

12.4

Langley Advance - 16th April, 1942

LANGLEY ADVANCE  
16-4-42

## Re Japanese Property

The following information has been received regarding Japanese property— "It is quite permissible for local farmers to buy or lease Japanese farms without reference to the Custodian, 506 Royal Bank Building, Vancouver, B.C., provided such Japanese owners have not been evacuated, and provided they have not already registered their property with the Custodian.

It must be understood that Japanese farmers are in no way under any compulsion to dispose of their farms.

**Corporation of Langley.**  
MURRAYVILLE, B.C., April 15, 1942.

# Ottawa Starts Jap Dispersal

## Nippons Must Go East of Rockies, Back to Japan or Face Tribunal

The Japanese are leaving British Columbia.

This was disclosed today in an announcement by the Dominion government of details of a new dispersal plan.

The Japanese have been given the alternative of moving to points east of the Rockies or returning to Japan after the war "or sooner."

The vast scheme for the dispersal of Canada's 21,000 Japanese is being carried out at Ottawa's expense, without loss to the Japanese themselves.

### ORDERS POSTED

Notices have been printed over the signatures of T. B. Pickersgill, commissioner of Japanese placement, British Columbia Security Commission, and Labor Minister Mitchell, and have been posted wherever Japanese now live throughout the country.

Compulsory registration of B.C.'s 10,056 Japanese, 16 and over, will precede the dispersal, and will begin next month.

Japanese elsewhere in Canada will not be required to register their intentions immediately but any who wish can apply for repatriation.

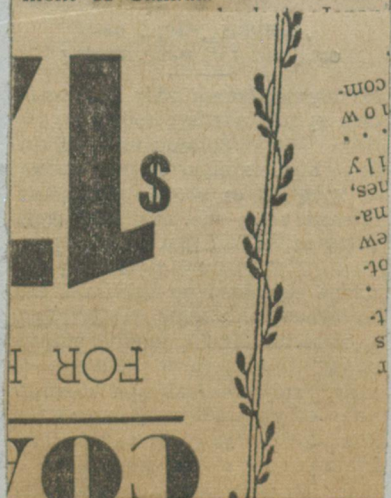
They can either:

File an application, voluntarily, for return to Japan.

Or re-establish east of the Rockies "as the best evidence of their intentions to co-operate with the government policy of dispersal."

### CARRY WARNING

The notices carry the warning that failure to accept employment east of the Rockies may be regarded by a Royal Commission, to be set up later to study the Japanese problem, as "lack of co-operation" with the government of Canada.



# Japs' Failure to Help Will 'Prejudice Future'

Continued From Page 1

Eastern Canada for members of a Japanese family deciding to move from B.C., and also for their personal effects.

They will also get sustenance allowances during transit, and a placement allowance based on the size of the family.

The Commission has already arranged for temporary housing in eastern Canada.

### MAY PREJUDICE FUTURE

"Those who do not take advantage of present opportunities for employment and settlement outside British Columbia," one notice warns, "will find conditions of employment considerably more difficult at a later date, and may seriously prejudice their own future by delay."

The Security Commission has

begun to make "special efforts" to open up suitable employment opportunities across Canada in various lines and in areas where "prospects of suitable employment are best," the announcement said.

Groundwork for the program will begin April 9.

On that date, a special detachment of the RCMP, together with special commission officers, will begin a tour of six interior B.C. Japanese "housing projects."

RCMP officers will ask every Japanese 16 years of age and over to signify their intentions.

Those who want to return to Japan will be asked to file an application on the spot.

The others will be warned to prepare to move east of the Rockies "as the best evidence of their intentions to co-operate with the government policy of dispersal."

### RETURN VOLUNTARY

Signing of the applications for return to Japan is voluntary, but all Japanese 16 and over are required to report and signify their intentions.

Upon completion of the interior housing projects tour, the RCMP detachment will visit all other districts in B.C. where groups of Japanese are now engaged in self-supporting employment.

"The matter of those who neither want to go back to Japan or go east of the Rockies will be for the Royal Commission to consider," Mr. Pickersgill told **The Vancouver Sun**.

Transit plans for those returning to Japan do not apply to persons of Japanese race repatriated "on other than a voluntary basis," the government announcement added.

Provisions for repatriation have also been extended to Japanese already living east of the Rockies who make voluntary ap-

g four miles northeast of Linz. They fought into Koenigswinter two-mile gains within three days of open tank country lead. "The Germans are building up for a major attack," Associated Press correspondent Don Whitehead reported from the bridgehead. The Germans expressed confidence late today about the expanding Remagen bridgehead and the Army's armored breakthrough. "These developments begin to assume operational importance," an enemy military commentator said. Capt. Ludwig Sertorius broad-

114 - 30-5-44  
**Counsel Asks Injunction On Vancouver Action**

## Jap Property Sale Said Unlawful

OTTAWA, May 30.—(CP)— J. A. MacLennan of Vancouver, solicitor for a group of Japanese residents of Canada, argued before Mr. Justice J. T. Thorson in the Exchequer Court Monday, that sale of the property of Japanese in Canada was a violation of their civil rights and was unconstitutional.

Mr. MacLennan, acting for four Japanese, owners of residential property in Vancouver, asked that orders-in-council giving the custodian of enemy property the right to sell property of Japanese resident of Canada be declared unconstitutional.

As an alternative he sought an injunction preventing the sale of the property.

The Crown, represented by F. P. Varcoe, deputy minister of justice, opposed the application.

Mr. MacLennan said he considered the removal of the Japanese from the B.C. coastal area a war measure which was "well taken," but the property they had left should be available to them when the "protected area" restrictions were removed and the Japanese allowed to return.

"The government had a duty to step in and protect the property, but that is as far as it goes," he said.

### CONTRACT IMPLIED

Forms signed by the Japanese when they turned the property over to the custodian said the transfer was voluntarily and it implied a contract with the Crown.

"The property is rented at a profit and there is no necessity for its sale," he said. "It doesn't add one iota to the war effort."

Mr. Varcoe had previously argued that the case was improperly taken against the Crown and should have been directly against the custodian because he was a statutory officer and not an agent of the Crown.

He listed a number of cases to establish that the orders-in-council passed under the War Measures Act were constitutionally sound and said that the orders had not made the Crown a trustee of the property.

## 769 Jap Farms Bought For B.C. War Veterans

OTTAWA, June 19.—Hon. Norman McLarty, state secretary, announced last night that 769 parcels of farm land in the Fraser Valley area of British Columbia, formerly owned by Japanese, have been sold to the director of the Veterans' Land Act for future disposition to British Columbia men now in the armed services.

Proceeds of the sale will be credited to the accounts of the former Japanese owners. It was negotiated by Mr. McLarty, as custodian of enemy property, on the recommendation of the advisory committee on rural property set up under Judge David Whitesdie of New Westminster.

The owners of the land have been evacuated.

The director of the Land Act, Gordon Murchison, said in a statement that not all the parcels of land are "of themselves suitable for veteran settlement." ...

"In some cases sub-division may be undertaken. In others, it may be advisable to consolidate two or more parcels into one unit. In many cases it will be necessary to undertake extensive alterations to existing buildings or the erection of new homes. The scarcity of building materials and labor are factors

which make it necessary to postpone such a building program until conditions are more favorable."

Meanwhile, he said, local administration of these lands will come under I. T. Barnet, provincial superintendent, Veterans' Land Act and Soldier Settlement, at Vancouver.

8-9-1-46.  
**Jap Deportation Order  
Goes To Supreme Court**

**Validity Test Set for January 24  
After Committee Protest**

(By Canadian Press)

OTTAWA, Jan. 9. — The validity of orders-in-council providing for the deportation of Japanese in Canada will be tested before the Supreme Court of Canada at a hearing January 24.

An order-in-council referring the orders to the court for a test was passed by the cabinet yesterday after it reviewed a request from a Toronto committee for such action.

The committee, headed by D. K. Sandwell of Toronto, made the request last Friday during discussions with Federal authorities here.

**IN NEW BUILDING**

The case will be the first to be heard in the new Supreme Court House, built before the war but not occupied until recently.

The deportation orders-in-council were tabled in the Commons December 17 by Prime Minister King.

Under one of the orders Labor Minister Mitchell was given the power to deport:

1. Japanese nationals who had applied for repatriation.
2. Naturalized persons of Japanese origin who had similarly applied and who had not revoked their applications before midnight September 1, 1945.
3. Canadian-born Japanese who wished to go to Japan and who did not renounce such intention before an order for their deportation was made.

**LOSE CITIZENSHIP**

Persons who leave Canada or are deported under this order will lose their British and Canadian status under the second order-in-council.

The third order-in-council authorized establishment of a "quasi-judicial commission" in investigate the loyalty of certain of the Japanese of Canada "to ascertain those who are not fit persons to be allowed to remain here."

The first group of Japanese to be deported is expected to leave Canada some time this month, but justice department officials said they believed that the court test would be concluded before the group leaves.

However, the first group was to be made up of Japanese nationals whose deportation status is considered clear-cut and not likely to be affected by any court ruling on the orders-in-council. The only complication rests in the fact that some of them have Canadian-born children.

**Unemployment  
In Japan May  
Slow Deportations**

(Special to The Daily Province.)

OTTAWA, Jan. 9.—Lack of jobs in their homeland may delay to some extent the deportation of Japanese from Canada.

With hundreds of thousands out of work in Japan and with United Nations authorities there already burdened with problems of employment, food and medical attention, the desire here is not to add to the seriousness of the situation.

Arthur MacNamara, deputy minister of labor, said today Canadian authorities are still working out plans for the speedy repatriation of some 10,000 Japanese. "We are trying to complete plans not only to get them away but also to provide some means of livelihood for them when they reach Japan."

LAND REGISTRY ACT.

P-7-8-44 Section 160.

IN THE MATTER OF:

1. Sections 4, 5 and 6, Tp. 2, Rupert District.
2. Sections 7, 8 and 9, Tp. 2, Rupert District, except the North  $\frac{1}{2}$  of the North  $\frac{1}{2}$  of said Section 9.
3. Sections 1, 2 and 3, Tp. 3, Rupert District.
4. Sections 4, 5 and 6, Tp. 3, Rupert District.
5. Sections 7, 8 and 9, Tp. 3, Rupert District.
6. Sections 10, 11 and 12, Tp. 3, Rupert District.
7. Sections 1 and 2, Tp. 4, Rupert District.
8. Sections 11 and 12, Tp. 4, Rupert District.
9. Sections 35 and 36, Tp. 12, Rupert District.
10. Sections 31, 32 and 33, Tp. 13, Rupert District.
11. Sections 34, 35 and 36, Tp. 13, Rupert District.
12. The Fractional West  $\frac{1}{2}$  of Section 18, Tp. 1, and the Fractional East  $\frac{1}{2}$  of Section 13, Tp. 2, Rupert District, containing in all 465 acres more or less.
13. Parcel "A" (D.D. 72241-1) of Section 25, Rupert District, containing 5 acres more or less.
14. (1) The North  $\frac{1}{2}$  of Section 1 and the South  $\frac{1}{2}$  of Section 12, containing 640 acres more or less, as shown on plan deposited under D.D. No. 2717. (2) The Northwest  $\frac{1}{4}$  of said Section 12 and the South part of the Southwest  $\frac{1}{4}$  of Section 13, containing 208 acres, more or less, as shown on plan deposited under D.D. No. 2718. All in Tp. 2, Rupert District.
15. The North  $\frac{1}{2}$  of the North  $\frac{1}{2}$  of Section 9, and the North  $\frac{1}{2}$  of Section 10, Tp. 2, Rupert District, containing in all 479 acres more or less.
16. The South  $\frac{1}{2}$  of Section 16, Tp. 2, Rupert District.
17. (1) The North  $\frac{1}{2}$  of Section 11. (2) The Southeast  $\frac{1}{4}$  and the South part of the Northeast  $\frac{1}{4}$  of Section 19, containing 247 acres more or less, as shown colored red on plan deposited under D.D. No. 18007-F. (3) The Northeast  $\frac{1}{4}$  of Section 12, containing 160 acres more or less. All in Tp. 2, Rupert District.
18. Fractional Section 28, Tp. 2, Rupert District.
19. Sections 26, 33, 34, 35 and the North  $\frac{1}{2}$  of Section 23, Tp. 4, Rupert District.

PROOF having been filed in my office of the loss of Certificates of Title Nos. 105092-I to 105110-I, inclusive, to the above mentioned lands respectively, in the name of N. S. McNeil Trading Company Limited, and bearing dates the 15th day of June, 1937, I HEREBY GIVE NOTICE of my intention, at the expiration of one calendar month from the first publication hereof, to issue to the said N. S. McNeil Trading Company Limited, Provisional Certificates of Indefeasible Title in lieu of such lost certificates.

ANY PERSON having any information with reference to such lost Certificates of Title is requested to at the Land Registry Office, Victoria, British Columbia,

communicate with the undersigned.

DATED this 21st day of July, 1944.

R. N. C. HEMBEROW.

Deputy Registrar.

Victoria Land Registration District.

Vancouver Sun -- 21st August, 1944

## Jap-Owned Building Not Sold by Pembertons

While the rentals were and still are being collected by Pemberton's, Vancouver real estate firm, the actual sale of the former Japanese property at Powell and Gore was handled by Reed Phipps & Davies, and not by Pemberton's as announced on Saturday.

The rentals will be collected by Pemberton's until the deed of

sale signed by the Secretary of State is returned from Ottawa.

An official of Reed Phipps & Davies stated today that his firm handled the sale of the property to local Chinese.

He added, that the Chinese are "premature" in giving notice to tenants to vacate as they "have no authority to do so until the signed deed is returned from Ottawa."



Vancouver Province & Vancouver Sun  
15th & 16th of September/44

Vancouver Province

Vancouver Sun

### Tokyo Resident Named in Will

Administration has been sought in Supreme Court of a net estate of \$9302 left by Mrs. Chickaye Kubodera, Japanese, a widow and naturalized Canadian, late of Cloverdale, who died at Kaslo on December 24, 1943.

Sole beneficiary is her step-daughter, Ayako Kubodera of Tokyo, Japan, but none of the estate can be paid to her without consent of the Custodian of Enemy Alien Property.

### \$9300 Bequeathed To Tokyo Woman

A beneficiary who must await the outcome of the war in the Pacific to collect her bequest is named by Mrs. Chikaye Kubodera, Cloverdale widow, who died at Kaslo last Christmas Eve. She left her \$9300 estate to her step-daughter, Ayako Kubodera, of Tokyo, Japan.

Province

Sun

*5-18-44*  
**\$300,000 Setup**

## CO-OP TO BUILD WHARF, PLANT

Construction of a wharf, administrative offices, cold storage plant and a small fish cannery at Lakewood drive and Burrard Inlet, at a cost of more than \$300,000, is planned after the war by United Fishermen's Co-operative Society.

The proposed development was outlined to a special civic committee today by the society spokesman presenting evidence that the group's proposed \$50,000 fish-liver reduction plant at the location can be equipped with modern machinery which will prevent obnoxious odors.

After a private conference, the committee asked the society to draft a written undertaking that there will be no objectionable smells from the plant and granting the council the right to cancel the plant license if the operations become a nuisance to the neighborhood.

### UP TO COUNSEL.

If the undertaking is satisfactory to Corporation Counsel D. E. McTaggart, K.C., the committee will recommend issuance of a permit at the council meeting on September 26. Co-operative leaders indicate they are agreeable to the proposal and have instructed their solicitor to prepare the draft.

V. Christie, society office manager, reveals it is hoped to develop the Lakewood drive plant into headquarters for all fishermen's co-operatives along the coast.

Besides administrative offices, the cold storage plant is planned to handle fish liver awaiting rail transport and to store general fish products. A large wharf will be constructed for accommodation of fishing boats and a cannery and bait depot established.

Mr. Christie declared recently one fish boat had to travel 700 miles to Prince Rupert for bait before it could start fishing.

## Fish Plant Must Give 'No Smell' Guarantees

*5-18-44*

City Council in building committee today sought written assurance from the United Fishermen's Co-operative Society that the establishment of their proposed fish processing plant at the foot of Lakewood Drive would not create a stench objectionable to residents of the district.

Such assurance, given over the signature of the society's representatives, may be the condition upon which City Council grants a building license at its September 26 meeting.

### MUST HAVE GUARANTEES

Ald. Charles Jones told the society's counsel, S. H. Anderson, that the city already had an agreement with Canada Packers Ltd. which would expose the company to a court injunction to cease operations if the plant created a stench.

He asked how far the Co-operative was willing to go along this line.

Anderson will consult his clients and draft similar guarantees.

This course was worked out after Anderson had submitted the Co-operatives' argument that 250 persons who signed the petition opposing the plant did so under a misunderstanding.

He filed letters, which he said were unsolicited, from persons whose names had appeared on the petition.

These persons wrote that when the petition was presented it was taken for granted that the plant would be odorous. They are now satisfied that this will not be the case.

### "CAPITALISTIC INFLUENCES

Ald. George Miller said that he resented a statement made to the press to the effect that capitalist influences were the cause of council's reluctance to grant the license.

It had been said that if the application were made by a private enterprise instead of a co-operative, it would have been speedily approved.

Mayor Cornett said he could vouch for all members of his council and that he knew that no one had tried to influence their decisions.

18-9-44  
**Mission Broker  
Awarded \$218**

(Special to The Daily Province.)

NEW WESTMINSTER, Sept. 18.—Judgment awarding \$218.44 to James Pierce, broker, of Mission, against Henry Arnett, Mission farmer, and the Pacific Coast Co-operative Union, Hatzic, was handed down by Judge Whiteside.

The action arose over a shipment of berries in July.

Defense claimed the plaintiff did not have an export license and had engaged in an illegal transaction, but the court found the defendants liable.

Vancouver Sun -- 26th September, 1944

## Fish Plant to Be Started In Few Weeks

United Fishermen's Co-operative Society will begin erection of its \$50,000 liver processing and fishing canning plant at the foot of Lakewood Drive within five or six weeks, a spokesman for that body told press reporters after civic building committee approved the application for a permit, Monday afternoon.

### OPPOSITION SUBSIDES

No opposition was voiced at Monday's session, though stormy protests had been made earlier against the plant's erection. Terms of the application, as set out in a letter from S. H. Anderson, solicitor, on behalf of the society, will be embodied into the agreement, committee decided.

Regulations of the building by-law which allows only two-storey frame dwellings, will also have to be complied with. The society had originally planned a three-storey building.

### NO NUISANCE PROMISE

Under the terms of the application the fishermen promise that in the operation of the plant no nuisance will be erected nor will there be any odor. Only the most modern and scientific methods and equipment will be used.

Failing to carry out these conditions "except through an act of God," the society agrees to discontinue the business.

The plant will be used for a triple purpose, to manufacture fish oil, to handle fresh fish for the market, and to can fresh fish.