be put in the way of Japanese nationals becoming Canadian citizens;
2. that a claims commission should be established to restore property where possible, to order restitution for losses where property cannot be restored, and to grant compensation for ~~income loss~~ ^{net} *income loss* as a result of evacuation; and
3. that ^{where necessary} Japanese Canadians should be granted adequate assistance and loans to re-establish themselves; and until all such persons are re-established, accepted standards of housing, nutrition, education and wages should be enforced in hostels and settlements.

The sub-committee recommends that the Co-operative Committee on Japanese Canadians accept the conclusions outlined above as a basis for its program of action.

Respectfully submitted,