Co-operative Ctte on Japanese - Canadians:
Correspondence file #1 Jan - 31 March 1947

3-6

THE LAW SOCIETY OF UPPER CANADA
OSGOODE HALL
TORONTO 1.

RECEIVED
MAR 4 1947
CAMERON, WELDON
& BREWIN

March 3, 1947.

Mr. F. A. Brewin,
Cameron & Brewin,
372 Bay Street,
TORONTO.

Dear Sir: -

As I mentioned to you the other day, my records of the Japanese reference and the Privy Council case the Saskatchewan case and the B.C. case. You were good enough to say that if you had extra copies of these I might have them for binding.

Yours truly,

Chief Librarian,

GAJ:GEB

Co-operative Cttee on Japanese - Canadians: Jan-March 1947
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Co-operative Cttee on Japanese - Canadians:
Correspondence
file #1
Jan - March 1947

Rec'd Feb 17/47

126 Eastbourne Ave.
Feb. 17, 1947.

Dear Mr. Brewin:

Enclosed is a copy of our newsletter - the product of a noon hour meeting of Edith Fowke, Kunio Hidaka and myself. As you read you will note yourself speaking back to you. I both apologize and offer thanks to you for the contribution from your Jarvis Collegiate speech.

This has gone out to our whole mailing list - now numbering nearly 2,000. It is one way of saying"thank you", and I hope this will be the last newsletter that we will need to send out.

I am taking the liberty of sending you the Christian News-letter of Jan. 8th with the third article on "Christian in Politics". It is not that I think you need it but I should like to have your opinion of it. I think the time has come when we all have to give serious thought to the question of participation in politics. I'd like to see something done for the education of our church people along this line.

P.S. May I trouble you to return the "C.N.L" at your leisure. Thx.

Yours sincerely,
Donalda Rae Tiller

56

3-6

WELDON

xxxxx

Roy Weldon
xxxxxxxx

February 18, 1947.

Mrs. Hugh MacMillan,
126 Eastbourne Avenue,
Toronto, Ontario.

Dear Mrs. MacMillan:

I am enclosing copy of a letter received from the Prime Minister for your files.

Thank you very much for sending me the Christian Newsletter.

Yours very truly,

FAB:HC
Encl.

Co-operative Ctte on Japanese - Canadians: Jan-March 1947
File #1
Correspondence

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WELDON
xxxx /

Roy Weldon
xxxxxxx

February 18, 1947.

Dr. C. A. Ishiwara,
President,
British Columbia
Japanese Canadian Citizen Association,
Greenwood, B. C.

Dear Sir:

I wish to thank you for your very kind and generous letter in respect to my contribution in the fight for justice to the Japanese Canadians. I can assure you that it has been a very real pleasure and privilege to me to have had the opportunity of taking part in this work to which so many people contributed.

It may be of interest to you to know that in speaking at a public meeting dealing with the question of civil rights in the City of Toronto recently, I had occasion to refer to the Japanese Canadians in the following terms:

"One thing should be noted. At no time have any Japanese Canadians been guilty of sabotage or active disloyalty. Indeed during the trying years of the war and after the war, Canadians of Japanese origin have behaved with continuing forebearance and good sense and have demonstrated that they are as good Canadians as any of us."

Yours sincerely,

FAB:HC

Co-operative Ctte on Japanese - Canadians: Jan-March 1947
Correspondence file #1

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President.....

Secretary.....

Rec'd Feb 18/47

British Columbia

Japanese Canadian Citizen Association

Greenwood, B.C.

January 31, 1947

Mr. F.A. Brewin
c/o Mr. Kunio Hidaka
504 Jarvis St.
Toronto, Ontario

Dear Sir:

On behalf of the British Columbia Japanese Canadian Citizen Association, I wish, at this time, to take the liberty of conveying our heartfelt thanks and appreciation for your advice and encouragement given us during the hardships and turmoil of the evacuation years. We feel that it is through your unceasing and unselfish efforts that the Orders-in-Council governing us are slowly being dissolved. Especially do we feel that your efforts and work have been most noteworthy in having the Deportation Order repealed.

We still have a big struggle ahead in order to obtain our full rights as Canadian Citizens, but with the continued encouragement of friends like yourself who are always fighting for us we feel the problems confronting us in the attainment of our ultimate goal are much eased.

Please accept again our humble thanks. May your friendship and co-operation continue perseveringly.

Sincerely yours,

Dr. G. A. Ishiwara

Dr. G. A. Ishiwara
President

R. Y. Sano

Co-operative Ctte on Japanese - Canadians: Jan-March 1947
file #1
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Co-operative Ctte on Japanese - Canadians: Jan-March 1947
File #1
Correspondence

XXXXXXXX

February 1, 1947.

Mrs. H. MacMillan,
126 Eastbourne Avenue,
Toronto, Ontario.

Re: Co-operative Committee on Japanese Canadians

Dear Mrs. MacMillan:

I rendered to you on the 4th of September an account for our legal services up until the hearing of the appeal in the Judicial Committee. Since rendering that account we have received from our London agents Messrs. Lawrence Jones and Company, a draft for $1085.0d. This represents the balance in Lawrence Jones and Company's hands of the £1000 remitted to them, after deduction of their account for £729.12s.0d. This account is on our file if you should wish to inspect it at any time.

It seemed to me convenient as the present stage of the work is now over to send to you our account up to date, and our cheque for $740.00 the balance in our hands after deduction of our account.

Yours very truly,

CAMERON & BREWIN

per: FAB

FAB:EC

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XXXXXXXXX

February 3, 1947.

Mr. Christopher Shawcross, M. P.,
House of Commons,
London, England.

Re: Japanese Canadians

Dear Christopher:

You will be no doubt glad to hear that although we lost the case, we won the battle. The Government of Canada announced the rescinding of the three orders that we were attacking.

Yours sincerely,

FAB:HC

Co-operative Ctte on Japanese - Canadians: Jan-March 1947
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x xxxx

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February 3, 1947.

Mr. Geoffrey Wilson,
1 Mitre Court Buildings,
Temple E. C. 4,
London, England.

Re: Japanese Canadian

My dear Wilson:

Thank you very much for your letter of the 6th of January, and your kind remarks.

You will be pleased to hear that last Friday the Prime Minister announced the rescinding of all the orders which we were attacking. No order for deportation has actually been made, although some 4000 Japanese Canadians have been voluntarily transported to Japan. Although we lost the case, we seem to have won the battle.

I was very much interested in seeing that the Privy Council have said that Bill 9 is valid. As much as I have enjoyed my trips to the Privy Counil, I must confess I feel the judicial part of Government is something that we should look after for ourselves in Canada. Perhaps, however, before the Parliament gets around to passing Bill 9, I may have some opportunity to get to the Judicial Committee again, particularly if I can persuade the Government of Saskatchewan on one or two cases they have pending.

Yours sincerely,

FAB:HC

Co-operative Cttee on Japanese - Canadians: Jan-March 1947
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Co-operative Cttee on Japanese - Canadians: Jan-March 1947
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Correspondence

XXXXXXXXX

XXXXXXXXX

February 3, 1947.

Mr. Roger N. Baldwin,
American Civil Liberties Union,
170 Fifth Avenue,
New York 10, New York.

Re: Japanese Canadians

Dear Mr. Baldwin:

I am enclosing herewith a copy of the Prime Minister's statement in regard to Japanese Canadians, and am also enclosing a copy of a speech I made at a meeting sponsored by the Civil Liberties Association of Toronto which deals with the subject, and may be of interest to you.

We feel that the Government's announcement represented a victory for civil liberties in Canada.

Mr. King Gordon asked me some time ago to write an article for the nation on this subject, and when the pressure of other things is relaxed, perhaps I will get around to it.

Yours sincerely,

FAB:HC

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9-E

February 1 47

Co-operative Committee on Japanese Canadians

299 Queen Street West, Toronto, Ont.

XXXXX

XXXXX

Japanese Canadians (Since Privy Council Appeal)

1946

Aug.14 Discussing this matter with you and letter to Lawrence Jones and Company.

Sept.4 Having observed Ottawa dispatch saying that the decision of the Privy Council is likely to be some time in September, considering with you what action should be taken in the event of the appeal being dismissed, and letter to Campbell, Brazier, Fisher & McMaster advising that in our opinion it is not wise to be too optimistic as to the result of the appeal and suggesting consideration of action to be taken by way of (1) representations to the Government, (2) in respect to legal proceedings by way of Habeas Corpus, or before the Loyalty Commission.
Letter to Lawrence Jones and Company asking them if possible to give us information as to the date of the hearing.
Discussing this matter with you and letter to the publisher of the Winnipeg Free Press in regard to possible decision of the Privy Council.

Sept.20 Letter to the office of the Prime Minister asking that a small deputation be received as soon as possible after the decision is given.

Oct. 4 Having received letter from the Prime Minister's Office advising you.
Letter to the Prime Minister's Office pointing out that in addition to the validity of the Orders-in-Council, there are several other questions in regard to re-settlement and removal of restrictions on Japanese which we wish to discuss with the Government.

Sept.30 Further letter to Messrs. Lawrence Jones asking for date as to hearing.

Oct.17 Engaged considering with you a draft memorandum on the present situation.
Further engaged considering the draft questionairre

Co-operative Ctte on Japanese - Canadians: Jan-March 1947
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Co-operative Committee on Japanese Canadians

in regard to property issue.
Having been consulted by you in regard to cheques being sent out by custodian purporting to be in full payment of balance of sale of property. Considering same and drafting telegram to be sent to the editor of the New Canadian, suggesting that if possible these cheques be not accepted.

Nov.15 Further letter to Messrs. Lawrence Jones and Company pointing out delay in delivery of Judgment of Privy Council, and asking for an explanation. Letter to Office of Prime Minister, suggesting that by reason of delay and approach of the next session of Parliament, that interview with the Cabinet be advanced to a date before the delivery of Judgment.

Nov.19 Attending upon Mr. Gordon Robertson the Prime Minister's Secretary in Ottawa and discussing whole situation and the nature of the delegation which we desire to send to Ottawa, together with the subject matter which we wish to raise.

Nov.27 Long letter to the Prime Minister stating that the decision by the Judicial Committee on the reference is expected shortly and setting out the matters which the delegation from the Committee wishes to discuss, namely further deportations, restrictions on travel and otherwise, claims for restitution in respect to property loss and asking that the interview take place as soon as possible after the decision of the Privy Council is announced.

Dec. 2 Having received cable that Judgment reads "none of the Orders-in-Council is in any respect ultra vires" long letter to the office of the Prime Minister and attending to telephone the office of the Prime Minister in regard to proposed deputation, when it is pointed out that Mr. Mitchell will be away until after Christmas.
Preparing statement in regard to decision of the Judicial Committee for general publication.
Further preparation of memorandum on the reasons for judgment of the Judicial Committee.

Co-operative Ctte on Japanese - Canadians: Jan-March 1947
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Dec12 Letter to Mr. MacLennan of Messrs. Norris and MacLennan, and Messrs. Campbell, Brazier, Fisher and McMaster re decision of the Privy Council and our views in respect to its implications.

Dec. 12 Long letter to Messrs. Lawrence Jones and Company in regard to Reasons for Judgment.

Further correspondence with Mr. Campbell in regard to the situation arising out of the decision of the Privy Concul and further correspondence with Messrs. Lawrence Jones and Company in regard to balance of fees in their hands.

Letter to Mr. McMaster and Norris and MacLennan in regard to legal steps that may be taken if the Government continues with deportation orders.

Further correspondence with the Prime Minister in regard to proposed deportation, urging that the delegation be heard before the Government makes up its mind in regard to policy.
Engaged preparing material for presentation on deputation.

1947

Jan. 24 Advising you generally throughout these months in regard to legal situation arising in connection with deportation of the Japanese Canadians, property issues, etc.
Engaged in telephone conversation with Mr. Robertson in Ottawa when he informs us that Orders-in-Council 7355 and 7356 and 7357 are to be rescinded.
Obtaining copy of statement and reporting to you.

Long letter to the Prime Minister calling special attention to (1) necessity of setting up machinery in regard to property claims. (2) Proceeding against inference against the 4000 who voluntarily left for Japan.
Our fee in all $325.00

Co-operative Ctte on Japanese - Canadians: Jan-March 1947
Correspondence file #1

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$325.00

Paid the following disbursements:

Paid long distance telephone calls $20.09

$325.00	$20.09
20.09	
$345.09	

COUNT

N

..

IENT

	$1085.09
$345.09	
740.00	
$1085.09	$1085.09

Jap Cdns.

L.D. 14.02
5.50
6.02
4.55

20.09

Reid 1085.09
345.09

740.00

Co-operative Cttee on Japanese - Canadians: Correspondence file #1 Jan-March 1947

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	$325.00	
Paid the following disbursements:		
Paid long distance telephone calls		$20.09
	$325.00	$20.09
	20.09	
	$345.09	

THIS IS OUR ACCOUNT
CAMERON & BREWIN
per...F.M.S.....

LEDGER STATEMENT

Received		$1085.09
To our account as above	$345.09	
BALANCE TO YOU	740.00	
	$1085.09	$1085.09

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Co-operative Ctte on Japanese - Canadians: Jan-March 1947
File #1
Correspondence

THE CANADIAN BANK OF COMMERCE

TORONTO, CANADA 20th January 1947

Our Ref: FX 1

Messrs Mason Cameron & Brewin
372 Bay Street
Toronto 1, Ont.

Dear Sirs:

At the request of Westminster Bank Limited, London by order of Lawrence Jones & Co. we enclose our draft in your favour for $1085.09 (£270.1.3 @ 4.02 less comm .50 and stamp .06¢).

Yours faithfully

R.Dark
pro Manager

RECEIVED
JAN 21 1946
MASON,
CAMERON & BREWIN

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Ca..pbell, Brazier, Fisher & McMaster

Barristers and Solicitors

A. T. R. CAMPBELL — A. W. FISHER
C. W. BRAZIER — R. J. McMASTER

C. G. ROBSON

OUR FILE No.

TELEPHONE PACIFIC 9164

ROYAL BANK BUILDING
675 WEST HASTINGS STREET
VANCOUVER, B.C.

RECEIVED
JAN 23 1946
MASON,
CAMERON & BREWIN

January 18, 1947.

Att'n: Mr. Brewin.

Mason, Cameron & Brewin,
Barristers etc.,
Toronto , Ontario.

Dear Sirs:-

Re Japanese Orders-in-Council.

We have for acknowledgment receipt of your letter of December 24th for which we wish to thank you. We regret the delay in answering the same.

We do not have on file any of the clippings to which you refer, but imagine that the Japanese Canadian would have the most complete file in this respect.

We have heard rumours that the Government is showing signs of backing down on the previous understanding that they would take no action herein. We trust that your committee will be able to counteract the pressure which is causing this.

In the event that the orders run out without the Government taking overt action to deport anyone, we think it would be advisable to obtain from Mitchell after that date a statement that no orders for deportation were made by him prior to the expiration of the Orders-in-Council.

Yours truly,

CAMPBELL, BRAZIER, FISHER & McMASTER

Per

RJM/M

Co-operative Ctte on Japanese - Canadians: Jan-March 1947
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LAWRENCE JONES & Co
SOLICITORS.
CHARLES O'MALLEY.
H.A. KEMLO.
TELEGRAMS:-
LAURENTIAN, STOCK, LONDON.
TELEPHONES:-
LONDON WALL 4417-8.

COM/PP

WINCHESTER HOUSE,
OLD BROAD STREET,
LONDON, E.C.2.

8th January, 1947.

RECEIVED
JAN 20 1947
MASON,
CAMERON & BREWIN

Messrs. Mason Cameron & Brewin,
Sterling Tower,
Toronto, 1,
CANADA.

Dear Sirs,

Japanese Reference.

We thank you for your letter of the 12th December and have passed your letter on to Mr. Geoffrey Wilson. We are glad to know that there is a prospect of the further operation of this Order in Council being abandoned.

You will already have received our account in the matter.

Yours faithfully,

Co-operative Ctte on Japanese - Canadians: Jan-March 1947
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Co-operative Ctte on Japanese – Canadians:
Correspondence
file #1
Jan-March 1947

Dear Lean. 1 Mitre Court Buildings.
Temple E. C. 4.
6. i. 47.

Dear Beaverin,

Many thanks for your letter of Dec 12. about the Japanese Reference. I too was very disappointed at the result, especially after the magnificent way in which you argued the appeal. Frank Scharon & O'Malley, who both know a good deal about these matters, were very full of your praises and said that not a single thing more could have been done. I thought that the judgment was rather a poor one and that fundamentally it was based on political rather than legal grounds. I can quite understand that in a case which was

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admittedly a considerable difficulty, the P.C. felt that it would be unwise to upset both the Canadian Parliament and the Canadian Court and I suspect that that weighted very scale against us. But the emphasis on the war emergency is helpful, as you say, & I'm glad that the delay in this courtesy procedure has knocked the other sideways as how.

I too hope that we may be able to work again some day. But if the decision in Bill 9 is what I think it's going to be, the chances are, alas! much reduced.

With kindest regards from myself & myself.

Yours sincerely
Geoffrey Wilson.

Co-operative Ctte on Japanese Canadians: Jan-March 1947
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Co-operative Ctte on Japanese - Canadians:
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file #1
Jan-March 1947

No. 4

Jan. 13, 1947 19

Received *from* Mrs. R. McEachren

Two 00/100 *Dollars*

$ 2.00 Constance Chappell. Treas.
Co-operative Committee on Japanese Canadians

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Co-operative Ctte on Japanese - Canadians:
Correspondence file #1 Jan - 31 March 1947

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Please forward -

RECEIVED
JAN 14 1946
MASON,
CAMERON & BREWIN

3-6

Co-operative Ctte on Japanese - Canadians: Jan-March 1947
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file #1

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January 14, 1947.

Mr. G. R. Robertson,
Office of the Prime Minister,
Ottawa, Canada.

Dear Mr. Robertson:

Re: Japanese Canadians

I have been requested to write once again in regard to the contemplated interview between representatives of the Co-operative Committee and the Prime Minister.

I spoke to you on the telephone last week on reading in the press that a committee of the Cabinet were to consider on Friday last the whole question of Government policy in regard to the Japanese Canadians.

I understood from you then that it would not be possible to have a date for the proposed interview fixed until after some preliminary consideration had been given to the matter by the Cabinet.

The situation in which I find myself is that many of the supporters of the Committee all over Canada are anxiously enquiring as to what steps we propose to take in regard to interesting public opinion in the three questions most affecting the Japanese Canadians now, first deportation, second, removal of wartime restrictions, third, compensation for property.

We have taken the view since the delivery of the Judgment by the Privy Council, that before making public statements seeking to interest public opinion in these matters, that we would like to know the proposed policy of the Government and have the opportunity of discussing the matter with them before their policy was finally formulated.

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In these circumstances I would be obliged if you could convey to the Prime Minister the anxiety of the Committee which I represent to have the date of the proposed interview fixed at the earliest possible moment.

They are afraid that their constituents will feel that they are not doing justice to the confidence reposed in them if they are to continue to pursue their present attitude of inactivity.

Yours very truly,

FAB:HC

Co-operative Ctte on Japanese Canadians: Jan-March 1947
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January 11, 1947.

Miss Constance Chappell,
Treasurer,
Co-operative Committee on Japanese Canadians,
299 Queen Street West,
Toronto, Ontario.

Re: Japanese Canadians

Dear Miss Chappell:

We enclose herewith $2.00 being a donation re the above from Mr. V. McEachren.

Yours very truly,

CAMERON & BREWIN

per: F. G. B.
per H.C.

FAB:HC
Encl.

Co-operative Ctte on Japanese Canadians: Jan-March 1947
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AIR MAIL.

LAWRENCE JONES & Co
SOLICITORS.
CHARLES O'MALLEY.
H.A. KEMLO.
TELEGRAMS:-
LAURENTIAN, STOCK, LONDON.
TELEPHONES:-
LONDON WALL 4417-8.

1/PS/PP

WINCHESTER HOUSE,
OLD BROAD STREET,
LONDON, E.C.2.

9th January, 1947.

F. A. Brewin, Esq.,
Messrs. Mason, Cameron & Brewin,
Sterling Tower,
Toronto 1.

RECEIVED
JAN 13 1947
MASON,
CAMERON & BREWIN

Dear Sir,

Japanese Reference.

We enclose herewith two copies of the King's Order.

Yours faithfully,

Encs.

Co-operative Ctte on Japanese - Canadians: Jan-March 1947
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January 9, 1947.

Messrs. Beaulieu,Gouin,Bourdon & Beaulieu,
Barristers & Solicitors,
511 Place D'Armes,
Montreal, P. Q.

Re: Japanese Reference

Attention L. E. Beaulieu

Dear Sir:

We have to-day received the documents in connection with the above case which were sent to you by mistake. Thank you very much for sending them to us.

Yours very truly,
CAMERON & BREWIN
per:

FAB:HC

Co-operative Ctte on Japanese Canadians: Jan-March 1947
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Co-operative Cttee on Japanese - Canadians :
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Jan-March 1947

BEAULIEU, GOUIN, BOURDON & BEAULIEU

AVOCATS
BARRISTERS & SOLICITORS

L.E. BEAULIEU, LL.D., C.R.
HON. LÉON-MERCIER GOUIN, LL.D., C.R.
BERNARD BOURDON, C.R.
HENRI BEAULIEU, C.R.
JEAN CASGRAIN, C.R.
JEAN BEAULIEU, LL.L.

HARBOUR 0165 *
ADRESSE TÉLÉGRAPHIQUE "EMERICUS"

EDIFICE MONTREAL TRUST BUILDING
511 PLACE D'ARMES

RECEIVED
JAN 8 1947
MASON, CAMERON & BREWIN

MONTRÉAL January 8th, 1947.

F.A. Brewin, Esq.,
Messrs. Mason Cameron & Brewin,
Sterling Tower,
TORONTO, 1.

Dear Sir:

JAPANESE REFERENCE.

I have received, under cover addressed to myself at 511 Place d'Armes, Montreal, 10 final prints of the Judgment of the Privy Council re: Japanese Reference, together with a letter addressed to yourself; the whole coming from Lawrence Jones & Co., London, England. Manifestly, this was a mistake on the part of the clerks of Lawrence Jones & Co., and I am sending back to you all the documents above mentioned.

Will you kindly acknowledge receipt?

Yours truly,

Léonce Beaulieu

LEB:YL
Encl.

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3-6

January 7, 1947.

Roger N. Baldwin Esq.,
American Civil Liberties Union,
170 Fifth Avenue,
New York 10, N. Y.,U.S.A.

Dear Mr. Baldwin:

I must apologize for not having thought sooner of informing you of the decision of the Privy Council on the Japanese Canadian case.

I now enclose for your information, a copy of the reasons for judgment.

In regard to the effect of the judgment, the Government have still not announced their future policy, and we expect to see them within the course of the next week or two, when an announcement will be made. It is highly improbable,however, that anyone will be actually deported. Already some of the Japanese Canadians have gone over voluntarily.

Our important remaining problems,therefore, in regard to the Japanese Canadians are the questions of restrictive legislation which still applies to them and the claim for compensation for property taken from them and sold when they were moved from the Pacific coast.

The Government will have to make up its mind on these matters shortly and we will be using every effort to see that justice is done to them.

In regard to the reasons of the Privy Council, you will observe that they go very far in their statements that in war time and under our War Measures Act, Parliament can delegate almost any power at all however extreme to the executive and the courts will not interfere. This decision has added interest to the movement in Canada for incorporating a Bill of Rights. In the British North America Act which you know is our consitutional statute, hitherto the prevailing opinion in Canada has been that we can rely upon the British system of entrusting these matters entirely to

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Co-operative Ctte on Japanese - Canadians: Jan-March 1947
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Roger N. Baldwin Esq., January 7, 1947.

Parliament, but the experience of the Japanese Canadians has proved that this is not satisfactory.

With best wishes

Yours very truly,

FAB:HC

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LAWRENCE JONES & Co
SOLICITORS.
CHARLES O'MALLEY.
H.A. KEMLO.
TELEGRAMS:-
LAURENTIAN, STOCK, LONDON.
TELEPHONES:-
LONDON WALL 4417-8.

AIRMAIL.

WINCHESTER HOUSE,
OLD BROAD STREET,
LONDON, E.C.2.

PS/PL.

30th December, 1946.

F.A. Brewin, Esq.,
Messrs. Mason Cameron & Brewin,
Sterling Tower,
TORONTO, 2.

Dear Sir,

Japanese Reference.

We enclose herewith ten final prints of the Judgment.

Yours faithfully,

Encl.

Co-operative Ctte on Japanese - Canadians: Jan-March 1947
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Co-operative Ctte on Japanese - Canadians: Jan-March 1947
Correspondence file #1

EXTRA-ORDINARY DISABILITIES AFFECTING PERSONS OF JAPANESE ANCESTRY

By orders-in-council and subordinate orders, passed under the provisions of the War Measures Act, extra-ordinary legal disabilities are imposed upon Canadian residents of Japanese ancestry. The Minister of Labour, or on his behalf, the Deputy Minister and the Commissioner of Japanese Placement, have absolute discretionary power over the movement, place of residence and means of livelihood of these persons.

1. Exceptionally broad discretionary powers are allowed the Minister of Labour, or on his behalf, the Deputy Minister and the Commissioner of Japanese Placement, by the terms of Order in Council P.C. 946 of February 5, 1943. Under Section 3, Subsection (1), head (vii) the Minister may -

"require, by order, any person of the Japanese race in any place in Canada to proceed to any other place in Canada at such time and in such manner as he may prescribe;"

and under head (viii)

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

2. Freedom of travel and choice of residence are prohibited, except as provided by Order No. 1 of July 30, 1943, which reads:

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

a) entering for any purpose whatsoever, a Protected Area anywhere in Canada,
b) crossing any Provincial boundaries within Canada,
c) change of residence, which may be interpreted as taking place when a person moves himself or herself and/or their dependents to a new place of residence,
d) travel for any purpose whatsoever, in British Columbia a distance

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Order No. 1 (cont'd)

of more than fifty (50) miles from their place of residence or for a period of over thirty (30) days.

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

3. Fishing in the province of British Columbia or Pacific coastal waters by
by persons of Japanese ancestry is prohibited by Order No. 2, and is allowed only after obtaining a permit from the Commissioner of Japanese Placement.

4. Communication by long distance telephone in the province of British Columbia is prohibited by Order No. 3, except with prior consent from a Commission official or a Royal Canadian Mounted Police officer.

5. Prior to the purchase of property, persons of Japanese ancestry are required to secure a license from the Department of Labour.

Through the application of the above-enumerated regulations and orders, persons of Japanese ancestry have been denied free movement and the right of choosing their own place of residence. Compulsory movement from British Columbia to hostels and camps outside of the province, mainly to Northern Ontario, has been ordered by the Commissioner of Japanese Placement even as late as September, 1946.

Some persons are being detained in the region of the hostel at Neys and are forced to take employment in lumbering operations. Their wives and children are not permitted to leave the hostel for areas in Southern Ontario.

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Persons of Japanese ancestry are still prohibited in the coastal area of British Columbia and are refused entry even for educational purposes. Similar American orders were rescinded on January 2nd, 1945.

It is our firm belief that the disabilities mentioned above are now entirely without justification and should, without exception, be revoked forthwith. These disabilities deny to our Canadian residents of Japanese ancestry the established rights of citizens and give legal sanction to the doctrine of racism. Their continuance is destructive of attempts to create in Canada a united nation.

CANADIAN CITIZENSHIP FOR JAPANESE NATIONALS

Japanese nationals, many with twenty years residence in Canada, have in the past been on many occasions denied the privilege of Canadian naturalization. One of the obstacles was Order in Council P.C. 1760 of August 13, 1934, which restricted naturalization certificates to applicants of Japanese nationality for whom there had been certification from the Japanese Minister at Ottawa that certain provisions had been fulfilled or waived.

It is evident that this condition, as required by P.C. 1760, if applicable, is now impractical and should not act as a barrier to the issuance of citizenship certificates to these Japanese nationals

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who would qualify otherwise. It is urged that Order in Council P.C. 1760 be revoked, and Canadian citizenship be granted to Japanese nationals on a basis equal with persons from other countries.

ECONOMIC LOSSES FROM EVACUATION

As a result of the government's action of forcible removal, persons of Japanese ancestry leaving the coastal area of British Columbia suffered economic losses. The actions of the government in disposing of property, fishing vessels and gear, automobiles, radios, cameras and firearms are the cause of serious misgivings to many people who have only recently been informed of the policy and its details in regard the possessions of persons who complied with the orders to vacate.

Real and personal property, registered with the Custodian of Japanese Property as a protective measure, was sold by the Custodian over the protests of the owners and without their consent. In many cases the selling price was only a small fraction of the market price. Owners were refused the right to retain their own agents; and in cases where this was allowed through legal representations, agents acting for owners were able to secure prices far in excess of prices offered by the Custodian.

Fishing vessels and gear were sold through a Fishing Vessels Disposal Committee, but in many cases losses were experienced by owners through theft, storm and poor seamanship on the part of government servants. Automobiles were expropriated with very little return to owners at a time when automobile prices were increasing. In many cases the cost of moving vehicles to assembly points and the fare home had to be met by the owner.

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In reply to representations made to the government by certain groups of Japanese in 1942, it was stated that consideration would be given the matter of economic losses at the conclusion of the war. It is now strongly urged that this statement be considered in earnest and that compensation be granted.

Losses were sustained through the program of the government and responsibility for these losses must rest with the government. The conduct of persons of Japanese ancestry during the war years is ample evidence that their removal from their homes was not precipitated by the requirements of the military situation nor the acts which they would commit against the safety of the state. The deprivations borne during the war years, which are of greater severity than those imposed upon the rest of the population, are due for amelioration.

The administration of the program of compensation for economic losses here recommended would be carried out most appropriately by a claims commission. It is therefore strongly urged that full consideration be given to the appointment of a commission with powers to receive claims and to determine the amount of compensation or other action to be ordered.

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AMERICAN CIVIL LIBERTIES UNION
170 FIFTH AVENUE
NEW YORK 10, N. Y.

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MASON,
CAMERON & BREWIN

Dec. 26, 1946

Dear Mr. Brewin,-

We note the decision of the Privy Council in London on the appeals in the cases of the Canadian Japanese, and would appreciate greatly further information as to its effect.

Who will be deported? What rights of citizenship are sacrificed? What is the legal status of Canadian-born Japanese whose Canadian citizenship was either renounced or taken away?

These are among the questions we confront with some of the Japanese-Americans, and your situation would be helpful in dealing with ours.

Any information or references to published matter would be much appreciated.

Sincerely yours,

Roger N. Baldwin

Mr. Anthony Brewin,
Toronto,
Canada

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