Japanese in Canada- 1940-1945

HLK:JR

Tom Reid
M J Coldwell

Personal and Confidential

Mexico City, September 13th, 1945.

Dear Major,

I am taking the liberty of writing to you on a matter that is partly personal and partly of public importance.

You will recall the vendetta that poor old Neill of Comox-Alberni, Tom Reid of New Westminster, and a few others have been conducting against the Japanese in Canada and the Canadians of Japanese race. You may also have noticed that from time to time they have denounced the Prime Minister's advisers, particularly in the Department of External Affairs, as being pro-Japanese and of trying to mislead the Government. Although no names have been used, generally, the real objects of this campaign have been Henry Angus and myself, and to a lesser extent, Herbert Norman and Dr. G.E. Bott.

This campaign reached its lowest point on May 31st last when Tom Reid made a speech in New Westminster charging that the Prime Minister's advisers had been "bribed by Japs". I attach a copy of the report as published in the Vancouver "Province" of that date.

It is hardly necessary to tell you that if Reid has the decency or courage to come out in the open and name names, Angus and I - and the others, if involved - would have him up in court instantly. But we are advised that it would be difficult to make a charge stick if based only on this newspaper report.

Mr. King, in his rather precarious political situation, and Robertson have failed to take any public steps to defend their subordinates and colleagues. Robertson has

denied/

Major M. J. Coldwell,
House of Commons,
Ottawa, Canada.

denied to us personally that Reid's description of the interview with Mr. King and himself is accurate. In fact, he says that it is a grotesque perversion of what took place. But he has not said this publicly. Robertson also called on Reid in Vancouver but without satisfactory results. Then the case was referred to the Department of Justice for an opinion as to the possibility of successful prosecution. So far no reply has been received /It was referred two and a half months ago!/ or if it has, it has not been communicated to us.

Robertson told me in July that Reid intends to bring the matter up in the House and that then the P.M. will be able to make a devastating reply! But in the meanwhile Angus and I are denounced as traitors /accepting bribes from the enemy/ and are unable to defend ourselves. Everyone in Vancouver, of course, knows who Reid was talking about because he has criticized us - more mildly of course - by name before.

I suggested taking issue with Reid in the Vancouver papers, but Robertson asked me to refrain.

The point of this letter, however, is to put the facts before you and to ask you if you will be so good as to keep an ear open for a revival of the issue in the House. I know how effectively you could handle Reid if the issue does come up and I would certainly be very grateful.

Angus MacInnis, of course, knows the whole situation at first hand.

It is not, I know, necessary for me to defend my position on the Japanese issue but I should like to outline it to you for your own specific information and in order that you may have no doubts on any point if it should become a subject of controversy.

So far as the Japanese in Canada are concerned I feel that it was a mistake ever to allow permanent immigration. As this immigration was allowed, however, I believe that we should treat the Japanese immigrants exactly as we treat those of any other racial origin. As for those who became naturalized or were born in Canada they should be entitled to all the rights of Canadian citizens. Anything less than this would mean that we were discriminating on racial grounds and, in effect, advocating the Nazi doctrine.

With regard/

With regard to Japanese policy in recent years, the following facts which have heretofore been known to no one outside the Department (except my wife) may be of interest to you.

When the Japanese invaded Manchuria on September 17/18th, 1931, I was our Chargé d'Affaires at the Legation in Tokyo. By immediate telegram and subsequent despatches I advocated intervention by the League of Nations with a view to stopping the Japanese aggression. I pointed out that this was the first really clear case of aggression since the League Covenant had been agreed on; that it was a violation also of the Kellogg Pact, and of the Nine-Power Treaty, and that if no action was taken in a case as flagrant as this, it would be clear proof to other potential aggressors that the League was not going to work. When the Minister returned to Japan a couple of months later he took an opposite view and for the next year we were in conflict on the issue in the Legation and our contrary views were made known at home because Herbert Marler was an honest man and wished the Government to know that, although he took one view, his senior assistant still maintained the opposite.

After my return to Canada in 1936 and after the renewed outbreak of Japanese aggression against China, I repeatedly advocated within the Department (What Mr. Woodsworth was advocating in the House) that Canada should embargo the export of military materials of all kinds to Japan <u>as a moral gesture</u>. I was quite well aware that such an embargo would have no practical effect because the Japanese could get all the materials they required from other sources. I also realized that Canada would be subjecting itself to criticism from Japan but it seemed to me that some country somewhere in the world should take a stand on moral grounds.

The irony of the situation is that at the very time that I was being criticized within the Department for advocating measures against Japan these gutter-snipes from British Columbia were denouncing me from outside for being pro-Japanese.

I might/

I might also add, so that the record will be complete, that when Canada entered the war and it became apparent that Andy McNaughton was going overseas, I went to him and asked for an appointment of some kind that would enable me to get into uniform and to get across the Atlantic. He found a job for me and I managed, after a period of argument, to get Dr. Skelton's permission to accept it but I was stopped from enlisting by the Prime Minister himself. Subsequently, after Japan entered the war I thought that I might be of some use in the forces that were to be deployed in the Pacific and I again applied to the Prime Minister for permission to enlist and was again turned down.

I am sorry that this letter has run to such length and that I have thought it necessary to give you so many details but I do want you to understand the situation clearly and I shall be most grateful for any steps that you can appropriately take to rectify the present situation in which Reid and others can denounce us under cover of their parliamentary immunity while we are restricted by the rules of our service from making public reply.

Sometime I hope to be able to get rid of the diplomatic restraints under which I now operate. When I do I propose to go to Vancouver and New Westminster and take the hide off Mr. Tom Reid on his home grounds - which are also my own.

With kindest regards from Katherine and myself to you and your wife, I am as always

Yours very sincerely,

Hugh Ll. Keenleyside.

Japanese in Canada

JAPANESE IN CANADA

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JAPANESE IN CANADA

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1. The purpose of this Memorandum is to bring together in one document, so far as that may be possible within reasonable limits of space, all available information regarding Japanese immigration to Canada. The legal, economic, and social position of Japanese in the Province of British Columbia, the current agitation against Orientals in that Province, the arguments advanced in support of and in opposition to Mr. Neill's recent Bill, and the policy now being followed by the Government of Canada are all essential parts of any such survey. Part One of the Memorandum brings together the statistics and other factual material; Part Two describes the propaganda, the debates and the Governmental policy; Part Three consists of documentary annexures.

PART ONE - FACTUAL MATERIAL

Immigration prior to 1906

2. For some years prior to 1906 Japanese immigration to Canada was restricted by a tacit understanding between the two countries. As a result of administrative restrictions imposed by the prefectural authorities in Japan, a comparatively small number of immigrants were allowed to leave that country each year for British Columbia.

Under the Treaty of 1894.(1906-1907).

3. In January 1906 a special Convention was signed in Tokyo by which Canada adhered to the Anglo-Japanese Treaty of 1894. Paragraph One of Article One of this Treaty reads

> "The subjects of each of the two high contracting parties shall have full liberty to enter, travel or reside in any part of the Dominions and possessions of the other contracting party ..."

According to Mr. Lemieux(1) Canada adhered to this Treaty on the assumption that the tacit understanding mentioned

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) House of Commons Debates 1907-08, p. 1594, 21st January, 1908.

above would remain effective. This expectation was, however, disappointed. As soon as Canada signed the Treaty a flood of immigration resulted. This was due in part at least to the promotional activities of certain immigration companies organized in Japan. As a result of this influx and of the riots and other disturbances which followed in British Columbia, the Gentlemen's Agreement of 1907 was negotiated.

4. On the 23rd of December, 1907, the Foreign Minister of Japan addressed a letter to the Hon. Rudolphe Lemieux, who had carried on the negotiations in Tokyo, in which the substance of the Gentlemen's Agreement was set forth in the following words:

> "I have the honour to state that although the existing treaty between Japan and Canada absolutely guarantees to Japanese subjects full liberty to enter, travel and reside in any part of the Dominion of Canada, yet it is not the intention of the Imperial Government to insist upon the complete enjoyment of the rights and privileges guaranteed by those stipulations when that would involve disregard of special conditions which may prevail in Canada from time to time.
>
> Acting in this spirit and having particular regard to circumstances of recent occurrence in British Columbia, the Imperial Government have decided to take efficient means to restrict emigration to Canada. In carrying out this purpose, the Imperial Government, in pursuance of the policy above stated, will give careful consideration to local conditions prevailing in Canada, with a view to meeting the desires of the government of the Dominion as far as is compatible with the spirit of the treaty and the dignity of the state."

In the conversations which accompanied the negotiation

of this Agreement the following details were mutually approved:

A. Immigration of contract labour was prohibited except at the request of the Canadian Government.

B. The activities of immigration companies were severely restricted.

C. The number of immigrants was restricted to 400 annually.(1)

5. In 1923, as a result of renewed agitation in British Columbia, the Agreement was revised and the number of immigrants to be admitted annually was reduced to 150. This arrangement remained in effect until 1928.

6. A new Agreement was reached in the spring of 1928 and confirmed by an Exchange of Notes between the Under-Secretary of State for External Affairs and the Consul-General for Japan in Ottawa.(11) Under the terms of this Agreement it was provided:

A. that the number of Japanese immigrants would not exceed 150 annually;

B. that the following classes of immigrants only would be admitted:

Wives and children of Japanese immigrants resident in Canada.

Agricultural labourers.

Domestic servants.

and, under a special description for temporary residence, Clerks, for employment in Japanese commercial firms.

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(1) This was not publicly admitted at the time.

(11) The details of the Agreement were announced only in general terms. See Annex attached to this memorandum.

C. that the following procedure would be used:

Immigrants must be applied for by persons already resident in Canada. This application is made to the Canadian Immigration officials and to the Japanese Consular officials in Canada. The case is investigated by the Canadian officials and if proven to be worthy of approval they communicate their assent to the Japanese Consular office and to the Canadian Legation in Tokyo. The Japanese Consul informs the Foreign Office in Tokyo which examines the application. If the Foreign Office approves, it issues a passport to the intending immigrant. The latter then proceeds with his passport to the Canadian Legation, Tokyo, where, upon proof of identity an immigrant visa is affixed to his passport. A fee of $2.00 is charged. The immigrant is then free to leave for Canada, and after physical examination is freely admitted at the port of entry in British Columbia.

Each month a statement of the number of immigrants landed in Canada is forwarded to the Canadian Legation, and transmitted by the Legation to the Japanese Foreign Office.

D. that the number of women admitted would on an average, over a period of years, not exceed half the maximum limit of 150.

The details given above were never made public. Following the establishment of the Canadian Legation in Tokyo the Agreement came into full administrative effect on the 1st of April, 1930.

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ince 1928.

7. Before setting forth the detailed figures of Japanese immigration to Canada since 1928 reference should be made to those persons of Japanese race who, although classed as immigrants, enter Canada outside the terms of the Agreement described above. Such persons are Canadian nationals and, as such, are not in practice subject to th

restrictions which apply to aliens. This immigration arises in the following ways. A male Canadian national of Japanese race resident in Canada goes to Japan on a visit and marries a Japanese woman. By that marriage the woman becomes a Canadian national and enters Canada, outside the Agreement, in that capacity. Or, a woman of Japanese race who is a Canadian national and married to a Canadian national resident in Canada goes to Japan on a visit and while there gives birth to a child. Such a child is a Canadian national and as such enters Canada outside the Agreement.

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8. The following table shows the number of Japanese immigrants admitted to Canada under the Agreement since the 1st of September, 1928(1) divided into the various classifications outlined in 6B above:

JAPANESE IMMIGRATION

Under Agreement

	Agricultural Workers	Domestics	Members of Families	Others	Total
Sept.1,1928 to March 31,1929	19	20	61	-	100
Fiscal year 1929-30	34	36	65	-	135
1930-31	18	41	69	-	128
1931-32	43	17	75	-	135
1932-33	20	12	61	1	94
1933-34	43	9	45	2	99
1934-35	31	16	27	-	74
1935-36	22	10	36	-	68
1936-37	19	15	46	-	80
1937-38 (9 months)	19	8	57	-	84
	268	184	542	3	997

Under the Agreement- Sex Classification.

9. The next table shows the sex classification of all Japanese admitted under the Agreement since

(1) Administrative arrangements under the Agreement did not come fully into practice until the 1st of April 1930 but the substance of the Agreement became effective from the 1st of September, 1928.

the 1st of September, 1928.

JAPANESE IMMIGRATION

Under Agreement

	Male	Female	Children
Sept. 1, 1928 to March 31, 1929.	37	43	20
Fiscal Year 1929-30	69	46	20
" " 1930-31	50	51	27
" " 1931-32	57	57	21
" " 1932-33	30	47	17
" " 1933-34	46	40	13
" " 1934-35	38	25	11
" " 1935-36	24	34	10
" " 1936-37	24	42	14
" " 1937-38 (9 months)	22	44	18
Totals	397	429	171

Outside the Agreement Sex Classification.

10. As stated in paragraph 7 above, those persons shown as Japanese Immigrants entering Canada outside the Agreement are the wives or children of Canadian nationals. This fact is clearly shown in the next table.

JAPANESE IMMIGRATION

Outside the Agreement

	Male	Female	Children
Sept. 1, 1928 to March 31, 1929.	4	14	5
Fiscal year -			
1929-30	-	38	21
1930-31	-	53	24
1931-32	-	42	18
1932-33	-	16	5
1933-34	-	3	3
1934-35	-	16	3
1935-36	-	15	-
1936-37	-	19	4
1937-38 (9 months)	-	24	10
Totals	4	240	93

The 4 males shown in the first year are four farm labourers who secured visas under the former Agreement but did not arrive until after the 1st September, 1928. All the others outside the agreement are women and children.

11. Adding together those Japanese immigrants who came in under the Agreement and those who entered outside its terms the total figures for the last ten years are as follows:

JAPANESE IMMIGRATION

Total Immigration

	Males	Females	Children	Total
Sept. 1, 1928 to March 31, 1929	41	57	25	123
Fiscal year 1929-30	69	84	41	194
1930-31	50	104	51	205
1931-32	57	99	39	195
1932-33	30	63	22	115
1933-34	46	43	16	105
1934-35	38	41	14	93
1935-36	24	49	10	83
1936-37	24	61	18	103
1937-38 (9 months)	22	68	28	118
Totals	401	669	264	1,334

12. In attempting to evaluate the effect of the 1928 Agreement, the following averages are of significant importance.

Under Agreement

Average Japanese Immigration for the last 10 years ..99.5
" " " " " " 5 " ...81.

Outside the Agreement

Average Immigration of persons of Japanese race for the last 10 years 33.5
Average Immigration of persons of Japance race for the last 5 years 19.2

Total

Average total Immigration for last 10 years 133
Average total Immigration for last 5 years 110.2

Annual Records since 1901

13. It is also of interest to examine the total immigration of Japanese since 1900 by years, and for this purpose the following table has been prepared:

JAPANESE IMMIGRANTS ADMITTED

Year Ending	Admitted	Year Ending	Admitted	Year Ending	Admitted
June 30th, 1901	6	1913	732	1925	502
1902	0	1914	870	1926	421
1903	0	1915	598	1927	475
1904	0	1916	402	1928	478
1905	354	1917	651	1929	446
1906	1934	1918	885	1930	194
March 31st (9mos) 1907	2104	1919	1181	1931	205
1908	7985	1920	713	1932	195
1909	508	1921	533	1933	115
1910	290	1922	473	1934	105
1911	445	1923	369	1935	93
1912	771	1924	448	1936	83
				1937	103

The figures include not only Japanese national immigrants but also immigrants of Japanese race who are British subjects and Canadian nationals. Thus what would appear to be violations of the 1928 Agreement are not actual violations. It would not be possible however to make the same assertions concerning the years before 1928. The most that can be said is that the Japanese have lived up to the terms of the Agreements since the Canadian Officials have been enforcing their provisions. Prior to 1928, the Canadian and Japanese Governments interpreted the Gentlemen's Agreement in different ways. The Japanese insisted that the Agreement covered only adult males and that no agreement had been made to limit the emigration of wives and/or families of Japanese men residing legally in Canada. The Canadian Government interpreted the Agreement as though it covered all immigrants limiting the total number - men, women and children - to 400 or after 1923, 150. In practice the Japanese interpretation held sway as the figures amply demonstrate.

Present Japanese Population of Canada

14. According to the Census of 1931 the Japanese population of Canada and its distribution were as follows:

TOTAL JAPANESE POPULATION

Total for Canada	23,342
British Columbia	22,205
Alberta	652
Saskatchewan	114
Manitoba	51
Ontario	220
Quebec	43
Nova Scotia	4
New Brunswick	0
Prince Edward Island	0
Yukon and N.W.T.	53

This population has increased from census to census as follows:

GROWTH OF JAPANESE POPULATION

Census of 1901	4,738
Census of 1911	9,067
Census of 1921	15,868
Census of 1931	23,342

Adding to the 1931 total the known number of immigrants since that year plus the natural increase at an estimated rate of 34 per thousand per year, minus those who died under a death rate of 7.4 per thousand annually, the total Japanese population of Canada in 1938 can be given approximately as

28,600[1]. This figure cannot be accepted as exact because it is known that there have been certain illegal entries and there may also have been unrecorded departures. But it may be accepted as broadly representative of the facts.

15. Anti-Japanese propaganda in British Columbia tends to emphasize and probably exaggerate the number of illegal admissions to Canada. Such illegal entry is usually effected by deserters from Japanese ships, by stowaways, or in other cases by persons using forged, stolen or borrowed documents. It is believed that the number ofsuch entries was larger some years ago than it has been recently. The investigation initiated by the Immigration and Police authorities in 1931 is believed to have resulted in a considerable exodus of such persons illegally in Canada. The Royal Canadian Mounted Police estimated the number of such persons - of Japanese origin - in Canada in 1931 as 1700. The Police estimate today is 400. These figures, however, must be viewed only as highly tentative estimates.

Re-entry Provisions

16. Most Japanese nationals desiring to return to Japan on visits and retain their right to return to Canada, register outward and receive Re-entry Certificates. These they surrender upon their return. This movement since the 1st of April, 1929, has been as follows:

JAPANESE REGISTRATIONS

	Outward	Returning
1929-30	802	855
1930-31	921	838
1931-32	780	852
1932-33	668	596
1933-34	587	510
1934-35	711	617
1935-36	641	693
1936-37	632	690
1937-38 (9 months)	389	641
Total	6,131	6,292

Legal and other disabilities of Oriental residents

17. Persons of Oriental descent, even those who are British subjects and Canadian nationals by birth or naturalization, are subject to many political, economic, and social disabilities in the Province of British Columbia. No person

(1) Birth and death rates supplied by the Bureau of Statistics.

of Oriental race may

(1) vote in municipal elections;

(2) vote in Provincial elections;

(3) vote in Federal elections;

(4) be elected to municipal office;

(5) be elected to Provincial office;

(6) become a School Trustee or vote in the election of School Trustees;

(7) perform jury service;

(8) enter the legal profession;

(9) enter the pharmaceutical profession;

(10) obtain a hand-logger's licence;

(11) be employed on Crown timber leases;

(12) be employed on public works;

(13) join Boards of Trade, Chambers of Commerce or similar organizations.

In addition there ~~is~~ was social discrimination of a very definite nature and many Orientals complain of unfair treatment in the Courts of Law. Social conditions among the Japanese in British Columbia ~~are~~ were not satisfactory when judged by Occidental standards. This ~~is~~ was due to their economic status, their national traditions and, to some extent at least, to the discrimination from which they suffered.

From 1915 up till 1930, there was no settled policy as to the granting of certificates of naturalization to Orientals and the number of Chinese and Japanese applying for initial naturalization was:

Chinese from 1 to 49 per year; on an average of 20 per yr.
Japanese " 0 to 112 " " " " " " 24 " "

Applications for naturalization in cases where the applicant was naturalized under former legislation:

Chinese from 0 to 11 - on an average of 2 per year.
Japanese " 2 to 84 - " " " " 31 " "

By an Order in Council (P.C. 1378 of 1931) it was decided that naturalization certificates would not be issued to Chinese unless they produced the consent of the Chinese Ministry of the Interior, to the Japanese, unless they showed that they had followed the procedure laid down in a Japanese Ordinance of November 1924, to ensure that those to whom Certificates of Naturalization were issued had been divested of their Japanese nationality. But in 1934, it was represented that a Japanese could not, under Japanese law, renounce his Japanese nationality until he had acquired another. By an Order in Council (P.C. 1760 of 1934) it was decided that the Secretary of State would only issue Naturalization Certificates to those Japanese who had obtained from the Japanese Minister a paper certifying that the bearer has satisfied to the provisions, under Japanese law, under which he can abandon his nationality.

The number of Certificates of Naturalization granted to Japanese for the period 1931 to 1937 is as follows:

1931	9
1932	0
1933	2
1934	18
1935	61
1936	60
1937	51
Total	201

PART TWO - PROPAGANDA AND DEBATES

18. Ever since the first Chinese and Japanese immigrants arrived on the Pacific Coast of Canada there have been periodic outburts of anti-Oriental agitation. Efforts of the Provincial Government to cope with the situation to the satisfaction of the people of the Province, by legislative activity, were usually frustrated by the courts or disallowed by Ottawa, with the result that demands for Federal intervention to provide a solution satisfactory to the White residents of British Columbia were strong and persistent. Nor were they unavailing. As early as 1885 a poll tax of $50.00 was imposed on Chinese immigrants and this was gradually increased until in January 1904 it reached $500 per immigrant. (This remained unaltered until the passage of the Chinese Immigration Act of 1923). Anti-Japanese feeling became acute in the years 1905, 1906 and 1907, and the riots of the latter year resulted in the negotiation of the first Gentlemen's Agreement with Japan by the Hon. Rudolphe Lemieux and Mr. Mackenzie King. Some years later, the people of British Columbia supplemented federal legislation by the threat of physical action in the case of the "Komagata Maru", when that ship arrived in Vancouver with a cargo of East Indian immigrants. The action of the people of Vancouver made it apparent that they would not accept peaceably any revival of East Indian immigration and no further efforts on any substantial scale were subsequently attempted. After the War, and during the subsequent business depression, anti-Oriental feeling again began to mount and a number of incidents occurred. As a sequel, the Chinese Immigration Act was passed by Ottawa, and the Agreement with Japan was revised to cut the number of Japanese immigrants from 400 to 150. This was further emphasized in the New Agreement of 1928.

The Current Anti-Japanese Campaign

19. For some years after the New Agreement was made effective, there was comparatively little agitation in British Columbia. But the last two years have seen a growing recrudescence of the anti-Japanese spirit in that Province. The result has been seen in the Legislature at Victoria and in the House of Commons at Ottawa. Premier Pattullo, who side-stepped the issue as long as possible has now been forced to commit himself to the advocacy of action. The correspondence columns of the British Columbia newspapers have been full of letters demanding action, and even so "eastern" a journal as the "Vancouver Province" has published strong editorials on the subject. Judging from

past experience, and from the views that are being expressed on the Coast (1), it would not be surprising if riotous "incidents" were to occur should the Dominion Government fail to take some action designed to appease local sentiment.

20. The present campaign is being organized by various local bodies such as the White Canada Association and it has enlisted the support of a good many clubs and other organizations throughout the Province. The newspapers are practically unanimous, and the British Columbia delegation in the House of Commons, while differing on details, is united in believing that something should be done.

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ation

21. Critics of existing conditions in British Columbia may be divided roughly into three groups which are not, however, mutually exclusive. These are

A. Those who wish all Oriental immigration stopped; as many Orientals as possible deported; and the remainder restrained by law from too successful competition with the white residents of the Province.

B. Those who consider that the Orientals living in British Columbia, especially such as are Canadian nationals, have been unjustly treated.

C. Those who might be willing to consider the amelioration of the lot of the resident Orientals if the fear of further immigration and expansion could be removed.

For the sake of convenience these three classifications will be called respectively; the Anti-Oriental group; the Pro-Oriental group, and the Compromise group.

Complaints against the Japanese.

22. The Anti-Oriental group complains:

(1) That the Japanese are violating the Immigration Agreement.

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(1) Mr. Neill stated in the House of Commons that he believed the feeling on the Coast is more intense today than it was when the riots occurred in 1907. House of Commons Debates, 17 Feb. 1938. p. 609.

(2) That there are far more Japanese in the Province than the census shows.

(3) That the Japanese population is growing so rapidly that large parts of the Province will soon be under Oriental control.

(4) That the Japanese are rapidly gaining control of the fruit farming areas of the Okanagon and Nicola valleys.

(5) That the Japanese already have a stranglehold on the fishing industry.

(6) That orientals have complete control of truck farming in the vicinity of Vancouver and other cities.

(7) That Orientals - particularly Hindus - have too large a share in the lumbering business.

(8) That small fruits are grown almost exclusively by Orientals.

(9) That Oriental standards of living are enabling Japanese, Chinese, and Hindus to expand into many new activities to the immediate detriment of their Canadian competitors.

Less Biased Views

(10) That large Oriental communities are growing up which are a menance to Canadian moral and social standards.

(11) That many Japanese are spies or secret agents that have prepared plans for the seizure of the Province in the case of War.

(12) That many even of the naturalized Japanese return to Japan to perform military service, and that in the event of war between Canada and Japan they would constitute a menance to Canadian safety.

(13) That unemployment in British Columbia could be largely abolished if it were not for Oriental competition.

(14) That many Orientals are on relief - to the detriment of Provincial finances.

(15) That all the Oriental groups send money out of the Province in the form of remittances to their relatives in Asia.

(16) That agents from Japan are constantly engaged in propaganda among the Japanese residents of British Columbia.

(17) That Japanese are buying up and exploiting some of the most valuable natural resources of British Columbia, particularly the spruce and iron of the Queen Charlotte Islands.

It is, of course, clear that some of these charges are contradictory, that some of them are probably untrue and that most of them need qualification. It is also undeniable that there is an unfortunate lack of authentic information by which to judge the allegations that are commonly advanced. These charges are being used with special effect at the present time due to the hostility that has been aroused in British Columbia by Japanese aggression in Asia. There is a very active boycott movement in the Province. The situation has also been aggravated by the alleged depredations of Japanese floating salmon canneries off the Pacific coasts of the continent.

Less Biased Views

23. The (small) Pro-Oriental group believes:

(1) That the many political and social disabilities under which the Oriental population of British Columbia lives contribute directly the persistence of low social and economic standards.

(2) That discrimination against legally admitted immigrants and against Canadian nationals of Oriental race is morally and ethically unjustifiable.

24. The Compromise group is a large body of reasonable opinion which would probably support the movement for fairer treatment of Oriental Canadians if

(1) They could be sure that further immigration for permanent residence could be stopped, and

(2) if steps could be taken to ensure that Oriental groups should not gain undue economic advantages as a result of low living standards.

25. It is against the foregoing background that the 1938 debate in the House of Commons should be viewed. The debate was started by the introduction by Mr. Neill of Comox-Alberni of a Bill entitled "An Act Respecting Japanese Immigration". The object of this Bill as described by its sponsor was "to place Japanese immigration into Canada on exactly the same plane, neither higher nor lower, as that occupied by the Chinese since 1923." The explanation was clever tactics in view of its apparent justice and particularly in view of the existing hostility towards Japan and sympathy for China on other grounds.

26. It is not necessary to consider all the arguments advanced by Mr. Neill and his supporters but as a number of the points raised in the debate are either wholly or partly in contradiction of the facts the following observations are essential to keep the record straight.

ccurate sertions

27. On page 608 of the House of Commons Debates, 1938 Mr. Neill is quoted as saying, with reference to the Chinese Immigration Act of 1923

> " It has worked well, cured a long-standing sore, and there has been no ill-will or dissension or discontent among the Chinese so excluded, with only one exception; they resent and will continue to resent the fact that we have discriminated against them in favour of the Japanese, because we allow a certain number of Japanese to come in. The Chinese also have their pride and do not like this."

This is, of course, quite untrue, as the Prime Minister pointed out later in the debate (p.627). He then said

> " May I say to my hon. friend that he is entirely wrong in that assumption. The Chinese government and the Chinese people have resented very much the fact that they are totally excluded from Canada, and they have made representations to the Government time and again to that effect. I remember that the former Chinese Consul General in

this city, when we were previously in office, repeatedly came and spoke about the wrong that China felt was being done her because of the act that had been passed by this Parliament. When I was at the League of Nations in 1936, Mr. Wellington Koo, who has been the chief exponent of China in the trying times with which that country is faced at the moment, spoke to me very strongly about the harm that he thought our legislation was doing Canada in the eyes of the Chinese. He pointed out that he thought China might be one of the best markets for Canadian wheat; he thought China might be a good market for much of our other produce; that China had many reasons to have kindly feelings towards the Dominion, but that to his certain knowledge the act we had passed had been to the prejudice of our trade with that country.

MR. NEILL: Was not the fundamental reason for their objection the discrimination that we exercise in allowing Japanese into the country and not allowing Chinese to come in?

MR. MACKENZIE KING: No, that was not it. I am glad my hon. friend asked the question, for while that was mentioned, it was not the principal reason."

28. At another point in the debate Mr. Neill is quoted in the following terms (p.612):

"We have surrendered our right of control of the immigration into our country of the subjects of a foreign nation. There was the initial mistake, and it has endured ever since."

and again:

"... it hands over the control of immigration to the judgment of an alien nation - a thing that is not done anywhere else in the world."

The same view was expressed by Mr. Bennett when he said (p.624)

> "... it is obvious that to permit a foreign power to determine who should come into this country under the terms of an alleged gentlemen's agreement is a violation of all the rules which govern the national life of a country that pretends to be a nation, and is at variance with what I conceive to be the Japanese notion of a self-respecting and independent thinking people, namely the Canadian people."

The implications contained in these statements are, of course, quite erroneous. Canada has not given up the right to control Japanese Immigration. Japan has agreed to prevent more than 150 Japanese nationals from emigrating to Canada each year. But Canada is not obliged to admit 150. Each case is judged on its own merits; and, for example, on the plea that there are Japanese unemployed in British Columbia, we could refuse to grant permits to any Japanese until the unemployed Japanese have been re-employed. Each case is pre-investigated by immigration officials in Canada, the intending immigrant then has to have his passport examined and visaed at the Canadian Legation at Tokyo, and on arrival at the port of entry in Canada the immigrant is again examined. No Japanese immigrant can enter Canada without the clear, detailed, and explicit approval of three different Canadian officials. The Immigration Act and its regulations applies to Japanese immigrants as to all others and, in practice, the check-up under its provisions is even more detailed where Japanese immigrants are concerned than it is in other cases.

29. All the estimates given in the debate as to the birth-rate of Japanese in Canada are inaccurate. Mr. Green stated the rate to be 20 per thousand; Mr. Neill 36-38 per thousand; Mr. Reid 50-60 per thousand. The correct figures are supplied by the Dominion Bureau of Statistics as 34.8 per thousand. This may be expected to fall as the age composition of the Japanese population alters and as their economic status improves. The current birth-rate in Japan itself is 28 per thousand. The death rate among Canadian Japanese is 7.4.

30. Mr. Green complained (p.617) of Japanese inroads in the fishing industry, giving the impression that White fishermen were being deprived of their opportunities in that occupation. Yet the figures for fishing licences issued in 1937 are as follows:

Licences issued to		White British subjects	7907
"	"	Canadian Amerinds	3077
"	"	Japanese British subjects ...	1985
"	"	Japanese returned soldiers ..	64
		Total	13,033

In other words the Japanese secured 2049 licences out of a total of 13,033 or 15.7%. In a later debate on the subject of Japanese residents and the fishing industry on the Pacific Coast, Mr. Reid cited as typical a case of physical violence against a white fisherman who tried to compete with Japanese boats off the mouth of the Fraser River. (1) A close check-up in British Columbia by the Fisheries Department disclosed no record of any such occurrence. If it did occur it was certainly not typical and in all probability the white "victim" had done something to invite such treatment - otherwise he would have sought and very easily obtained front-page publicity in every British Columbia newspaper.

31. The contribution of the Leader of the Opposition to the debate may be summarized in the following quotation (p.623):

> " I am wholly in accord with this measure; I do not believe that we should play favourites in this matter. On the other hand, an immediate action of that kind could only be construed in one way, having regard to the unfortunate conditions which prevail in the Orient, and therefore I say to the hon. member for Comox-Alberni that as a member of this house, with a certain measure of responsibility and knowing something of the great burden of obligation that rests upon a government at a time like this in endeavouring to observe neutrality, I could not vote for a measure which did not restrict the operation of the act until such time as it came into force by proclamation. In any event I believe it would be necessary to provide that the act should not come into force until proclaimed. It well might be that for reasons which are apparent it would be desirable,

(1) House of Commons Debates. 23/2/38. p.807

perhaps, rather than have the act come into force by proclamation, to fix a date a year hence, say, or whatever time might be regarded as reasonable, in order to enable the government to make such adjustments as might be decided upon through representations to the Japanese Government and through negotiations carried on through diplomatic channels."

32. In adjourning the debate the Prime Minister expressed the views which are illustrated by the following quotations: (p.625)

" I say frankly that I know of no single measure which has appeared on the order paper thus far, or of anything that is likely to come up for discussion in this parliament, that has caused my colleagues and myself personally the same great concern as has the appearance on the order paper of the measure which the hon. member for Comox-Alberni (Mr. Neill) has introduced. He himself has made quite clear in the debate this afternoon that the measure which he has presented is one of Japanese exclusion. I wish to emphasize that fact. The bill which we have before us at the present time, innocent as it may appear in its phraseology, and limited in its scope as the hon. member who introduced it has said it is, is nevertheless, according to his own statement, one of Japanese exclusion. That raises a question which is serious indeed. I would ask the house to consider whether in the light of the situation as we know it today, not only in the Orient but throughout the world, it is advisable for this parliament at this time to enact an exclusion act against the Japanese."

(p.626) " I agree entirely that this is not a problem of British Columbia alone. Those of us who come from the other provinces of Canada must have an intense sympathy with the citizens of British Columbia who have had to carry pretty much the whole burden of one of the greatest national problems with

which our country is faced. It is a grave and acute problem, and is presented in its gravest and most acute form in British Columbia."

(p. 626) " May I say that I agree with the view expressed by the right hon. leader of the opposition, which I think is the view of the hon. member for Comox-Alberni and, I might say, of all hon. members here, that so far as China and Japan are concerned, the citizens of those countries deserve like treatment in matters of this kind. I do not think there is any reason why the one people should be favoured more than the other. Indeed I would go further and say this, that all that bears upon the question of immigration from Japan or China also bears upon the question of immigration from India to Canada, with this in addition, that problem as respects immigration from India is complicated still further by the fact that the natives of India are British subjects."

(p.627) " My belief is that the question of oriental immigration is best settled by agreement, if it can possibly be settled in that way, rather than by exclusion acts, which are offensive in the eyes of Oriental peoples. There is no single measure, I think, more likely to arouse the indignation of a people than that an act, which is avowedly an exclusion act, should be enacted against them by another country."

(p.629) " Now I ask hon. members of the House, What is to be gained by passing an exclusion act at this time when, under an agreement made with Japan, the government of this country is bound to admit, and is glad to admit, that during the past five years the total number who have come in under that agreement has not averaged over 81 per annum?"

(p.630) " What would be the effect of passing such an Act? We have one instance of record which might help us to discover what would be the result. The United States Government in 1924 passed an act. They did not call it an exclusion act, but it came to that, and the minute that act was passed an international situation developed which was a very, very serious one indeed, one the like of which I think none of us

would care to see precipitated at this particular time."

(p.632) " During the past few years and particularly of late the government has been investigating very carefully and fully the matter of surreptitious immigration into the country ..... The officials of the Immigration Department, the Fisheries Department, the External Affairs Department, The Mounted Police, the Intelligence Branch of The Defence Department, have all been working together, at Ottawa, with respect to regulations and in British Columbia in actually seeking to enforce the laws and regulations and to prevent aliens from coming into the country surreptitiously and to send out those who have come in illegally. They have been doing so of late to a degree that has never been attempted heretofore. We intend to intensify that investigation into illegal entries into Canada, and I wish to assure the house that everything that the government can possibly do to prevent anything in the nature of illegal entries will be done."

The Government's Policy

32. In order to implement to the full the promises made to the House as quoted in the last selection above, the Prime Minister instructed the Interdepartmental Committee that had been handling this matter to advise Council as to the steps which could most effectively and wisely be taken. Such recommendations having been made and having been considered by the Government, the Minister of National Defence announced in Vancouver on the 3rd of March that the following steps would be taken at once:

A. The Interdepartmental Committee composed of representatives of External Affairs, Immigration, Justice Statistics, National Defence, Customs, Fisheries, and Labour would be instructed to re-examine the whole situation and report at an early date.

B. A Board of Review would be appointed, consisting of representatives of External Affairs, Immigration, and the Royal Canadian Mounted Police to carry out in British Columbia an enquiry into the allegations regarding the illegal entry of Orientals into Canada.

The Board would not hold public sittings but would be prepared to receive representations from any persons claiming to have information regarding illegal entries. All persons having such information would be invited to present it to the Board and their representations would be immediately investigated.

C. A special Detail would be assigned by the Royal Canadian Mounted Police to work with the Board and to carry out a thorough check-up.

D. The report of this Board of Review would receive immediate consideration by the Government.

33. The Board of Review was appointed in the month of March, and consists of Mr. H. L. Keenleyside of the Department of External Affairs; Mr. F. Taylor of the Immigration Branch, and Mr. G. W. Fish of the Royal Canadian Mounted Police, as stated in the House by the P.M. on March 14th, in reply to a question.

On March 24th the Prime Minister announced the membership of the Interdepartmental Committee as follows:-

Immigration	Mr. Blair, Chairman
"	Mr. Jolliffe.
R.C.M.P.	Inspector Armitage
Statistics	Dr. R. H. Coats
National Defence	Major W.H.S. Macklin
Customs	Mr. P. L. Young
Fisheries	Mr. A. J. Whitmore
Labour	Mr. R. A. Rigg
External Affairs	Dr. O. D. Skelton
"	Mr. H.L. Keenleyside.

ANNEX A

For purposes of comparison the Chinese and British Indian populations of Canada and their distribution are given below:

CHINESE POPULATION

Total for Canada (Census of 1931)	46,519
British Columbia	27,139
Alberta	3,875
Saskatchewan	3,501
Manitoba	1,732
Ontario	6,919
Quebec	2,750
Nova Scotia	340
New Brunswick	231
Prince Edward Island	31
Yukon and N.W.T.	1

The increase of the Chinese population by census decades is as follows:

TOTAL CHINESE POPULATION

Census of 1901	-	17,312
1911	-	27,831
1921	-	39,587
1931	-	46,519

The Chinese population is now decreasing rather rapidly due to the effect of the Chinese Immigration Act, to the small number of females in the Chinese community, and to the high average age.

British Indians in Canada

The total number of British Indians in Canada is in the neighbourhood of 1550 of whom almost all are resident in British Columbia.

ANNEX B

HOUSE OF COMMONS DEBATE

June 8, 1928.

Page 3980.

MR. MACKENZIE KING: I am pleased to be able to inform the house that following conferences with the Japanese government, in which the Canadian government made clear the difficulties created in western Canada by the economic competition of Japanese immigrants, the Japanese Minister for Foreign Affairs has informed us through the Consul-General of Japan at Ottawa, that the government of Japan does not contemplate that the total number of emigrants to Canada, including agricultural labourers and domestic servants, and wives and children of Japanese emigrants resident in Canada, will exceed a total of 150 annually. We have further been informed that steps will be taken to terminate the practice of sending for so-called "picture brides". The administrative measures directed to this end will go into force on September 1.

The Canadian government has indicated to the government of Japan that hereafter in the case of immigration from Japan, as from other countries, the Immigration Act and procedure, including the provisions for viseing of passports and pre-investigation of applications will be administered by Canadian officials.

ANNEX C

HOUSE OF COMMONS DEBATES
February 17, 1938.

MR. MACKENZIE KING: I have in my hand a copy of a treatise on Oriental Exclusion, by Mr. R. D. McKenzie Ph.D., professor of sociology in the University of Washington. Let me read a paragraph or two of what is said in that publication about the effect upon the Japanese, and the Chinese of the United States act of 1924. At page 42 the writer says:

> To the Chinese the act of 1924 was but another form of persecution and "gratuitous affront" added to a condition that was already severe enough.

At page 45:

> To the Japanese, the passing of the law came as a bolt from the blue, at once a suggestion of lack of national good faith in carrying out the gentlemen's agreement, and a reflection on national pride and racial dignity. The Japanese opposed the act during the period of its inception and still oppose it on political rather than on practical grounds.

Then he quotes what is an extremely interesting and valuable dispatch, one which bears directly on the measure that is before us at the present time. It serves to illustrate what we might expect if the bill of the hon. member from Comox-Alberni were to be enacted. It is a communication from Ambassador Hanihara to Secretary Hughes of the United States dated April 10, 1924. This is what the Japanese ambassador had to say to the government of the United States:

> To Japan the question is not one of expediency but of principle. To her the mere fact that a few hundreds or thousands of her nationals will or will not be admitted to the dominions of other countries is immaterial, so long as no question of national susceptibilities is involved. The important question is whether Japan as a nation is or is not entitled to the proper respect and consideration of other nations. In other words, the Japanese government asks of the United States government simply that proper consideration ordinarily given by one nation to the self-respect of another, which after all forms the basis of amicable international intercourse

ODS/ET
17 July, 1940

HLK
+
HFA

MEMORANDUM FOR THE
PRIME MINISTER:

Japanese Problem in British Columbia.

You pointed out some time ago the local difficulties that might arise in British Columbia in the event of hostilities between Japan and Great Britain and Canada. I understand military arrangements have been made or are in contemplation to meet the immediate defence situation, but there are other phases of the matter that might be considered. The whole Japanese problem in British Columbia was of course surveyed on the spot by representatives of Immigration, Mounted Police and External Affairs a year or so ago.

Do you think it would be desirable to form a small committee here of persons with experience of the problem, to recommend any specific steps which could be taken if the situation became acute; for example, representatives of the Departments of National Defence, Justice, R.C.M.P., Immigration and External Affairs.

O.D.

HFA/EM.

13.vii.40
HLK/MG

MEMORANDUM FOR DR. SKELTON

THE JAPANESE PROBLEM IN BRITISH COLUMBIA.

I. You have read my exchange of correspondence with Professor Angus and the memorandum forwarded to the Chief of the Air Staff by Mr. R.M. Wynd regarding the difficulties likely to arise in British Columbia in the event of hostilities between Great Britain and Canada and Japan.

II. Although I am inclined to think that an open conflict between ourselves and the Japanese is unlikely in the immediate future, it is perhaps desirable to consider whether it would not be wise to work out a definite programme for use in the event of the unexpected actually happening.

III. Might it not be desirable to form a very small Committee for the purpose of deciding on certain specific steps to be taken should a crisis arise.
I am inclined to the view that this would be wise and that a Committee consisting of a representative of the Department of Justice, a representative of the Royal Canadian Mounted Police, a representative of the Immigration Service and a representative of this Department should be called together to examine the problem and formulate specific proposals.

HFA/EM.

THE UNIVERSITY OF BRITISH COLUMBIA
VANCOUVER, CANADA

OF
AL SCIENCE AND
OLOGY

July 15, 1940.

Dr. Hugh Keenleyside,
Department of External Affairs,
Ottawa, Canada.

Dear Hugh:

I have your letter of July 9 and fully agree with the points you make, particularly as regards deportation. You asked me how I think the Government of B. C. would consider an approach from the Dominion Government with regard to the treatment of Japanese Canadians in wartime. I think this would be extremely easy. With universal service, young men of Japanese race must either be conscripted or exempted and if conscripted must either serve side by side with those of other races or in separate units. The implementation of any one of these policies would affect conditions in B. C. particularly and could reasonably be made an item of discussion between governments. The position of fishermen and sailors also raises special considerations. I cannot see that the Government of B. C. could be other than pleased if it were consulted confidentially by the Dominion before any positive policy were put into operation. This is particularly true as the province has enfranchised Japanese who fought in the last war and presumably is prepared to take a similar step with regard to those who fight in this one. It seems to me very important that the Japanese community here should be directly interested in its own young men serving in the armed forces of Canada in whatever area they might be sent to. I notice from their paper they are considering very seriously the wisdom of renouncing Japanese nationality, in the case of dual nationality, and disassociating themselves from any propaganda that appears to identify them with Japanese policy. At the same time, in the event of conscription their preference would, of course, be for serving in a B. C. unit without distinction of race. If some other course is taken, it should be explained very tactfully.

Yours sincerely,

H F Angus

HFA/EM.

Ottawa, 9th July, 1940.

Professor H.F. Angus,
University of British Columbia,
Vancouver, B.C.

My dear Henry,

Your letters of the 3rd and 4th July have both been received and have been read with much interest.

What you say as to the possibility of our having foreseen and provided against the difficulties that are likely to arise in the event of further trouble with Japan is very true. Fortunately we can take some little personal consolation from the fact that so far as this Department is concerned we have missed no opportunity to impress upon the Government here the desirability of attempting to influence the local authorities in British Columbia to pursue a more enlightened course. Unfortunately the attitude of the Government and many of the people of British Columbia and also the attitude of the British Columbia Members in Ottawa have made it impossible (politically speaking) for the Government here to follow a policy which might have had beneficial results.

With regard to the specific proposals mentioned in your first letter I should be happy to think that there might be some possibility of the provincial legislature taking such action as that referred to in your first suggestion. Unfortunately, I am inclined to think that there is even less likelihood of such a step being taken to-day than at any time in the past. I should be happy, however, if you could prove me to be wrong in this belief.

With regard to your second suggestion, I think that some action might well be taken, although I am

not as impressed with the alleged difficulties of the present situation as some people seem to be. My own view is that the present Japanese law is reasonably clear and that few difficulties would remain if its provisions were more widely and clearly understood.

Your third suggestion seems to me to be wholly admirable. Whether or not it is politically possible I am not in a position to say. What do you think would be the attitude of the Government of British Columbia if such a proposal were made officially from Ottawa?

The deportation proposal seems to me to be impracticable for the following reasons:

(1) The numbers involved would be so great that the shipping problem would be difficult.

(2) Questionable as our treatment of the Japanese has been, I do not believe that the Government would be prepared to resort to a barbarity of this nature and on this scale.

(3) Deportation via the United States would be impossible because on the outbreak of war in the Far East United States vessels would be prohibited from entering Japanese waters. Japanese ships could not be used because they would be subject to seizure if they ventured into the Eastern Pacific. Neutral vessels other than Russian are now practically non-existent - certainly in the Pacific.

(4) The permanent results of such action by Canada would be so serious as to affect adversely our relationships with the Orient for decades after the war is over.

Points (2) and (4) are, in my opinion, the most serious objections to the adoption of such a policy.

I am particularly obliged to you for the

ference to Mr. Norris and for the names of the Japanese leaders mentioned in your second letter. Three of the four men referred to I have met, although I cannot claim any intimate acquaintance with them.

I hope that it may be possible to have a useful discussion on this whole subject here in the near future. We may at that time be able to work out a concrete policy for adoption should events in the Far East make action imperative. It will be of great help to us to know that in the event of the adoption of a policy of action in British Columbia we can count upon your advice and assistance.

Thanking you again and with all good wishes,

I am,

Yours sincerely,

H.L. Keenleyside:MG

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H.Q. 106-9-1

DEPARTMENT OF NATIONAL DEFENCE
DOCUMENT TRANSIT AND RECEIPT

To Department of External Affairs,
OTTAWA, Ontario.
From Chief of the Air Staff.

File.....

Date 4/7/40.

The documents enumerated below are forwarded for your necessary action

Please receipt and return one copy of form to the sender

COPIES	FORM	DESCRIPTION
1		Report on Japanese Concentrations & Activities along the British Columbia Coast, of June 24th, 1940.

The Department of External Affairs
JUL 5 1940
Canada.

RECEIPT IS ACKNOWLEDGED

DATE

Signature

(C. C. Walker)
Wing Commander,
for Chief of the Air Staff.

Signature of Sender

fishing and agriculture. The agricultural population is located largely in the Fraser Valley in Surrey, Haney and Mission municipalities. The fishing population is scattered in isolated villages from Prince Rupert south to the Fraser and on the west coast of Vancouver Island, at Quatsino, Tofino, Ucluelet, Bamfield, and other less important bases. The centre of the fishing industry is at Steveston at the mouth of the Fraser River. This village, known as "Little Tokyo", has a Japanese population of about 4,000. Isolated Japanese fishing communities lie along both banks of the Fraser from Steveston to New Westminster.

In the metropolitan areas also there are numerous Japanese owning and operating small stores mainly engaged in the green grocery and general store end of the retail trade. The Chinese and Japanese practically control the retail fruit store business in cities and towns of British Columbia.

Organization of Settlements

In the outlying districts where Japanese are living in segregated areas, they have organized into local Japanese communities and associations with a very successful and usually active system of co-operative marketing. These communities within various municipalities are and remain entirely Japanese in culture, social life, and often possess their

COPY

S. 44

M E M O R A N D U M

E C R E T

Western air Command Headquarters,
Victoria, B.C., June 24th, 1940.

To: Senior Air Staff Officer.

Subject: Japanese Concentrations & Activities along The British Columbia Coast

In order to establish a clear picture of the Japanese situation in British Columbia, I respectfully submit the following brief summary based on observations made over the past two years and during the time I was employed on special investigational work regarding the Japanese problem by the Department of External Affairs and Immigration Branch of the Department of Mines & Resources:

Population

There are between 30,000 and 32,000 Japanese in Canada. Of this number approximately only 150 live east of the Rockies. The Japanese population of Canada therefore practically in its entirety is resident in British Columbia.

Japanese Settlements in B.C.

In British Columbia the Japanese population is congregated largely in settlements and these depend on the type of industry engaged in. Generally speaking, these settlements are located almost exclusively at Coastal points, on Vancouver Island's west coast, and up the Fraser Valley, but close to the navigable Fraser River. For climatic reasons as well as the tendency of white Canadians to ostracize them and drive and keep them in their own communities, these settlements are and have been located in some strategic and vulnerable areas. Whole villages are entirely Japanese in population and their stores and industries such as fruit packing, canning, even lumbering, are in many cases exclusively Japanese owned and operated.

Occupations & Locations

The Japanese are chiefly engaged in two main industries, fishing and agriculture. The agricultural population is located largely in the Fraser Valley in Surrey, Haney and Mission municipalities. The fishing population is scattered in isolated villages from Prince Rupert south to the Fraser and on the west coast of Vancouver Island, at Quatsino, Tofino, Ucluelet, Bamfield, and other less important bases. The centre of the fishing industry is at Steveston at the mouth of the Fraser River. This village, known as "Little Tokyo", has a Japanese population of about 4,000. Isolated Japanese fishing communities lie along both banks of the Fraser from Steveston to New Westminster.

In the metropolitan areas also there are numerous Japanese owning and operating small stores mainly engaged in the green grocery and general store end of the retail trade. The Chinese and Japanese practically control the retail fruit store business in cities and towns of British Columbia.

Organization of Settlements

In the outlying districts where Japanese are living in segregated areas, they have organized into local Japanese communities and associations with a very successful and usually active system of co-operative marketing. These communities within various municipalities are and remain entirely Japanese in culture, social life, and often possess their own public buildings, such as community halls, schools, etc. In each one of these communities there is a head man or leader who has complete authority in matters pertaining to the conduct of life and the work of the individuals. He in turn is in most instances supported and advised by

the local appointee of the Japanese Consul and in most cases this individual is the Schoolmaster. Invariably the school teacher is a man. To the best of my knowledge, a Japanese schoolmistress in a B.C. community is unknown.

These communities are well run, properties well developed and managed. In no instance during the investigation was a case discovered where a Japanese property owner was in arrears with his taxes.

Schools

The schools are owned and maintained by the community. Pupils attend the municipal schools during regular school hours and immediately afterwards proceed to the Japanese schools for two or more hours instruction in the Japanese language, Japanese history, and culture.

These schools are presided over by a Japanese schoolmaster as stated above and it was observed that invariably these schoolmasters were Japanese born and educated, and comparatively recent immigrants to this country. In most cases these men have served their regular period with the Japanese army. It was noticed too, that close liaison was maintained between the Japanese Consul in British Columbia and these schoolmasters. Undoubtedly they are subsidized by the Japanese government through the local consul, as some of the communities visited could not support the services of such a schoolmaster. It was invariably the case that he lived at a higher standard of living than the average Japanese fisherman or farmer in the community.

The idea behind this system of education is obvious. By getting the children at an early age and inculcating in them Japanese teachings, they attain the desired allegiance to Japan. Canadian born Japanese are Japanese no less than if born on their native soil. When it is financially possible, Japanese families often send their children back to Japan for complete education. Several instances of a Canadian Born Japanese of 20 and 21 unable to speak a word of English were noted during my investigations. These youths had been educated in Japan and had recently returned to take up life here in an isolated fishing community where Japanese was the only language necessary to them. In some instances, it was noticed that these young students returning to Canada carried for identification and admission to this country, their Canadian birth certificates but also possessed a Japanese passport to facilitate their travel, and identify themselves to the Japanese Consul.

All Japanese, regardless of whether they are native or Canadian born, register with the Japanese Consul. At this office, accurate vital statistics are kept of all the Japanese in British Columbia, an indication that officially the Japanese government considers that they still owe allegiance to the Mikado.

Status of Japanese population

Japanese in British Columbia fall into two main categories - native born and Canadian born. Most of the older native born immigrants are naturalized Canadians. Some of these older immigrants are loyal to this country, but in the event of hostilities with Japan, it is doubtful if they would be wholly Canadian in sympathy and action.

The old naturalized Japanese who emigrated to this country 25 to 40 years ago and who have since made their living here, have been substantially better off than they would have been at home in their native land, and their standard of living has been higher. For this they are grateful and most of them have no desire to return to Japan, and have adopted this as their land permanently.

The Canadian born Japanese fall into a doubtful category. They resent white hostility and are inclined to be sullen and defiant to whites and particularly to investigations carried on regarding them. Instilled with the superiority of the Japanese race by their education and convinced by these teachings that they are the "Chosen People", it is greatly feared that serious subversive activity might be indulged in by these. It is my considered opinion that greater danger lies amongst this class.

Immigration

At the present time Japanese immigration to Canada is restricted to immigrants entering as agricultural labourers, domestic servants and the wives of Japanese residents of the country. The advent of additional Japanese is not encouraged and every effort is made to keep the legally landed ones to a minimum. The practice in the past has been for a man to come over and go directly to his employer who had to sponsor his advent, and there work for a minimum period of three years. As soon as this period was up however, they invariably left their employer and became a factor on the open labour market. Considerable evidence was secured that the duties of these immigrants after arrival was not as stipulated in their original landing approval.

General Summary

The Japanese fishing population on the B.C. Coast comes mainly from two provinces in Japan.

The situation in the various fishing villages populated by the Japanese along the B.C. Coast is peculiar. They congregate in certain areas, and operate their boats from villages they have established. They work well amongst themselves but operate what practically amounts to a closed corporation. They purchase necessaries from their own stores, sell through a co-operative organization. They go out in fleets and fish in a body. Their boats are among the best on the coast and are invariably kept in excellent repair and appearance. They have little or nothing to do with whites and resent any white regulations or attempts to control and regulate their comings and goings.

Ucluelet is a typical example of one of the larger of these villages. In the fishing season there are between 400 and 500 Japanese located here. Fifty-two Japanese boats base in this area permanently, these are increased in number during the fishing season. The permanent Japanese population of Ucluelet is about 250 to 300. Should there be any question of subversive activity, in my opinion it would be carried out largely by this fishermen's group with their main headquarters and base located at Steveston, close to Vancouver, and the offices of the Japanese Consul and many large and influential Japanese firms.

There is no question or doubt about the existence of Japanese societies definitely committed to anti-white activities. The problem arising as the result of this on the coast depends on how well these are organized, what membership they have, and whether they are in a position to do material damage to defences or key industries on the Coast. If a fleet of fishing boats, operating up and down the coast could get in to certain strategic areas, considerable damage might be done and the consequent result might be serious.

Damage could take the form of sabotage to electric power lines, cutting off the electric power supply to Vancouver and surrounding areas - crippling industries, sewage disposal, water supply, etc., to the City proper. Or possibly a raid could be carried out on the oil refineries which are all located beside navigable waters.

Few Japanese are without firearms. It was ascertained at Ucluelet recently that most of the Japanese fishermen there possessed more than one gun. Only four white fishermen in this area were known to possess any. The Japanese are all trained in the handling of rifles and could therefore be a decided menace, if coupled with the proper organization. They are able to live off the land - are doing so today so the problem of food and maintenance to them would not be as great as it might appear.

In short they could very easily make themselves a potent force and threaten the vital industries of British Columbia.

As the result of their numbers and their scattered villages at all points along the coast, directly under the control of the Japanese Government through their consul at Vancouver, a serious situation could arise immediately upon the outbreak of hostilities. This depends to a large extent on their organization, but from previous experience this may be relied on as being good. This is a racial characteristic. Another factor that may be classed as doubtful is the loyalty to Canada of various individual Japanese, high up in the British Columbia Japanese Organizations.

Attached hereto is a map showing disposition of Japanese on this coast together with estimated permanent Japanese population in each individual area. This information is taken from a map produced by the B.C. Provincial Police relative to the location of alien communities in the Province. If approximately 5,000 semi-transient Japanese are added to the total, the figure totals over 30,000.

With this number concentrated in British Columbia, in my opinion it would be essential, in event of hostilities, to restrict all Japanese pending completion of enquiries regarding their sympathies and status. These enquiries and the determination of the status of the individuals would have to be carried out with access to records and files in possession of the Immigration Branch of the Department of Mines & Resources, the Royal Canadian Mounted Police, and personal records and knowledge of those people who have been acquainted with the Japanese and their organizations on this Coast. It would be a large undertaking, but vital to the safety of British Columbia as a whole.

Submitted for your information, please.

SIGNED:

(R.M. Wynd) Flight Lieutenant,
Intelligence Officer.

Area	Jap Population
A	1289
B	350
C	571
D	635
E	1234
F	15106
G	3192
H	3317
I	12
J	12
K	105
L	484
M	
N	30
O	17
P	11
Q	
Total	26365

Note Figures from 1931 Census

SOUTH BRITISH COLUMBIA AERIAL DISTRICT

Scale 35 miles to one inch.

212-39c

THE UNIVERSITY OF BRITISH COLUMBIA
VANCOUVER, CANADA

DEPARTMENT OF
ECONOMICS, POLITICAL SCIENCE AND
SOCIOLOGY

July 4, 1940.

Dr. Hugh Keenleyside,
Department of External Affairs,
Ottawa, Canada.

Dear Hugh:

In continuation of my letter of yesterday, I have tried to collect the names of a few prominent Japanese, although with one ~~or two~~ exceptions they are not men whom I know personally.

The President of the Canadian Japanese Association is Mr. E. Kagetsu, 2867 West 37th Ave., and the Secretary is Mr. Kawata, office, 320 Gore Ave. The General Secretary of the Japanese Canadian Citizens League is Edward Ouchi, 396 Powell St. The head of the Japanese Fishermen's Union is Mr. Ide.

In a general way and without, of course, mentioning you or your Department in the remotest way, I have suggested to one or two of my students that if the situation in the Far East becomes critical, the Canadian Japanese might like me to go and talk with them as I did last September when they were much disturbed by the outbreak of war. If there is anything that I can say to them on such an occasion that you think would be useful, I hope you will suggest it as it may be easier for me to speak frankly to a group of that sort since I hold no official position and have no close relations with any of the leaders of the Japanese community. I do not know whether there is any resolution they could pass or declaration they could make which would prepare the way for amicable relations in the event of a crisis.

With all best wishes,

Yours sincerely,

H.F. Angus

HFA:EM.

THE UNIVERSITY OF BRITISH COLUMBIA
VANCOUVER, CANADA

DEPARTMENT OF
ECONOMICS, POLITICAL SCIENCE AND
SOCIOLOGY

Private and Confidential

July 3, 1940.

Hugh Keenleyside, Esq.,
Department of External Affairs,
Ottawa, Canada.

My dear Hugh:

I can understand your concern over the repercussions in B. C. of any further aggressive action by Japan in the Far East. The difficulty is one that might have been foreseen and provided for, but in the present emergency I think we must all refrain from recriminations whatever the temptation.

As you point out the importance of speed, I am writing immediately on receipt of your letter and shall write again later after more deliberation. I must explain that I am not in touch with the leaders of the Japanese community here and that I have purposely refrained from developing relationships which might have been misinterpreted in view of the public statements which I have made concerning their position. Those whom I know best are the students who have been in my classes. I agree that it is sound to try to get hold of the eight or ten leading members of the Japanese community but I have not personally found anyone of whom I could feel with confidence that he would not consult with the Japanese Consul if any such question were put before him. And in approaching leading Japanese citizens it would be necessary to proceed with great tact. The natural question they have to ask is whether they could look forward with confidence to full citizenship in Canada and I assume that the Dominion Government could not answer this question. I am inclined to think that there are several lines of action that might be followed.

(1) The provincial legislature might be prepared to enfranchise Japanese, Chinese, and East Indians who have carried assimilation to the point of obtaining a degree from a Canadian university. This would be a gesture on the smallest possible scale and electorally the numbers would be insignificant. I have suggested this to Dr. Weir. It would be much more important than any promise could be.

THE UNIVERSITY OF BRITISH COLUMBIA
VANCOUVER, CANADA

PARTMENT OF
S, POLITICAL SCIENCE AND
SOCIOLOGY

(2) I think the question of double nationality should be cleared up by legislation making it possible to require an unequivocable declaration as between one or other of the two possible claims on a man's allegiance.

(3) I think that the Japanese who are willing to engage for military or naval service should be registered and enrolled and so to speak imbued with the sense of naval or military responsibility. This would serve three purposes: (i) it would recognize their importance and give them something to think about, (ii) at the same time it would give the government a definite hold over them, and (iii) it would be some protection against those whom you describe as "super patriots".

This last point is important because I fully agree that in the event of any untoward incident in the Far East the situation might be suddenly and irretrievably prejudiced by riots here using among others the slogan "While we fight for our country the Japanese get our jobs".

I gather that what you particularly want me to do is to help in obtaining the names of recognized leaders of the Japanese community. You will understand that if I begin to make inquiries of any sort the news that I am doing so will get about very quickly and may excite all sorts of rumours. I wonder if it might not be a good idea for your Department to inquire from T. G. Norris, K.C., 602 West Hastings St.. It was he who prepared the brief which was submitted to the Dominion parliament some years ago and he must therefore be in pretty close touch with the Japanese of British nationality who employed him.

I was interested in your reference to deportation. Unless an attack on Hong Kong were treated by the United States as a cause of war, why not deport via that country?

In conclusion may I add one thing, if at any time in the present emergency there is any public duty which the Government wishes me to undertake, I should consider it my duty to do everything in my power to meet their wishes.

Yours sincerely,

H. F. Angus

HLK
JG

Personal
&
Confidential

Ottawa, June 28, 1940.

My dear Henry,

It will be no surprise to you to learn that we have been considerably worried by the prospect of further aggressive action by the Japanese in the Far East, and in particular by the probable effect that any such action directed against British interests in that part of the world might have upon the Oriental situation in British Columbia.

In discussing the matter here I have expressed the opinion that any military or naval action against, say, Hong Kong would result almost inevitably in riots in Vancouver.

If Japan should enter the war against us the problem of the Japanese community in British Columbia would require immediate and careful attention. It would be quite impossible in my opinion to deport the whole 30,000 Japanese (by way of Russia, presumably), although this has been suggested by certain individuals here. On the other hand there would certainly be danger of subversive activities on the part of some elements in the Japanese community. The police are not in a position to ferret out the dangerous Japanese as they have done with the Germans and Italians; they have lines on a few Japanese who might be expected to take part in attempts at sabotage, and these, of course, would be incarcerated at once. But that would not really solve the problem.

I have been advocating the adoption of the following policy, and I should like to have your advice and assistance in connection with it.

Professor Henry F. Angus, B.A., B.C.L., M.A.,
Department of Economics,
University of British Columbia,
Vancouver, B.C.

As you know, one of the most strongly pronounced and universal characteristics of the Japanese people is their sense of individual responsibility. When a Japanese makes a mistake or when someone under his command fails in duty, even though the person in question could not justly be held responsible, in practice he will accept the responsibility and either commit suicide or resign office, or perform some other act by which he acknowledges his responsibility. Thus, when a chauffeur driving the Emperor in Osaka took a wrong turn, which he had been told to take by the local police, he committed suicide. A Prime Minister of Japan resigned office because a junior member of his administration was found guilty of some minor malfeasance. Similar examples could be found in all walks of life and in all sorts of what would seem to us to be rather peculiar circumstances. My suggestion referred to above is based on this Japanese characteristic. I have proposed that we should get hold of the eight or ten leading members of the Japanese community in British Columbia and ask them to accept responsibility for the good behaviour of the whole community.

As you know, the Japanese are very compactly organized, and it should not be difficult to pick out the recognized leaders. If these men could be persuaded or forced to accept responsibility for their compatriots, I am inclined to think that we would go a long way towards solving the problem that will face us in the event of war.

This step should be combined with the immediate apprehension of known dangerous individuals and the extension of strong police and, if necessary, military protection to the loyal and well-behaved members of the Japanese community. We should do everything possible to keep local hoodlums and super-patriots from attacking the Powell Street area.

My object in writing this letter to you is to (a) ask what you think of my proposal; and (b) ask your assistance in obtaining the names of the recognized leaders of the Japanese community. Knowing of your extensive contacts with the Japanese I feel that you are in a better position than anyone else to advise me as to the proper people who should be included in the list of those wpon whom we are proposing to saddle the responsibility. For any assistance that you can give in this respect not only Dr. Skelton and myself, but all the members of the Government, would be exceedingly grateful.

I need hardly add that, in view of the unstable circumstances in which we live, speed is of very great importance.

With kindest regards to Annie and yourself,

I am,

Yours very sincerely,

H. L. KEENLEYSIDE

212-39C

HLK
JG

Ottawa, June 21, 1940.

Dear Brigadier Wood,

You will have received a copy of the telegram from our Chargé d'Affaires in Tokyo in which the critical nature of the situation that has developed in the Far East is briefly outlined. The aspect of this problem to which you will have been giving thought is, of course, the possibility of difficulties arising among the Japanese population in Canada. The situation in British Columbia, where over 90 per cent of the, approximately, 28,000 Japanese in Canada are concentrated, is one that will demand very serious thought.

In this connection I have suggested that Mr. Keenleyside of this Department, who has had some experience in Japan and with the Japanese communities in Canada, should hold himself in readiness for consultation with yourself or your officers as the need may arise. It may be worth mentioning that Mr. Keenleyside has informed me that Inspector Fish, who served with him on the Board of Review which investigated certain aspects of the Oriental problem in British Columbia two years ago, has an unusual knowledge of the Japanese community on the Pacific coast. He reports also that ex-Constable Henry, who is now, I believe, a member of the Immigration Service, has an exceptional knowledge of the Japanese language and might be found of very great use if a critical situation does arise in British Columbia.

I shall, of course, keep you fully and immediately informed of any further information that we may receive in regard to developments in the Orient.

Yours sincerely,

O D SKELTON

Brigadier S. T. Wood,
Commissioner,
Royal Canadian Mounted Police,
O t t a w a.

throughout the civilized world.

In concluding his volume, this writer, at page 180 makes the following observation after a careful study of the whole situation:

> Exclusion differs from restriction principally in the mental attitudes involved. The practical results of the two methods are about the same. Each limits the number of arrivals. Each presents about the same kind of individual and administrative problems. Exclusion, however, differs radically from restriction from the standpoint of group attitudes. Exclusion discriminates in a manner that is offensive to the racial and national dignity of the group excluded. This is especially true when exclusion is based on the principle of ineligibility to citizenship. For then it conveys the obnoxious implication that the people excluded are biologically inferior.
>
> Both China and Japan, according to the repeated utterances of their representative leaders, accept the principle of immigration restriction. They realize that it is in the interests of all concerned to prevent a too rapid intermingling of the races. They do object, however, to being discriminated against on the basis of race when such discrimination is unnecessary to achieve the end desired. There seems to be no fundamental difference of opinion regarding the objective. The conflict arises in connection with the method employed. It has been pointed out on numerous occasions that the quota principle, as at present applied to Europeans, if applied to Asiatics, would admit such a negligible number that the practical end of exclusion would be achieved and without the sacrifice of international good-will.

I say, Mr. Speaker, that these words are words of wisdom, which should be carefully pondered at this time with respect to the course that is proposed in this bill.

After Japanese defeat 177

Americans are betting the Jap. will submit if the Ad are retaining the Jap administration in Korea!

Sept. 21 1945 It looks as though the situation in Japan might improve. John Carter Vincent has been made head of the Far Eastern Dept. of the State Dept. instead of Dean Acheson who has been Secretary of State. Vincent has already visited Gen. MacArthur and told him that the main object of the occupation press in Japan is to bring about a "peaceful economic revolution" in that country. By recommendations to the Dept. the objectives are marked FFF FFF

Oct. 8. At last the occupation press are beginning to show some interest in establishing democracy in Japan. Baron Shidehara has been brought back from fifteen years obscurity and has been told to form a cabinet. He is omitting most of the gang who have occupied prominent positions in the last two decades. Shigeru Yoshida is helping him — he served both the Jap. diplomatic.

The Japanese communist has

Shidehara
formula

LA scholarship scheme

appeared on the scene - and have demanded the
abolition of the monarchy! Although it began
to look as though Japan was at the beginning
of a period of real reform. Shidehara and
Yoshida are not reformers in social radicals
but they are, I believe, faithful democrats.

I have been performing a function
similar to that of scholarships for foreign
students to enable us to capitalize on
our educational reputation. In return
all it cost the Japs. I was told to
miss the commercial benefits almost
exclusively! Do you see GGG

GGG.

The economic settlement is going
to be about that it cannot humbly last. They are
very apprehensive as already can be "learned"
about that & Shidehara has repeatedly been.

HHH. He advocates a living policy market HHH

At the moment we are having a
visitation of American Catholic politicians: the
Cardinal, three Archbishops & attendant
staff. They are here for the fiftieth anniversary
of the consecration of the Diocese of Los Angeles.
It is the first time a Cardinal has visited
America.

Winnipeg Free Press

DEC 20 1945

A New Policy For The Japanese

Three orders-in-council, based on the dying War Measures act, and tabled in the House of Commons, Monday night, proclaim the surprising fact that the Government has chosen not to deal with the revoking of naturalization and deportation of Japanese under peace time statutes. The Naturalization and Immigration acts, which normally would provide the only power by which the ends of the Government could be reached, apparently were regarded as insufficiently drastic.

Apart from this astonishing manoeuvre of the Government, the actual policy with regard to the Japanese is somewhat milder than any hitherto declared.

The orders-in-council, briefly, authorize the appointment of a special commission, with powers to determine the "loyalty" of Japanese, to revoke naturalization where this is deemed advisable, and to order deportation.

The new policy may be explained most simply by relating it to different categories of Japanese.

The Canadian-born Japanese will not be proceeded against, and—here is an improvement—even where he voluntarily returns to Japan, his Canadian nationality will not be questioned. Legally, he would be free to re-enter Canada at any time in the future, unless he himself, divests himself of Canadian nationality.

At the other extreme, Japanese nationals in Canada, who signed to be returned to their native land, will be sent there. If they did not sign, they will be subject to the decision of the commission. They will not necessarily be deported, but the probabilities are that they will be.

Japanese, who are naturalized Canadians fall into two classes. Those who did not sign to be returned to Japan, will not be touched unless they are found to be disloyal by the commission. In this event, their naturalization papers will be revoked and they will be deported. Those who did sign, but who revoked their signatures prior to midnight Sept. 1, will be in precisely the same position, as if they had never signed.

Those who signed to be returned to Japan, and who did not revoke by Sept. 1—whether they have done so since or not,—will have their papers revoked and will be deported.

In all cases involving trial by commission, the Minister of Labor, under whose authority the policy is being carried out, has a discretionary power.

A second improvement in the policy is that while habeas corpus proceedings cannot be taken by a person confined by order of the commission, an appeal to the courts against an order for deportation is not forbidden by the orders-in-council and, therefore, exists. Those under sentence of deportation can appeal to the Superior court of the particular province in which they are held prisoner.

The net effect of the orders, as with the earlier policy, will be to send back to Japan some 5,000 of the 23,000 Japanese in this country. As orginally planned, the intention was to deport about twice that number. And it is also noteworthy, that under question from British Columbia members, Mr. King twice Monday, refused to give any pledge that Japanese legally resident in Canada would be prevented from returning to the coast.

But the real point, with regard to the new policy, relates to the procedure. The Government has chosen to carry out a policy of expulsion under the War-Measures Act. This statute dies on Dec. 31, when it will be replaced by a new and restricted Emergency Powers act—the Bill 15, of the present session. The powers now taken under the dying statute would not have been available to the Government under the new Act.

As originally drafted, Bill 15, Clause G. of Section 3, specifically empowered the Government to revoke naturalization and to deport. This clause was aimed directly at the Japanese.

A storm protest compelled the Government to yield. Bill 15 was redrafted and Clause G. was struck out. No special powers of this kind were retained in the redrafted Bill. This was taken to mean that the Government would rely upon the normal statutes—the Naturalization and Immigration acts—to deal with persons who ought not to be naturalized Canadians and who should be deported. These statutes authorize such action for specified causes, including disloyalty, but only after judicial inquiry by a Superior court in each and every case.

Monday's events prove that the Govertment was unwilling to follow this course. Therefore, the recourse to a dying statute—one which in the view of Parliament should and will cease to operate just a few days hence. Yet once taken, these emergency powers do not expire with the War-Measures Act, but are continued automatically under the new Emergency Act. Power is now taken which is not available to the Government, under the new act, but which, once taken under the old, lives on.

Thus the Government has obtained without reference to Parliament, specific powers which, as proved by the changes made in Bill 15, it was not prepared to ask Parliament to grant. The Government has done by indirection, what it shrank from doing directly.

The upshot is that the Government can now do all that it originally sought to do, under the original text of Bill 15. The elimination of Clause G. simply meant that the Government preferred to take power by order-in-council from a law, which it agreed was dying and should die and, after the year's end, could no longer be used—preferred this course to that of asking for the power openly and directly from parliament.

And having gained it by this back-door technique, this power outlives the statute whence it springs. The Government proposes, therefore, by virtue of a dead statute to proceed to revoke naturalization, and to deport Japanese without reference to the peace-time laws, enacted by Parliament, to govern such actions.