20087 Nakashima, Eikichi v. The King 1943

R 14188 Vol. 2186

20087

EXCHEQUER COURT FILED MAY 2 1944 REC'D

IN THE EXCHEQUER COURT OF CANADA

BETWEEN:

EIKICHI NAKASHIMA,

Suppliant,

-and-

HIS MAJESTY THE KING,

Respondent.

TAKE NOTICE that on Tuesday the 9th day of May, 1944, at the hour of 10:30 o'clock in the forenoon or so soon thereafter as counsel may be heard, a motion will be made by the Respondent to the President of this Honourable Court in the Supreme and Exchequer Courts Building, in the City of Ottawa, for an Order that the points of law raised by the introductory paragraph of the Statement of Defence herein be set down for hearing before the trial herein and that a date be fixed for the hearing of the argument on the said points of law.

Dated at Ottawa this 2nd day of May, 1944.

F. P. VARCOE,
Solicitor for the Attorney
General of Canada.

To: The Suppliant;

Messrs. Norris & MacLennan,
Vancouver, his solicitors; and

E.F. Newcombe & Co.,
Ottawa, their agents.

IN THE EXCHEQUER COURT OF CANADA.

BETWEEN:

EIKICHI NAKASHIMA,

Suppliant;

and

HIS MAJESTY THE KING,

Respondent.

O R D E R

NO. 20087

IN THE EXCHEQUER COURT OF CANADA.

Tuesday, the 9th day of May A.D. 1944.

BEFORE:

THE HONOURABLE THE PRESIDENT

IN CHAMBERS.

BETWEEN:

SIKICHI NAKASHIMA,

Suppliant;

and

HIS MAJESTY THE KING,

Respondent.

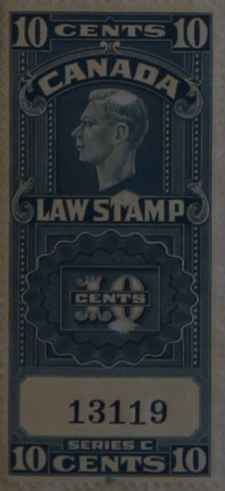
UPON MOTION of Respondent for an order that the points of law raised by the pleadings be set down for hearing before this Court and be disposed of before the trial herein, and that a time and place be fixed for the hearing of the argument thereon, in presence of counsel as well for the Suppliant as for the Respondent, UPON HEARING READ the notice of motion and UPON HEARING counsel aforesaid;

IT IS ORDERED that the following question of law be set down for hearing and disposed of before the trial,namely:

"Assuming the allegations of fact contained in the Petition of Right to be true, does a petition of right lie against the respondent for any of the relief sought by the suppliant in the said Petition?".

AND IT IS FURTHER ORDERED that the argument on the said question of law be and the same is hereby fixed for hearing before this Court, in the Supreme and Exchequer Courts Building, in the City of Ottawa, on the 29th day of May 1944, at the hour of ten thirty of the clock in the forenoon.

AND IT IS FURTHER ORDERED that notice of such hearing at the time and place aforesaid, together with a



copy of this order be,within six days from the date hereof, served on the Solicitors for the Suppliant, by leaving the same with Mr.E.F.Newcombe,K.C.,his Ottawa agent, at his office in Ottawa.

AND IT IS FURTHER ORDERED that the costs of and incidental to the motion herein, and of the hearing on the question of law be and the same is hereby reserved.

Registrar.

IN THE EXCHEQUER COURT OF CANADA

EIKICHI NAKASHIMA,

Suppliant,

-and-

HIS MAJESTY THE KING,

Respondent.

STATEMENT OF DEFENCE

20087

IN THE EXCHEQUER COURT OF CANADA

EXCHEQUER COURT OF CANADA FILED FEB 1 1944

In the matter of the Petition of Right of

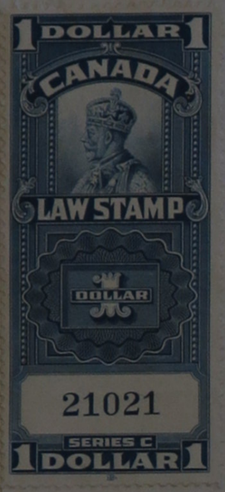
EIKICHI NAKASHIMA,

Suppliant,

-and-

HIS MAJESTY THE KING,

Respondent.



STATEMENT OF DEFENCE

Filed the First day of February A.D. 1944.

The Attorney General of Canada on behalf of His Majesty submits that the Petition of Right herein is bad in law in that it does not allege any cause of action against His Majesty or any facts giving rise to any liability for which His Majesty is bound or may be adjudged to respond and moreover if any cause of action against His Majesty be stated in the Petition of Right, it is not a cause of action for which, under the law and practice, a Petition of Right will lie or may be pleaded; and reserving these and all other objections to the sufficiency in law of the Petition of Right, which the Attorney General submits should be heard and determined before trial of the issues of fact herein, the Attorney General says that,-

1. The Attorney General does not admit any of the allegations in paragraph 1 of the Petition of Right.

2. The Attorney General says as to paragraph 2 of the Petition of Right that the Orders of His Excellency the Governor General in council will speak for themselves.

3. The Attorney General does not admit any of the allegations in paragraph 3 of the Petition of Right.

4. The Attorney General does not admit any of the

allegations in paragraph 4 of the Petition of Right.

5. The Attorney General denies each and every allegation in paragraph 5 of the Petition of Right.

6. The Attorney General denies each and every allegation in paragraph 6 of the Petition of Right.

7. The Attorney General does not admit any of the allegations of fact in paragraph 7 of the Petition of Right and says that the Orders of His Excellency the Governor General in Council will speak for themselves.

8. With reference to paragraph 8 of the Petition of Right, the Attorney general says that the Orders of His Excellency the Governor General in Council will speak for themselves.

9. The Attorney General denies each and every allegation in paragraph 9 of the Petition of Right.

10. The Attorney General denies each and every allegation in paragraph 10 of the Petition of Right.

11. The Attorney General denies each and every allegation in paragraph 11 of the Petition of Right.

12. The Attorney General denies each and every allegation in paragraph 12 of the Petition of Right.

13. The Attorney General denies each and every allegation in paragraph 13 of the Petition of Right.

14. The Attorney General denies each and every allegation in paragraph 14 of the Petition of Right.

15. The Attorney General denies each and every allegation in paragraph 15 of the Petition of Right.

On behalf of His Majesty the Attorney General claims that the Petition of Right be dismissed with costs.

This Statement of Defence is filed on behalf of His Majesty by the Honourable Louis S. St. Laurent, Attorney General of the Dominion of Canada by

F. P. VARCOE,
Solicitor for the Attorney
General of Canada.

C O P Y

FORM "JP" FILE No. 3899

OFFICE OF THE CUSTODIAN

JAPANESE SECTION

To be completed by persons of the Japanese race having property in any protected area. The proper administration of this property requires such persons to give full particulars as requested in this form.

PERSONAL INFORMATION

NAME: NAKASHIMA Eikichi

HOME ADDRESS: 668 E. Cordova St., Vancouver, B.C.

REGISTRATION NUMBER 02994 SEX: Male AGE: 63

OCCUPATION: Fish buyer

(If any business or businesses carried on, state where, under what name and whether carried on by yourself or in partnership with anyone; if partnership, give partner's name.)

EMPLOYER: B.C. Packers Co. Ltd., Vancouver, B.C.

MARRIED? Yes

NAME OF WIFE OR HUSBAND: ATOYE

ADDRESS OF WIFE OR HUSBAND: 668 E. Cordova St., Vancouver, B.C.

NAMES OF ANY LIVING CHILDREN: SHINJI (M)

ADDRESS OF CHILDREN: Same address

AGE OF CHILDREN: 11 years.

STATEMENT OF ALL REAL PROPERTY (Each parcel must be mentioned and particulars given)

1. LOCATION AND DESCRIPTION: Lot 14, Block 59 D.L. 196, Group 1, New Westminster District, Plan 196, 668 E. Cordova St., Vancouver, B.C.

2. BUILDINGS AND OTHER IMPROVEMENTS:
Dwelling house 7 rooms, frame building, shingle roof

3. INSURANCE (Give particulars; state where policies are)
Insured with agent, 235 Homer St., Vancouver, B.C. amount unknown

4. TAXES (Amount and where payable) $40. paid up to date at City Hall

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed)
None

6. OCCUPANCY AND LEASES (If vacant so state)
Self

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: Certificate of title number 69862 "L" in own possession

8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: None

9. IF FARM LAND STATE CROPS SOWN None

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: Dwelling house same address

2. LANDLORD'S NAME AND ADDRESS: Self

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID:
None

4. STATE WHEREABOUTS OF LEASE: None

5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid)
None

6. IF FARM LAND, PARTICULARS OF CROPS SOWN:
None

STATEMENT OF PERSONAL PROPERTY OWNED:

1. GIVE BRIEF DESCRIPTION AND STATE LOCATION OF FURNITURE, FIXTURES, EQUIPMENT AND MACHINERY, STOCK IN TRADE AND PERSONAL EFFECTS:

Furniture, household effects and kitchen utensils left in house at 668 E. Cordova St., Vancouver, B.C. including Singer Sewing Machine $207, all valued at $600.

1 Motor Boat "LAKE BIWA", $1,300

1 Motor Boat "KUROSHIMA", $1,600.

Both in custody at New Westminster, B.C.

2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS
None

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY
None

(signed) FOR

GBS.

FORM "JP" FILE No.

4. INSURANCE CARRIED ON ABOVE PROPERTY:

5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF OTHERS:

6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom)

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts)
$50 Victory Bond 1954 maturity, in own possession

8. BANK ACCOUNTS: Royal Bank, Main & Hastings Branch, $200

9. LIFE INSURANCE: None

10. INTEREST IN ANY ESTATES OR TRUSTS:

11. SAFETY DEPOSIT BOX:

LIABILITIES:

1. PERSONAL DEBTS:

2. TRADE DEBTS:

I, the undersigned, hereby voluntarily turn over to the Custodian all my property in the protected area as set out above, excepting fishing vessels, deposits of money, shares of stock, debentures, bonds or other securities, if any.

I certify that the above information is true and complete and fully discloses all my property of every description in any protected area in British Columbia and sets forth all my liabilities direct and indirect.

Dated this 10th day of April 1942.

(Signature) "E. NAKASHIMA"

(signed) "R.A. MUNNS"
Witness

FOR DEPARTMENTAL USE

(signed)

GBS.

IN THE EXCHEQUER COURT OF
CANADA.

PETITION OF RIGHT
of Eikichi Nakashima.

NORRIS & MacLENNAN,
Barristers, etc.
Vancouver, B. C.

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

REAL PROPERTY
FOR SALE BY TENDER

THE Secretary of State of Canada, acting in his capacity as Custodian and being the vested owner of the interests of all persons of the Japanese race evacuated from the protected areas of British Columbia, hereby offers for sale by public tender such interests as are vested in him in certain commercial, residential and unimproved properties situate in **Greater Vancouver.**

A catalogue listing the properties above referred to may be examined and further particulars obtained on application to local Real Estate agents.

Tenders for the purchase of such property interest vested in the Custodian will be received subject to the following terms and conditions:

1. Each tender must be for one of the parcels described in the catalogue but a separate tender may be filed for each of several parcels.
2. A tender offering for parcels in the alternative will be considered an offer only for the parcel first named.
3. A certified cheque payable to the order of "The Custodian" for ten per cent (10%) of the amount offered must accompany each tender.
4. Each tender must be in a separate sealed envelope addressed to "The Custodian," 506 Royal Bank Building, 675 West Hastings Street, Vancouver, B.C., and each envelope must be marked on the outside showing the catalogue number of the parcel in the enclosed tender. The following form may be used to mark the envelope:
   "Tender for Real Estate—Catalogue Parcel No. ....."
5. Tender must be for purchase for cash.
6. All adjustments will be made at the date of conveyance.
7. Properties will be sold subject to existing leases and encumbrances, if any.
8. The Custodian reserves the right to cancel every accepted tender and to refund the deposit at any time prior to delivery by him of the conveyance.
9. The properties are offered for sale without any warranty whatsoever by the Custodian of location or condition of buildings or improvements.

Cheques in respect of unaccepted bids will be returned in due course.

Neither the highest nor any tender will necessarily be accepted.

Tenders will be received by the undersigned up to Noon daylight saving time on the 19th day of July, 1943, on those properties designated in the Catalogue as Group "A." Further advice will be given of the date on which tenders will be received on properties in other groups of the Catalogue.

DATED at Vancouver, British Columbia, this 19th day of June, 1943.

The Custodian,
506 Royal Bank Building,
Vancouver, B.C.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION
506 ROYAL BANK BUILDING
VANCOUVER, B.C.

CATALOGUE
of Real Property for Sale by Public Tender

The Properties listed in this Catalogue are offered for sale without any warranty on the part of the Custodian as to the accuracy of the information contained herein. All prospective purchasers are required to satisfy themselves as to the correctness thereof.

Persons interested in the purchase of any of the properties listed herein are asked to contact the Agent whose name is set opposite each property. These Agents will be pleased to supply available information and arrange for the inspection of the property.

GROUP "A" of this Catalogue consists of:
Those Streets in alphabetical order from A to O, found on pages 4 to 7.

GROUP "B" of this Catalogue consists of:
Those Streets in alphabetical order from P to Y and also 1st, 2nd, 3rd and 4th Avenues, found on pages 8 to 11.

GROUP "C" of this Catalogue consists of:
5th Avenue to 71st Avenue, and also Burnaby, North and West Vancouver, found on pages 12 to 15.

NOTE: Tenders will be received on properties in Group "A" up to Noon, Daylight Saving Time on the 19th day of July, 1943. Date for receiving tenders on properties in Groups "B" and "C" will be announced later.

Copy of advertisement published on June 19th, 1943

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

REAL PROPERTY FOR SALE BY TENDER

The Secretary of State of Canada, acting in his capacity as Custodian, and being the vested owner of the interests of all persons of the Japanese race evacuated from the protected areas of British Columbia, hereby offers for sale by public tender such interests as are vested in him in certain commercial, residential and unimproved properties situate in Greater Vancouver.

A catalogue listing the properties above referred to may be examined and further particulars obtained on application to local Real Estate agents.

Tenders for the purchase of such property interest vested in the Custodian will be received subject to the following terms and conditions.

1. Each tender must be for one of the parcels described in the catalogue, but a separate tender may be filed for each of several parcels.

2. A tender offering for parcels in the alternative will be considered an offer only for the parcel first named.

3. A certified cheque payable to the order of "The Custodian" for ten per cent. (10%) of the amount offered must accompany each tender.

4. Each tender must be in a separate sealed envelope addressed to "The Custodian," 506 Royal Bank Building, 675 West Hastings Street, Vancouver, B. C., and each envelope must be marked on the outside showing the catalogue number of the parcel in the enclosed tender. The following form may be used to mark the envelope:—
"Tender for Real Estate—Catalogue Parcel No....."

5. Tender must be for purchase for cash.

6. All adjustments will be made at the date of conveyance.

7. Properties will be sold subject to existing leases and encumbrances, if any.

8. The Custodian reserves the right to cancel every accepted tender and to refund the deposit at any time prior to delivery by him of the conveyance.

9. The properties are offered for sale without any warranty whatsoever by the Custodian of location or condition of buildings or improvements.

Cheques in respect of unaccepted bids will be returned in due course.

Neither the highest nor any tender will necessarily be accepted. Tenders will be received by the undersigned up to noon daylight saving time on the 19th day of July, 1943, on those properties designated in the Catalogue as Group "A". Further advice will be given of the date on which tenders will be received on properties in other groups of the Catalogue.

DATED at Vancouver, British Columbia, this 19th day of June, 1943.

THE CUSTODIAN,
506 Royal Bank Building,
Vancouver, B. C.

Catalogue of Real Property in Greater Vancouver in which the interests of persons of the Japanese Race are vested in the Custodian.

GROUP "A"

Catalogue No.	Civic Address	LEGAL DESCRIPTION Lot	Block	D.L.	Classification	Agent	Custodian File No.
1.	1842 Adanac St. E.	7	9/E	183	Dwelling	McGregor, Johnston&Thomas Ltd.	14023/13657/12211
2.	2112 Alberta St.	C/1 & 2	14	302	Dwelling	Parsons, Brown Ltd.	2372
3.	2132 Alberta St.	C/11 & 12	14	302	Dwelling	Pemberton Realty Corp. Ltd.	3901
4.	313 Alexander St.	3	39	196	Rooming house	Richards, Akroyd & Gall Ltd.	12984
5.	320 Alexander St.	5	40	196	Dwelling	Macaulay, Nicolls, Maitland & Co. Ltd.	8277
6.	328 Alexander St.	7, 8	40	196/181	Dwelling	George F. Jacobs & Co.	1390
7.	334-336 Alexander St.	9, 10	40	196	Com'l garage & dwelling	P. C. Gibbens & Co. Ltd.	3205
8.	350 Alexander St.	14E½, 15	40	196	Dwelling	Ker & Ker Ltd.	1[illegible]9
9.	409 Alexander St.	29	38	196	Rooming house	Pemberton Realty Corp. Ltd.	3893/4936/9709
10.	418 Alexander St.	9, 10	41	196	Dwelling	London & Western Trusts Co. Ltd.	11386/1472
11.	472 Alexander St.	13	41	196	Terrace	Pemberton Realty Corp. Ltd.	9780
12.	474 Alexander St.	14	41	196	Factory and rooms	Campbell & Pemberton	12890
13.	504 Alexander St.	3, 4W15′	42	196	Apartment house	Ker & Ker Ltd.	1539
14.	510 Alexander St.	6	42	196	Apartment house	Martin & Shannon	5129
15.	514 Alexander St.	8	42	196	Rooming house	Canada Permanent Trust Co.	3393
16.	516 Alexander St.	9	42	196	Dwelling	Ker & Ker Limited	11217
17.	518 Alexander St.	10	42	196	Dwelling	Ker & Ker Limited	11585/11586
18.	526 Alexander St.	14	42	196	Dwelling	Pemberton Realty Corp. Ltd.	12771
19.	662 Alexander St.	13	43	196	Factory	P. C. Gibbens & Co.	3205
20.	666 Alexander St.	14	43	196	Rooming house	P. C. Gibbens & Co.	3205
21.	2050 Alma Road	D/13&14	27	540	Dwelling	D. W. Johnston	12085
22.	3500 Blk. Asquith Ave. E.	4	1	335 E½ of SW¼	Vacant land	J. W. Fairhall	10529
23.	7226 Balaclava St.	4	10	194	Dwelling	McGregor, Creery & Farmer Ltd.	2869
24.	7225 Blenheim St.	3	13	194	Dwelling	Ker & Ker Ltd.	681
25.	Boundary Road	17	104-106	36/51	Vacant land (bush)	Johnson, Reeve & Watson	3895
26.	Boundary Road	18	104-106	36/51	Vacant land (bush)	Johnson, Reeve & Watson	3895
27.	1810 Burrard St.	1, 2	228	526	Apartment house	Ker & Ker Limited	11978/I[illegible]
28.	2136 Cambridge St.	8	15	184	Dwelling	Ker & Ker Limited	10030/11666
29.	2396 Cambridge St.	6	13	184	Dwelling	George F. Jacobs & Co.	10735/10736
30.	2505 Cambridge St.	877		H.T.	Dwelling	Richards, Akroyd & Gall Ltd.	10174
31.	2600 Blk. Cambridge St.	1	3	T.H.S.L	Vacant land	J. D. Swanson	9217
32.	2600 Blk. Cambridge St.	2	3	T.H.S.L	Vacant land	J. D. Swanson	9217
33.	2600 Blk. Cambridge St.	15	3	T.H.S.L	Vacant land	Horne Taylor & Co. Ltd.	9218
34.	2690 Cambridge St.	16	3	T.H.S.L	Dwelling	Horne Taylor & Co. Ltd.	9218
35.	3850 Carnarvon St.	1	R	139	Nursery	A. E. Austin & Co. Ltd.	1514/1400
36.	250 N. Cassiar St.	593 Ex. S10′		H.T.	Dwelling	Ker & Ker Limited	10108
37.	504 Cassiar St.	1, 2	66	T.H.S.L.	Dwelling	Western City Co.	10848
38.	550 Cassiar St.	5	66	T.H.S.L.	Dwelling	Pemberton Realty Corp. Ltd.	2938/3423
39.	554 Cassiar St.	6	66	T.H.S.L.	Dwelling	Collingwood Realty	463
40.	636 Cassiar St.	6, 7	87	T.H.S.L.	Dwelling	E. S. Anthony	10733
41.	5337 Cecil St.	6	68, 71, 72	37	Dwelling	Collingwood Realty	10007

Catalogue No.	Civic Address	LEGAL DESCRIPTION Lot	Block	D.L.	Classification	Agent	Custodian File No.
42.	2000 Blk. Charles St.	22	2/C & D/136	264A	Vacant land	Collingwood Realty	4352
43.	222 Clarke Drive	A/15 & 16	5/B	182	Dwelling	E. S. Anthony	2306
44.	2036 Columbia St.	S½ofN½/23&24	21	200A	Dwelling	Blane, Fullerton & White	13052
45.	2141 Columbia St.	8	14	302	Dwelling	H. Hargreaves	7598
46.	1900-4-6 Commercial Dr.	1, 2	1/A/146	264A	3 Stores	Pemberton Realty Corp. Ltd.	3616
47.	117-121 E. Cordova St.	20, 21	6	196	Store and rooms	H. A. Roberts Ltd.	1432
48.	139-143 E. Cordova St.	15	6	196	Rooming house	E. B. Morgan & Co. Ltd.	3638
49.	213-215 E. Cordova St.	11, 12	5	196	Concrete building	Macaulay, Nicolls, Maitland & Co. Ltd.	6678
50.	347 E. Cordova St.	31	55	196	Dwelling	The Toronto General Trusts Corporation	5160
51.	353 E. Cordova St.	30	55	196	Dwelling	Pemberton Realty Corp. Ltd.	11686
52.	357 E. Cordova St.	29	55	196	Dwelling	Administration & Trust Co.	11291
[illegible]	446 E. Cordova St.	10	57	196	Dwelling	Ker & Ker Ltd.	11634
[illegible]	466 E. Cordova St.	14	57	196	Dwelling	Ker & Ker Ltd.	5078
55.	472 E. Cordova St.	15	57	191, 196	2 dwellings	Horne Taylor & Co. Ltd.	12162
56.	476 E. Cordova St.	16	57	196	Dwelling	Pemberton Realty Corp. Ltd.	10358
57.	500-8 E. Cordova St. (306 Jackson Ave.)	1 & 2 Ex. S61'	58	196	Room'g house with stores	Pemberton Realty Corp. Ltd.	11110
58.	521 E. Cordova St.	28	53	196	Dwelling	George F. Jacobs & Co.	4934/10015
59.	527 E. Cordova St.	27	53	196	Dwelling	P. C. Gibbens & Co. Ltd.	13139
60.	554 E. Cordova St.	11	58	196	Dwelling	Denis Murphy, Barrister	8212
61.	500 Blk. E. Cordova St.	12	58	196	Vacant land	Denis Murphy, Barrister	8212
62.	565 E. Cordova St.	19	53	196	Dwelling	H. A. Roberts Ltd.	7644/3630
63.	607 E. Cordova St.	29	52	196	Vacant Land	Pemberton Realty Corp. Ltd.	5203/10836
64.	626 E. Cordova St.	6	59	196	Dwelling	Pemberton Realty Corp. Ltd.	5121
65.	627 E. Cordova St.	27	52	196	Store with rooms	Pemberton Realty Corp. Ltd.	4834
66.	640 E. Cordova St.	8	59	196	Factory	Campbell and Pemberton	5150
67.	646-646½ E. Cordova St.	10	59	196	2 dwellings	Pemberton Realty Corp. Ltd.	9640/9755
68.	653 E. Cordova St.	22	52	196	Dwelling	P. C. Gibbens & Co. Ltd.	8548
69.	655 E. Cordova St.	21	52	196	Dwelling	Pemberton Realty Corp. Ltd.	1550
70.	662 E. Cordova St.	13	59	196	Dwelling	George F. Jacobs & Co.	1983
[illegible]	665 E. Cordova St.	19	52	196	Dwelling	Pemberton Realty Corp. Ltd.	14130/1468/3252
72.	668 E. Cordova St.	14	59	196	Dwelling	Richards, Akroyd & Gall Ltd.	3899
73.	671-9 E. Cordova St.	17, 18	52	196	Store and apartments	Martin & Shannon	5129
74.	700 E. Cordova St.	1, 2	60	181	Rooming house	Pemberton Realty Corp. Ltd.	9112
75.	706 E. Cordova St.	3	60	181	Dwelling	Richards, Akroyd & Gall Ltd.	11176
76.	717 E. Cordova St.	37	51	181	Dwelling	Macaulay, Nicolls, Maitland & Co. Ltd.	3640
77.	723 E. Cordova St.	36	51	181	Dwelling	Macaulay, Nicolls, Maitland & Co. Ltd.	7257
78.	726 E. Cordova St.	6	60	181	Dwelling	Ker & Ker Ltd.	11528/11691
79.	729 E. Cordova St.	35	51	181	Dwelling	Pemberton Realty Corp. Ltd.	12940
80.	738 E. Cordova St.	8	60	181	Dwelling	Johnson, Reeve & Watson	1646
81.	746 E. Cordova St.	10	60	181	Dwelling	Pemberton Realty Corp. Ltd.	3375
82.	747 E. Cordova St.	31	51	181	Dwelling	Pemberton Realty Corp. Ltd.	11274
83.	750 E. Cordova St.	11	60	181	Dwelling	Pemberton Realty Corp. Ltd.	3425
84.	753 E. Cordova St.	30	51	181	Dwelling	Pemberton Realty Corp. Ltd.	11274
85.	756 E. Cordova St.	12	60	181	Dwelling	Ker & Ker Ltd.	3642

GROUP "A" — (Continued)

Catalogue No.	Civic Address	LEGAL DESCRIPTION Lot	Block	D.L.	Classification	Agent	Custodian File No.
86.	762 E. Cordova St.	13	60	181	Apartment house	Martin & Shannon	5129
87.	791 E. Cordova St.	21, 22	51	181	Dwelling	Richards, Akroyd & Gall Ltd.	11960
88.	853 E. Cordova St.	30	50	181	Dwelling	Ker & Ker Ltd.	10086
89.	857 E. Cordova St.	28	50	181	Dwelling	W. Kenneth Labron	9065
90.	900 Blk. E. Cordova St.	22	49	181	Vacant land	Johnson, Reeve & Watson	11360
91.	921 E. Cordova St.	36	49	181	Dwelling	Johnson, Reeve & Watson	9938
92.	1177 E. Cordova St.	10, 11	8/A	182	Dwelling & woodshed	P. C. Gibbens & Co.	10604
93.	2792 Courtney St.	19 Ex. E16′	20/4/177	540	Dwelling	Lozier Realty	3348
94.	2052 Dundas St.	6	26	184	Rooming house	Pemberton Realty Corp. Ltd.	10836/5203
95.	2135 Dundas St.	13	20	184	Dwelling & factory	Richards, Akroyd & Gall Ltd.	9213
96.	2141 Dundas St.	12W½	20	184	Dwelling	Richards, Akroyd & Gall Ltd.	9219
97.	2225 Dundas St.	14	21	184	Dwelling	A. E. Austin & Co. Ltd.	[illegible]6
98.	2342 Eton St.	6	12	184	Dwelling	Pemberton Realty Corp. Ltd.	679
99.	2590 Eton St.	870W½		H.T.	Dwelling	Macaulay, Nicolls, Maitland & Co.	6644
100.	2594-98 Eton St.	869		H.T.	Store, Apts. and dwelling	Horne, Taylor & Co. Ltd.	9875/12834
101.	3422 Eton St.	594W½, Ex.S10′		H.T.	Dwelling	Homer J. Moore	10878/13296
102.	3176 Euclid Ave.	15	84W½, 87, 88 & 91	37	Dwelling	Charles Wrinch	13015
103.	1743 Franklin	E14′16&15Ex.E28′	3/D	183	Dwelling	Pemberton Realty Corp. Ltd.	1460
104.	1766 Franklin St.	8	4/D	183	Dwelling	Macaulay, Nicolls, Maitland & Co.	12036/6773
105.	2558 Franklin St.	10	53	T.H.S.L.	Dwelling	H. A. Roberts Ltd.	733
106.	8635 Fremlin St.	16	V/7-10/C	319, 324 & pt. 323	Dwelling	J. W. Fairhall	10343
107.	8645 Fremlin St.	15	V/7-10/C	319, 324 & pt. 323	Dwelling	W. F. Gurd, Barrister	2040
108.	249-51 E. Georgia St.	20	17	196	Warehouse & rooms	R. Robey Knowles Co. Ltd.	3357
109.	327-29 E. Georgia St.	21	87	196	Store & rooms	R. Robey Knowles Co. Ltd.	13036
110.	349 E. Georgia St.	17	87	196	Rooming hse., store front	Rand & Fowler Ltd.	12995
111.	1337 E. Georgia St.	10	17/B	182	Dwelling	A. E. Austin & Co. Ltd.	11298
112.	1342 E. Georgia St.	B/4	18/B	182	Dwelling	Ker & Ker Ltd.	11185
113.	2303 E. Georgia St.	14	5	264A	Dwelling	Pemberton Realty Corp. Ltd.	5010
114.	558-560 Granville St.	30	33	541	Business block	Pemberton Realty Corp. Ltd.	10831
115.	2039-45-49 Granville St. (1515-1523 W. 5th Ave.)	22, 23	250	526	6 stores	Macaulay, Nicolls, Maitland & Co.	7034/92[illegible]
116.	701-7 E. Hastings St. (352 & 370 Heatley Ave.)	39, 40	60	181	Double duplex with stores	Campbell & Pemberton	12890
117.	761-3 E. Hastings St.	28	60	181	2 dwellings, 1 store	Horne, Taylor & Co. Ltd.	8005
118.	3400 Blk. E. Hastings St.	22	48S½	T.H.S.L.	Vacant land	Collingwood Realty	4580/8553
119.	857 Homer St.	27	65	541	Dwelling	Morrow Realty Co. Ltd.	5355/5366
120.	9180 Hudson St.	15	2/Y	318	Dwelling	J. W. Fairhall	9341/3714
121.	9182 Hudson St.	14	2/Y	318	Store & rooms	J. W. Fairhall	9341/3714
122.	316-22 Jackson Ave.	S61′ of 1 & 2	58	196	Rmng. house & bungalow	Johnson, Reeve & Watson	11018
123.	Joyce St. & School Rd.	1	A/19	50	Vacant land	E. B. Morgan & Co.	3638/3271
124.	Joyce St. & School Rd.	2	A/19	50	Vacant land	E. B. Morgan & Co.	3638/3271
125.	446 Keefer St.	10	86	196	Rooming house	Pemberton Realty Corp. Ltd.	465
126.	611 Keefer St.	30	75	196	Dwelling	Richards, Akroyd & Gall Ltd.	10523
127.	843 Keefer St.	32	77	181	Dwelling	Ker & Ker Ltd.	10653/14114
128.	943 Keefer St.	32	78	181	2 dwellings	Ker & Ker Ltd.	11268

GROUP "A" — (Continued)

Catalogue No.	Civic Address	LEGAL DESCRIPTION Lot	Block	D.L.	Classification	Agent	Custodian File No.
129.	1600 Blk. Kent St.	13	CE½	328	Vacant land	Richards, Akroyd & Gall Ltd.	10830
130.	5800 Blk. Kerr Rd.	33	2/16	50	Vacant land	H. Hargreaves	7598
131.	19 E. King Edward Ave.	4, 5	1S½	630	Dwelling	A. E. Austin & Co. Ltd.	3331
132.	1215 Kingsway St.	14, 15	38	301	Dwelling & greenhouse	A. E. Austin & Co. Ltd.	3322
133.	206-8 Main St.	2, 3	5	196	3 store & rooms	Richards, Akroyd & Gall Ltd.	11960
134.	220-224 Main St.	4, 5	5	196	Store (Cafe)	Macaulay, Nicholls, Maitland & Co. Ltd.	11670
135.	238-40-42 Main St.	8	5	196	2 stores with rooms	P. C. Gibbens & Co. Ltd.	10985
136.	5995 Main St.	B/10	A/6	644	Stores & rooms	Denis Murphy, Barrister	1896
137.	2120 Manitoba St.	1	32	200A	Dwelling	H. Hargreaves	12637/I.648
138.	1720 Maple St.	1, 2 S30′	216	526	Dwelling	London & Western Trusts Co. Ltd.	1508
139.	2000 Blk. S.E. Marine Dr.	20	19	328	Vacant land	Collingwood Realty	10529
140.	2000 Blk. S.E. Marine Dr.	21	19	328	Shed	Collingwood Realty	10529
[illegible]	2261 McGill St.	13	4	184	Dwelling	Johnson, Reeve & Watson	1745
142.	2275 McGill St.	12	4	184	Dwelling	Ker & Ker Ltd.	9347
143.	2306 McGill St.	1, 2, 3W½	6	184	Dwelling	P. C. Gibbens & Co. Ltd.	14220
144.	2456 McGill St.	887		H.T.	Dwelling	Pemberton Realty Corp. Ltd.	2077/8983
145.	2995-7 McGill St.	341		H.T.	2 dwellings	Pemberton Realty Corp. Ltd.	7840
146.	2633 McGill St.	299E½		H.T.	Dwelling	Macaulay, Nicolls, Maitland & Co. Ltd.	3330
147.	4695 McHardy St.		80	36, 51	Dwelling	A. E. Austin & Co.	2841
148.	5286 McKenzie	47Ex.E49.4′&48	29	2027	Dwelling	Horne, Taylor & Co. Ltd.	12787
149.	1023 McLean Dr.	D/3-6	31/J	182	Dwelling	McGregor, Johnston & Thomas Ltd.	3644
150.	3467 Monmouth St.	9	83	36, 51	Dwelling	Collingwood Realty	8208
151.	6 Nanaimo St.	8	18	T.H.S.L.	Dwelling	Richards, Akroyd & Gall Ltd.	10106/10105
152.	3121 Nanaimo St.	29 Ex.W.10′	3/A	195	Dwelling	Collingwood Realty	998
153.	3681 Nanaimo St.	27	A	741	Dwelling	Ker & Ker Ltd.	10698
154.	3600 Blk. Nanaimo St.	28	A	741	Vacant land	Ker & Ker Ltd.	10698
155.	2267 Napier St.	15	34	264A	Dwelling	Macaulay, Nicolls, Maitland & Co.	10241
156.	2528 Napier St.	5	7	Sec. 22, W½ T.H.S.L.	Dwelling	A. E. Austin & Co. Ltd.	11340
157.	3396 Napier St.	17	4	Sec. 26, W½ T.H.S.L.	Dwelling	Collingwood Realty	6640
158.	1007-1007½ Odlum Dr.	B/6-9	30/I	182	Dwelling	Johnson, Reeve & Watson	8554
159.	1239 Odlum Dr.	B/8 & 9	38/I	182	Dwelling	Ker & Ker Ltd.	4465
[illegible]	2321 Oxford St.	10	13	184	Dwelling	Pemberton Realty Corp. Ltd.	5144
161.	2327 Oxford St.	9	13	184	Dwelling	Horne, Taylor & Co. Ltd.	671
162.	2525 Oxford St.	29	2	T.H.S.L.	Dwelling	Black, Gavin & Co. Ltd.	11791
163.	2584 Oxford St.	14	17	T.H.S.L.	Dwelling	P. C. Gibbens & Co.	3108/12981
164.	2676 Oxford St.	13	16	T.H.S.L.	Dwelling	The Toronto General Trusts Corp.	5842
165.	8391 Osler Ave.	17	35/B	319, 324 & Pt. 323	Dwelling	J. W. Fairhall	2123
166.	8407 Osler Ave.	16	35/B	319, 324 & Pt. 323	Dwelling	J. W. Fairhall	3714
167.	8661 Osler Ave.	39/1-5	1-6 & 12/C	319, 324 & Pt. 323	Dwelling	Ker & Ker Ltd.	10491

GROUP "B"

Catalogue No.	Civic Address	LEGAL DESCRIPTION Lot	Block	D.L.	Classification	Agent	Custodian File No.
168.	1822 Pandora St.	4/3	E	183	Dwelling	Richards, Akroyd & Gall Ltd.	11708
169.	1828 Pandora St.	6 E½	3/E	183	Dwelling	Pemberton Realty Corp. Ltd.	10353
170.	3333 Parker St.	29	2	Sec. 26 W½ T.H.S.L.	Dwelling	Ker & Ker Ltd.	1628
171.	732 E. Pender St.	7	76	181	Dwelling	Pemberton Realty Corp. Ltd.	1658
172.	763 E. Pender St.	28	67	181	Dwelling	Johnson, Reeve & Watson	10621
173.	1950 E. Pender St.	B/5-8	48	184	Dwelling	P. E. Wells	8270
174.	2625 E. Pender St.	C/19, 20	57	T.H.S.L.	Dwelling	Macaulay, Nicolls, Maitland & Co. Ltd.	9603
175.	2751 E. Pender St.	25	58	T.H.S.L.	Dwelling	Home Investments Ltd.	10004
176.	2129 Pine	N31′/11 & 12	268	526	Dwelling	Sun Life Assurance Co. of Canada	1676
177.	2133 Pine	S31′/N62′/11 & 12	268	526	Dwelling	Morrow Realty Co.	3361
178.	57-9 Powell St. (58-60 Alexander St.)	8	2	196	Stores and rooms	Pemberton Realty Corp. Ltd.	3311
179.	201-5-9 Powell St.	9, 10	4	196	Gas Stn., stores & rooms	Richards, Akroyd & Gall Ltd.	3[illegible]
180.	210-218 Powell St., (202 Main St.)	1	5	196	4 stores and offices	Johnson, Reeve & Watson	11773/11774
181.	229-31 Powell St.	11	4	196	Store and rooms	Pemberton Realty Corp. Ltd.	9760/7833
182.	242-6 Powell St.	24	5	196	2 stores and rooms	Campbell & Pemberton	2783
183.	250 Powell St.	23	5	196	Store and rooms	Ker & Ker Ltd.	11267
184.	260-70 Powell Street (205-223 Gore Ave.)	20	5	196	Room'g hse. with stores	Pemberton Realty Corp. Ltd.	7037/11755
185.	301-311 Powell St. S.36′	40, 41, 42	40	196	Store and rooms	Ker & Ker Ltd.	5090
186.	331 Powell St.	36	40	196	Store and rooms	Campbell & Pemberton	10711
187.	333 Powell St.	35	40	196	Store and rooms	Ker & Ker Ltd.	10449
188.	338 Powell St.	8	55	196	Store	Richards, Akroyd & Gall Ltd.	11767
189.	341 Powell St.	33	40	196	Store	Ker & Ker Ltd.	10449
190.	347 Powell St.	32	40	196	Store and rooms	Horne, Taylor & Co. Ltd.	2791
191.	351-53 Powell St.	31	40	196	Store and rooms	Richards, Akroyd & Gall Ltd.	11960
192.	355-7 Powell St.	30	40	196	Store and suites	Pemberton Realty Corp. Ltd.	12771
193.	359 Powell St.	29	40	196	Store and suites	P. C. Gibbens & Co.	10985
194.	366, 374-8 Powell St.	15, 16	55	196	Store and rooms	Pemberton Realty Corp. Ltd.	11056
195.	417-21 Powell St.	29	41	196	Store and rooms	Ker & Ker Ltd.	11587/11588
196.	427 Powell St.	27	41	196	Store and rooms	Campbell & Pemberton	33[illegible]
197.	437-41 Powell St.	24, 25	41	196	Stores and rooms	Richards, Akroyd & Gall Ltd.	10830
198.	451 Powell St.	23	41	196	Store & rooms & dwelling	Campbell & Pemberton	3869
199.	455-7 Powell St.	21	41	196	Dwelling with store front	Charles Wrinch	3348
200.	461-463 Powell St.	20	41	196	Dwelling with store front	Ker & Ker Ltd.	9348
201.	473 Powell St.	18	41	196	Store and rooms	Campbell & Pemberton	4207
202.	477 Powell St.	17	41	196	Store and suites	Ker & Ker Ltd.	1730/3371
203.	519 Powell St.	29	42	196	Store and 2 shacks	P. C. Gibbens & Co.	10072/10081
204.	537-9 Powell St.	25	42	196	Store and dwelling	Johnson, Reeve & Watson	12285
205.	551 Powell St.	22	42	196	Dwelling	Richards, Akroyd & Gall Ltd.	9349
206.	566 Powell St.	13	53	196	Store and rooms	Pemberton Realty Corp. Ltd.	8834
207.	567 Powell St.	19	42	196	Dwelling	Pemberton Realty Corp. Ltd.	11330
208.	600 Blk. Powell St.	19	43	196	Vacant land	Pemberton Realty Corp. Ltd.	5963
209.	617 Powell St.	29	43	196	Dwelling (duplex)	Ker & Ker Ltd.	13218/11187

GROUP "B" — (Continued)

Catalogue No.	Civic Address	LEGAL DESCRIPTION Lot	Block	D.L.	Classification	Agent	Custodian File No.
210.	620-22 Powell St.	5	52	196	Store and suites	Pemberton Realty Corp. Ltd.	679
211.	633 Powell St.	26	43	196	Dwelling	Macaulay, Nicolls, Maitland & Co.	8278
212.	636 Powell St.	8	52	196	Dwelling	Hugh M. Fraser & Co.	5412
213.	641 Powell St.	24	43	196	Dwelling	Pemberton Realty Corp. Ltd.	473/3893
214.	654 Powell St.	11	52	196	Dwelling	Hugh M. Fraser & Co.	5412
215.	657 Powell St.	21	43	196	Dwelling	Pemberton Realty Corp. Ltd.	3897
216.	733 Powell St.	34	44	181	Store and suites	Pemberton Realty Corp. Ltd.	2260
217.	762 Powell St.	13	51	181	Store and rooms	P. C. Gibbens & Co.	7699
218.	810 Powell St.	3	50	181	Dwelling	P. C. Gibbens & Co.	8274
219.	856 Powell St.	12	50	181	Dwelling	P. C. Gibbens & Co.	10017
220.	1166 Powell St.	24	2/A	182	Dwelling	Macaulay, Nicolls, Maitland & Co.	6767
221.	1170 Powell St.	25	2/A	182	Dwelling and shed	Johnson, Reeve & Watson	3352
222.	1740-44 Powell St.	16	2/D	183	2 dwellings, store fronts	A. W. Goodrich & Co. Ltd.	11069
223.	1774-1776½ Powell St.	12	2/D	183	Stores and rooms	Macaulay, Nicolls, Maitland & Co.	8275
224.	3377 Price St.	A	94	36, 51	Dwelling	Pemberton Realty Corp. Ltd.	8311
225.	215 Princess Ave. (578-82 Powell St.)	15, 16	53	196	3 stores and rooms	Pemberton Realty Corp. Ltd.	9780
226.	248 Princess Ave.	A/31 & 32	52	196	Dwelling	Pemberton Realty Corp. Ltd.	3313
227.	825-825½ Prior St.	34, 35, 36	99	181	Apartment house	Ker & Ker Ltd.	11071
228.	1108 Raymur Ave.	12	116	181	Rooming house	Ker & Ker Ltd.	11651
229.	23 Renfrew St.	11	23	T.H.S.L.	Dwelling	George F. Jacobs Ltd.	11224
230.	Renfrew St.	9	23	T.H.S.L.	Vacant land	George F. Jacobs Ltd.	11224
231.	Renfrew St.	10	23	T.H.S.L.	Vacant land	George F. Jacobs Ltd.	11224
232.	Renfrew St.	12	23	T.H.S.L.	Vacant land	George F. Jacobs Ltd.	11224
233.	700 Blk. Renfrew St	4	82 S½	T.H.S.L.	Vacant land	Collingwood Realty	5066
234.	2100 Blk. Renfrew St.	6	3	Sec. 36 N½ T.H.S.L.	Vacant land	Collingwood Realty	5129
235.	402 Robson St.	A/37 & 38	65	541	Store and suites	Pemberton Realty Corp. Ltd.	1728
236.	St. Margarets Rd. nr. 45th Ave. E.	F/4-7	2/1-4 & 12-15	721	Vacant land	J. W. Fairhall	2143
237.	8600 Blk. Selkirk St.	12	D	318	Vacant land	J. W. Fairhall	11059
238.	8622 Selkirk St.	13	D	318	Dwelling	J. W. Fairhall	11059
239.	8636 Selkirk St.	11	D	318	Dwelling	J. W. Fairhall	1474
240.	8700 Blk. Selkirk St.	5	8	318	Vacant land	J. W. Fairhall	3056
241.	8722 Selkirk St.	10	C	318	Dwelling	J. W. Fairhall	11667
242.	8700 Blk. Selkirk St.	11	C	318	Vacant land	J. W. Fairhall	11667
243.	8700 Blk. Selkirk St.	12	C	318	Vacant land	J. W. Fairhall	11667
244.	8730 Selkirk St.	9	C	318	Dwelling	J. W. Fairhall	12928
245.	8738 Selkirk St.	8	C	318	Dwelling	Ker & Ker Ltd.	10979/4597
246.	8741 Selkirk St.	4	8	318	2 Dwellings	J. W. Fairhall	1542
247.	8746 Selkirk St.	7	C	318	Dwelling	J. W. Fairhall	11271
248.	8754 Selkirk St.	6	C	318	Dwelling	J. W. Fairhall	9586
249.	8770 Selkirk St.	4	C	318	Rooming house	J. W. Fairhall	9957
250.	8800 Blk. Selkirk St.	5	7	318	Chicken house	J. W. Fairhall	9957
251.	8800 Blk. Selkirk St.	11	B	318	Vacant land	J. W. Fairhall	9957
252.	8814 Selkirk St.	12	B	318	Dwelling	J. W. Fairhall	9957

GROUP "B" — (Continued)

Catalogue No.	Civic Address	LEGAL DESCRIPTION Lot	Block	D.L.	Classification	Agent	Custodian File No.
253.	8828 Selkirk St.	10	B	318	Dwelling	J. W. Fairhall	4390/9957
254.	8837 Selkirk St.	6	7	318	Dwelling	J. W. Fairhall	2205
255.	8842 Selkirk St.	8	B	318	Dwelling	J. W. Fairhall	9957
256.	8856 Selkirk St.	6	B	318	Apartment house	J. W. Fairhall	11062
257.	8859 Selkirk St.	4	7	318	Dwelling	Montreal Trust Co.	10844
258.	8864 Selkirk St.	5	B	318	Dwelling	Montreal Trust Co.	10843
259.	8870 Selkirk St.	4	B	318	Rooming house	A. W. Goodrich Co. Ltd.	3169
260.	8871 Selkirk St.	3	7	318	Dwelling	Montreal Trust Co.	10843/10844
261.	600 Blk. Semlin Dr.	C/1 & 2	2	264A	Vacant land	Macaulay, Nicolls, Maitland & Co.	9044
262.	620 Semlin Dr.	D/1 & 2	2	264A	Dwelling	Macaulay, Nicolls, Maitland & Co.	9044
263.	1149 Semlin Dr.	A/14-17	2/A & B/136	264A	Dwelling	Macaulay, Nicolls, Maitland & Co.	9936
264.	1610 Semlin Dr.	B/1 & 2	6/138	264A	Dwelling	Yorkshire & Pacific Securities Ltd.	6638
265.	3577 Tanner St.	10	100	36, 51	Dwelling	Pemberton Realty Corp. Ltd.	7[illegible]
266.	20 & 40 N. Templeton Dr.	16	21	184	Stores and rooms	Pemberton Realty Corp. Ltd.	9755
267.	S. W. cor. Trafalgar & 39th Ave. W.	D/22 & 23 E/22 & 23	9 9	2027 2027	Vacant land Vacant land	Martin & Shannon Martin & Shannon	5129/13568 5129/13568
268.	2666 Trinity St.	291W½		H.T.	Dwelling	E. B. Morgan & Co. Ltd.	1578
269.	2687 Trinity St.	228E½		H.T.	Dwelling	Bell & Mitchell Ltd.	711/8663
270.	2696 Trinity St.	293E½ Ex. S.8′		H.T.	Dwelling	The Toronto General Trusts Corp.	493
271.	2704 Trinity St.	302 Ex. S.8′		H.T.	Dwelling	J. D. Swanson	9326
272.	2016 Triumph St.	2	29	184	Dwelling	Collingwood Realty	4269/9753
273.	2052 Triumph St.	6W½	29	184	Dwelling	Pemberton Realty Corp. Ltd.	11563/3305
274.	2200 Blk. Triumph St.	12	24	184	Vacant land	Campbell & Pemberton	5150
275.	2503 Triumph St.	32	20	T.H.S.L.	Dwelling	J. D. Swanson	9217
276.	2642 Triumph St.	7	34	T.H.S.L.	Dwelling	Canada Permanent Trust Co.	1898
277.	2712 Triumph St.	E	1, 2, 3/33	T.H.S.L.	Dwelling	Home Investments	11832
278.	6800 Blk. Tyne St.	5	6	338 SE¼	Vacant land	J. W. Fairhall	3112
279.	245 Union St.	18, 19, 20	20	196	Factory	Ker & Ker Ltd.	10108
280.	3154 Vanness St.		143 Ex. N15′	37	Dwelling	Pemberton Realty Corp. Ltd.	2300
281.	3380 Venables St.	16	2	Sec. 26W½	T.H.S.L. Dwelling	Collingwood Realty	8985
282.	2005-7-9 Victoria Dr.	38, 39	B/146	264A	Dwelling, suites	London & Western Trusts Co. Ltd.	1466
283.	5284 Victoria Dr.	3	1/7 & 8	394	Dwelling	Pemberton Realty Corp. Ltd.	161[illegible]
284.	6600 Blk. Victoria Dr.	1	1	725	Vacant land	Ker & Ker Ltd.	7036
285.	6751 Victoria Dr.	21, 22	3	735	Dwelling	Ker & Ker Ltd.	7036
286.	6700 Blk. Victoria Dr.	25	3	735	Shed	Ker & Ker Ltd.	7036
287.	6700 Blk. Victoria Dr.	18	3	735	Vacant land	Ker & Ker Ltd.	7036
288.	6700 Blk. Victoria Dr.	19	3	735	Vacant land	Ker & Ker Ltd.	7036
289.	6700 Blk. Victoria Dr.	23	3	735	Vacant land	Ker & Ker Ltd.	7036
290.	6700 Blk. Victoria Dr.	20	3	735	Vacant land	Ker & Ker Ltd.	7036
291.	6700 Blk. Victoria Dr.	24	3	328	Vacant land	J. W. Fairhall	3329
292.	7900 Blk. Victoria Dr.	27	16	336	Vacant land	J. W. Fairhall	3395
293.	2700 Blk. Waverley St.	5	7	526	3 stores	S. E. Peters & Co.	10724
294.	5971-75-79 W. Boulevard	12	7/16	H.T.	Dwelling	Charles Wrinch	2791
295.	2798 Yale St.	198 Ex. S.8′		526	Dwelling	Macaulay, Nicolls, Maitland & Co.	1765/7749
296.	2818 Yew St.	1	404				

20087

Let right be done

IN THE EXCHEQUER COURT OF CANADA

TO THE KING'S MOST EXCELLENT MAJESTY:

COUNTY OF VANCOUVER,
PROVINCE OF BRITISH COLUMBIA
TO WIT:

EXCHEQUER COURT OF CANADA FILED OCT 13 1943

Filed October 13th 1943.

The humble Petition of EIKICHI NAKASHIMA, of the Town of Lemon Creek, in the Province of British Columbia, in the Dominion of Canada, Fish Buyer, SHEWETH:

1. The Suppliant is a person of Japanese origin and a Naturalized British Subject, formerly residing in the City of Vancouver, in the Greater Vancouver area, in the Province of British Columbia, until evacuated from the said area to Lemon Creek, aforesaid, pursuant to Order of the Honourable The Minister of Justice under and by virtue of the Defence of Canada Regulations. The Suppliant left the Greater Vancouver area on or about the 2nd day of September, 1942.

2. On or about the 4th day of March, 1942, the Parliament of the Dominion of Canada, or in the alternative, the Governor-General in Council, enacted that certain Order-in-Council No. P.C. 1665 and on or about the 27th day of March, 1942, purported to amend, vary and extend the said Order-in-Council No. P. C. 1665 by Order-in-Council No. P.C. 2483.

3. On or about the 1st day of September, 1942, the Suppliant l isted his property with the Custodian, an Official of His Majesty's Government, appointed under and by virtue of the Regulations Respecting Trading with the Enemy (1939) and Amendments thereto, on the form then used and required by the Custodian and commonly known as a J. P. Declaration, and filed the said Declaration with the Office of the Custodian at the City of Vancouver, in the Province of British Columbia, on or about such date.



GROUP "B" — (Continued)

Catalogue No.	Civic Address	LEGAL DESCRIPTION Lot	Block	D.L.	Classification	Agent	Custodian File No.
297.	130 West 1st Ave.	8	10	200A	Rooming house	Ker & Ker Ltd.	8614
298.	1748 West 1st Ave.	11	218	526	Dwelling	Macaulay, Nicolls, Maitland & Co.	3387
299.	1788 West 1st Ave.	3	218	526	Dwelling	Simpson-MacPherson Ltd.	12988
300.	1927 West 1st Ave.	13W½	206	526	Dwelling	Pemberton Realty Corp. Ltd.	10561
301.	1323 East 1st Ave.	21	60	264A	Dwelling	Charles Wrinch	2791
302.	1618 West 2nd Ave.	17	229	526	Apartment house	Macaulay, Nicolls, Maitland & Co.	11661
303.	1622 West 2nd Ave.	16	229	526	Dwelling	Ker & Ker Ltd.	7249
304.	1632 West 2nd Ave.	14	229	526	Dwelling	Ker & Ker Ltd.	3369/3381
305.	1635 West 2nd Ave.	28	219	526	Dwell'g with store front	Ker & Ker Ltd.	11676
306.	1642 West 2nd Ave.	12	229	526	Apartment hse. & cottage	Campbell & Pemberton	12818/7824
307.	1646 West 2nd Ave.	11	229	526	2 dwellings	Western City Co. Ltd.	10932/11332
[illegible]	1661 West 2nd Ave.	33	219	526	Store & rooms, & 5 cabins	Western City Co. Ltd.	11749
309.	1662 West 2nd Ave.	8	229	526	Dwelling	Canada Permanent Trust Co.	3391/1538
310.	1672 West 2nd Ave.	6	229	526	Dwelling	London & Western Trusts Co. Ltd.	3367
311.	1723 West 2nd Ave.	25	218	526	Dwelling	J. L. Clark Realty Co.	11576
312.	1726 West 2nd Ave.	15	228	526	Dwelling	Ker & Ker Limited	11594
313.	1733 West 2nd Ave.	27	218	526	Dwelling	Gordon M. Thompson	13049
314.	1737 West 2nd Ave.	28	218	526	Dwelling	J. L. Clark Realty Co.	11598
315.	1752 West 2nd Ave.	9, 10	228	526	Dwelling	J. L. Clark Realty Co.	11681
316.	1767 West 2nd Ave.	34	218	526	Dwelling	J. L. Clark Realty Co.	12964
317.	1782-84 West 2nd Ave.	3, 4	228	526	Dwelling & shed	Ker & Ker Limited	11978/I.934
318.	1533 West 3rd Ave.	30	230	526	Dwelling	E. B. Morgan & Co.	11584
319.	1534 West 3rd Ave.	9, 10	240	526	Dwelling & Shed	Ker & Ker Limited	11611
320.	1618 West 3rd Ave.	17	239	526	Dwelling	Ker & Ker Limited	9011
321.	1747 West 3rd Ave.	30	228	526	Dwelling	Simpson-MacPherson Ltd.	12873
322.	1817 West 3rd Ave.	24	227	526	Dwelling	Homer J. Moore	10582
323.	123 West 4th Ave.	15E½	20	200A	Dwelling and shed	W. H. Gallagher & Co.	3349
324.	128-30 West 4th Ave.	7	21	200A	2 Dwellings & room. hse.	Western City Co. Ltd.	10805
325.	344 West 4th Ave.	3	11	302	Garage & greenhouse	Western City Co. Ltd.	10807/1973
326.	344 West 4th Ave.	4	11	302	Apt. house & 2 cottages	Western City Co. Ltd.	10807
327.	325 West 4th Ave.	10, 11, 12	7	302	Rooming house	Ker & Ker Ltd.	8614
328.	1607 West 4th Ave.	22	239	526	Dwelling with store front	Ker & Ker Ltd.	3365
329.	1758 West 4th Ave.	9	248	526	Dwelling with store front	H. A. Roberts Ltd.	8556
330.	1778 West 4th Ave.	5	248	526	Dwelling	H. A. Roberts Ltd.	3863
331.	1907 West 4th Ave.	22	236	526	Dwelling	J. L. Clark Realty Co.	10734
332.	1952 West 4th Ave.	10	246	526	Dwelling	J. L. Clark Realty Co.	10446, 11301
333.	2002-6 West 4th Ave.	19, 20	245	526	Store & Dwelling	General Business Exchange	3326
334.	1531 East 4th Ave.	31 W½	145	264A	Dwelling	Western City Co.	12496

GROUP "C"

Catalogue No.	Civic Address	LEGAL DESCRIPTION Lot	Block	D.L.	Classification	Agent	Custodian File No.
335.	45 West 5th Ave.	13 E. 33'	22	200A	Dwelling	H. A. Roberts Ltd.	3863
336.	49 West 5th Ave.	13 Ex. E. 33' 14 Ex. W. 33'	22	200A	Dwelling	P. C. Gibbens & Co. Ltd.	1896
337.	55 West 5th Ave.	14 W. 33'	22	200A	Dwelling & room'g house	H. Hargreaves	4949
338.	133 West 5th Ave.	17	21	200A	Dwelling	Western City Co.	11600
339.	145 West 5th Ave.	19 W½	21	200A	Dwelling	Ker & Ker Ltd.	8774/10933
340.	162 West 5th Ave.	2	33	200A	Dwelling	Ker & Ker Ltd.	10154/10026
341.	221 West 5th Ave.	7	10	302	Terrace	Pemberton Realty Corp. Ltd.	3311
342.	238 West 5th Ave.	F/1 & 2	14	302	Dwelling	H. Hargreaves	2085
343.	2013 West 5th Ave.	23	245	526	Dwelling	Pemberton Realty Corp. Ltd.	1344
344.	43 East 5th Ave.	12 W½	23	200A	2 dwellings, 1 store front	Pemberton Realty Corp. Ltd.	1392/1548
345.	498 East 5th Ave.	8 N½	88	264A	Dwelling	Edward S. Anthony	100[illegible]
346.	2348 East 5th Ave.	L/8-21	D/149	264A	Dwelling	Ker & Ker Ltd.	10663
347.	161 West 6th Ave.	C/20 & 21	33	200A	Dwelling & store, rooms	Pemberton Realty Corp. Ltd.	635
348.	414 West 6th Ave.	A/7 & 8	17	302	Dwelling	Macaulay, Nicolls Maitland & Co.	12621
349.	874 West 6th Ave.	3	297	526	Apartment house	Ker & Ker Ltd.	1366/5412/9451/I.321
350.	1525 West 6th Ave.	18 W 35'	270	526	Dwelling	Richard Evans	1624
351.	2326 West 6th Ave.	8	282	526	Dwelling	Ker & Ker Ltd.	14565/12461
352.	303 East 6th Ave.	16	28	200A	Dwelling	Campbell & Pemberton	13051/1735
353.	473 East 6th Ave.	D/9&10	88	264A	Dwelling	Arthur A. Cameron	12408
354.	2595 East 6th Ave.	17	14	Sec. 34N½T.H.S.L.	Dwelling	Ker & Ker Ltd.	8209
355.	833 West 7th Ave.	13	297	526	Dwelling	H. Hargreaves	10107
356.	838 West 7th Ave.	7	317	526	Dwelling	H. Hargreaves	11143/11142
357.	847 West 7th Ave.	15W½	297	526	Dwelling	Johnson, Reeve & Watson	3895/8545
358.	925 West 7th Ave.	13	296	526	Dwelling	George F. Jacobs & Co.	707/9454
359.	934 West 7th Ave.	7	316	526	Dwelling	London & Western Trusts Co. Ltd.	461
360.	983 West 7th Ave.	19	296	526	Rooming house	Pemberton Realty Corp. Ltd.	3293
361.	1017 West 7th Ave.	13E½	295	526	Rooming house	Administration & Trust Co.	8279, I.285
362.	1037 West 7th Ave.	14W½	295	526	Dwelling	Pemberton Realty Corp. Ltd.	3395
363.	1182 West 7th Ave.	1, 2	314	526	Dwelling	Reed, Phipps & Davies Realty Co. Ltd.	13802
364.	1266 West 7th Ave.	4W. 33'	313	526	Dwelling	A. E. Austin & Co. Ltd.	1207
365.	1372 West 7th Ave.	3E½	312	526	Dwelling	Macaulay, Nicolls, Maitland & Co. Ltd.	10336/6647
366.	1758 West 7th Ave.	5E.23'	308	526	Dwelling	Ker & Ker Ltd.	1402
367.	1349 East 7th Ave.	20	A/155	264A	Dwelling	A. W. Goodrich Co. Ltd.	9778/11069/13020
368.	2700 Blk. East 7th Ave.	28	14	Sec.35N½T.H.S.L.	Vacant land	Pemberton Realty Corp. Ltd.	4632
369.	2725 East 7th Ave.	29, 30, 31	14	Sec.35N½T.H.S.L.	Dwelling	Pemberton Realty Corp. Ltd.	4632
370.	2700 Blk. East 7th Ave.	32	14	Sec.35N½T.H.S.L.	Vacant land	Pemberton Realty Corp. Ltd.	4632
371.	137 West 8th Ave.	17W½	47	200A	Dwelling	Pemberton Realty Corp.Ltd.	4951/1486
372.	786 West 8th Ave.	1	338	526	Dwelling	Richards, Akroyd & Gall Ltd.	1438/12971
373.	944 West 8th Ave.	6	336	526	Dwelling	Administration & Trust Co.	11341
374.	1075 West 8th Ave.	18, 19 E.5'	315	526	Dwelling	Ker & Ker Ltd.	9215/7034
375.	1864 West 8th Ave.	4	327	526	Dwelling	J. L. Clark Realty Co.	1582
376.	1096 West 10th Ave.	1	375	526	Dwelling	Ker & Ker Ltd.	5090/8514
377.	1245 West 10th Ave.	15	353	540	Dwelling & green-house	Johnson, Reeve & Watson	11774/11773
378.	3203 West 10th Ave.	7	59			Homer J. Moore	9866

GROUP "C" — (Continued)

Catalogue No.	Civic Address	LEGAL DESCRIPTION Lot	Block	D.L.	Classification	Agent	Custodian File No.
379.	153-155 East 10th Ave.	F/4-6	28	302	Store & rooms	Ker & Ker Ltd.	7832
380.	2416 West 12th Ave.	9	401	526	Dwelling	Ker & Ker Ltd.	10181
381.	1071 East 12th Ave.	A/33-35	D/158	264A	Dwelling	P. C. Gibbens & Co. Ltd.	7555/12413
382.	1390 West 13th Ave.	1	432	526	Dwelling	Pemberton Realty Corp. Ltd.	11529
383.	2145 West 13th Ave.	15	404	526	Dwelling	Administration & Trust Co.	13594
384.	Cr. W. 16th Ave. & Carnarvon	13	118	540	Vacant land	Simpson-MacPherson Ltd.	8834
385.	Nr. W. 16th Ave. & Carnarvon	14	118	540	Vacant land	Simpson-MacPherson Ltd.	8834
386.	620 East 16th Ave.	B/2 & 3	92	301	Dwelling	Pemberton Realty Corp. Ltd.	2135
387.	3100 Blk. West 19th Ave.	2	E	139	Vacant land	Simpson-MacPherson Ltd.	13126
388.	261 West 20th Ave.	24	562	526	Dwelling	Pemberton Realty Corp. Ltd.	9751/10170
389.	351 West 20th Ave.	32	562	526	Dwelling	Atherton Realty Co. Ltd.	12704
390.	2964 West 20th Ave.	7/4	11	139	Dwelling	J. B. Allan & Son	9848/13126
391.	2800 Blk. East 20th Ave.	12	2	Sec. 44 SE¼ T.H.S.L.	Vacant land	Ker & Ker Ltd.	1586
392.	2880 East 20th Ave.	13	2	Sec. 44 SE¼ T.H.S.L.	Dwelling	Ker & Ker Ltd.	1586
393.	538 East 22nd Ave.	4 E. 33′	21	301	Dwelling	London & Western Trusts Co. Ltd.	1466
394.	2996 West 29th Ave.	1	67	2027	Dwelling	Pemberton Realty Corp. Ltd.	1826/10899/10900
395.	3600 Blk. East 29th Ave.	28	4	Sec.51SE¼THSL	Vacant land	Collingwood Realty	13233
396.	2867 West 37th Ave.	46	29	2027	Dwelling	Simpson-MacPherson Ltd.	12787
397.	941 East 41st Ave.	12	3/12-21	666	Dwelling	Atherton Realty Co. Ltd.	5187
398.	Nr. E. 41st Ave. & Knight Rd.	11	4	711	Vacant land	Ker & Ker Ltd.	11590
399.	Nr. E. 41st Ave. & Knight Rd.	12	1	715	Vacant land	Collingwood Realty	9353
400.	Nr. E. 41st Ave. & Knight Rd.	14	1	715	Vacant land	Collingwood Realty	3293
401.	606 East 45th Ave.	16, 17	1	646	Dwelling	Collingwood Realty	9061
402.	258 East 46th Ave.	5	8	647	Dwelling	London & Western Trusts Co. Ltd.	11781
403.	49th Ave. W. and Bruce St.	19	13, 14, 21, 22, 27, 28, 29	733	Vacant land	J. W. Fairhall	3355
404.	2600 Blk. East 49th Ave.	28	9	336NE¼	Vacant land	J. W. Fairhall	4621
405.	1900 Blk. East 51st Ave.	17	3	735	Vacant land	J. W. Fairhall	7036
406.	3000 Blk. East 54th Ave.	12	1	333 N. pt. E½ of NE¼	Vacant land	J. W. Fairhall	665
407.	N.W. Cr. 57th Ave. & Culloden	6	24	200	Vacant land	Ker & Ker Ltd.	8049
408.	N.W. Cr. 57th Ave. & Culloden	7	24	200	Vacant land	Ker & Ker Ltd.	8049
409.	S.E. Cor. E. 58th & Carlton	42		333 SW¼ of NE¼	Vacant land	Collingwood Realty	8049
410.	1450 West 64th Ave.	3/2N½	B	319, 324 & Pt. 323	Dwelling	J. W. Fairhall	9852
411.	1612 West 64th Ave.	26	2	325	Dwelling	Homer J. Moore	9867
412.	1600 Blk. West 64th Ave.	27	2	325	Vacant land	Homer J. Moore	9867
413.	1274 East 67th Ave.	24	B, E. pt.	327	Dwelling	A. E. Austin & Co. Ltd.	3925
414.	700 Blk. West 68th Ave.	18	19/D	319, 324 & Pt. 323	Vacant land	J. W. Fairhall	4946
415.	743 West 68th Ave.	12	18/D	319, 324 & Pt. 323	Dwelling & greenhouse	Montreal Trust Co.	5077
416.	747 West 68th Ave.	9	18/D	319, 324 & Pt. 323	Vacant land	J. W. Fairhall	4211
417.	700 Blk. West 69th Ave.	17	20/D	319, 324 & Pt. 323	Vacant land	J. W. Fairhall	13234
418.	700 Blk. West 69th Ave.	18	20/D	319, 324 & Pt. 323	Vacant land	J. W. Fairhall	13234
419.	725 West 69th Ave.	16	20/D	319, 324 & Pt. 323	Dwelling	J. W. Fairhall	8552
420.	727 West 69th Ave.	15	20/D	319, 324 & Pt. 323	Dwelling	J. W. Fairhall	8552
421.	1198 West 70th Ave.	14, 15	D	318	Dwelling	J. W. Fairhall	11059
422.	1191 West 71st Ave.	A/1-3	D	318	Dwelling	J. W. Fairhall	9586

GROUP "C" — (Continued)

Catalogue No.	Civic Address	LEGAL DESCRIPTION Lot	Block	D.L.	Classification	Agent	Custodian File No.
WEST VANCOUVER							
423.	563 Esquimalt Ave.	6		1038 W½	Dwelling	The Toronto General Trusts Corp.	1470
424.	2152 Marine Drive	6	12	775(7-12)	Dwelling with store front	H. A. Roberts Ltd.	4779/I. 780
425.	2631 Nelson St.	9	B/7	555	Dwelling (duplex)	H. A. Roberts Ltd.	3006
NORTH VANCOUVER							
426.	Cr. Denis & Main St.	14, 15	26	204	Gas station	Pemberton Realty Corp. Ltd.	6366
	Nr. Cr. Denis & Main St.	16	26	204	Vacant land	Pemberton Realty Corp. Ltd.	6366
427.	Dollarton	1	3/J	230	Greenhouses & dwelling	Jack Loutet & Co.	8079
428.	Frederick St.	7/1	10	2023	Dwelling & 3 sheds	Jack Loutet & Co.	1660
429.	Frederick St.	8/1	10	2023	Vacant land	Jack Loutet & Co.	1[illegible]
430.	519 West King's Rd.	10	5	617 SE¼	Dwelling	Irwin & Billings Co. Ltd.	8549
431.	500 Blk. West King's Rd.	11	5	617 SE¼	Vacant land	Irwin & Billings Co. Ltd.	8549
432.	519 West King's Rd.	12	5	617 SE¼	Shack	Irwin & Billings Co. Ltd.	13411
433.	Lonsdale & 23rd Ave.	1	215	545	Vacant land	Jack Loutet & Co.	1763
434.	701 E. 4th (380 Queensb'ry Av.)	1	24	273	Store & rooms	Jack Loutet & Co.	1763
435.	Nr. E. 4th & Queensbury	2	24	273	Vacant land	Jack Loutet & Co.	1763
436.	700 Blk. Queensbury Ave.	15	3	273	Vacant land	North Vancouver Realty Ltd.	10725
437.	725-729 Queensbury Ave.	14	3	273	Store	North Vancouver Realty Ltd.	10725
438.	Rear Tide Flats, Bridge Rd.	9	36	611	Vacant land	Irwin & Billings Co. Ltd.	3632
439.	Seym'r Cr. Nr. Pipe L. R. 107,	108	1	791	Vacant land	Jack Loutet & Co.	13690
440.	Tide Flats, E. Seymour Creek	7	36	611	Shack	Jack Loutet & Co.	13696
441.	Tide Flats E. Seymour Creek	8	36	611	Vacant land	Jack Loutet & Co.	5564
442.	Tide Flats Lower Dollarton Rd.	15	40	611	Vacant land	Irwin & Billings Co. Ltd.	12787
443.	Tide Flats Lower Dollarton Rd.	16	40	611	Dwelling	Irwin & Billings Co. Ltd.	3632
444.	Tide Flats W. Capilano	3, 4	24	264	Vacant land	Irwin & Billings Co. Ltd.	4625/4624
445.	Tide Flats W. Capilano	1, 2	24	264	Shack	Irwin & Billings Co. Ltd.	4192

GROUP "C" — (Continued)

Catalogue No.	Civic Address	LEGAL DESCRIPTION Lot	Block	D.L.	Classification	Agent	Custodian File No.
BURNABY							
446.	4600 Blk. Albert St.	5	2	122	Vacant land	Pemberton Realty Corp. Ltd.	9658
447.	4621 Albert St.	6	2	122	Dwelling	Pemberton Realty Corp. Ltd.	9658
448.	204 Alpha Ave.	A	2	122	Dwelling	Pemberton Realty Corp. Ltd.	2284
449.	300 Beta Ave.	2, 3, 4	6	122	Vacant land	Collingwood Realty	7823
450.	320 Beta Ave.	1	6	122	Dwelling	Collingwood Realty	7823
451.	4055 Frances St.	W16'12,13E17'	13	116/186	Dwelling	Pemberton Realty Corp. Ltd.	12969
452.	5061 East Georgia St.	11	H	127	Vacant land	Collingwood Realty	10174
453.	3798 East Hastings St.	10	9	116/186	Dwelling with store front	Campbell & Pemberton	9053
454.	4400 Blk. East Hastings St.	17	12	121	Vacant land	Macaulay, Nicolls, Maitland & Co.	7254
455.	4472 East Hastings St.	18	12	121	Dwelling with store front	Macaulay, Nicolls, Maitland & Co.	7254
[illegible]	Kent & North Rd.	8	2, 1 & 24 pt.	6	Dwelling	Joseph Dorgan	11925
457.	221 Marsh St.		134	163/5	Vacant land	Collingwood Realty	7720
458.	4300 Blk. Parker St.	27	30	121	Vacant land	Ker & Ker Ltd.	10216
459.	4337 Parker St.	28	30	121	Dwelling	Ker & Ker Ltd.	10216
460.	5195 Royal Oak Ave.	1	2	74S½	Dwelling	Baird & Baird, Barristers	13431
461.	2500 Blk. Thorne Ave.	3	10	173	Vacant land	Ker & Ker Ltd.	655
462.	2586 Thorne Ave.	2	10	173	Dwelling	Ker & Ker Ltd.	655
463.	4671 Triumph St.	26	26/C Central	188	Vacant land	Collingwood Realty	11683
464.	325 Willingdon Ave.	18	5	121	Dwelling	Ker & Ker Ltd.	8551

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VANCOUVER, B.C.

P. C. 365

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 16th day of JANUARY, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Justice reports that by reason of the development of the war it may become necessary to take special measures within certain areas of Canada;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, and they are hereby amended by rescinding Regulation 4 thereof and substituting therefor the following Regulation:

"4(1)The Minister of National Defence with the concurrence of the Minister of Justice may, if it appears necessary or expedient so to do in the public interest and for the efficient prosecution of the War make, in respect of any area in Canada, an order declaring that, after such time as may be specified in such order such area shall be a protected area (hereinafter in this regulation referred to as a "protected area") and subject to the provisions of this regulation.

(2) The Minister of Justice may, with respect to a protected area, make orders in relation to any of the following matters:-

(a) To require all or any enemy aliens to leave such protected area;

(b) To prohibit all or any enemy aliens from entering, leaving or returning to such protected area except as permitted pursuant to such order;

(c)/

(c) To impose upon all or any enemy aliens, ordinarily resident or actually present in such protected area, such restrictions as may be specified in the order in respect of their employment or business, their movements or places of residence, their associations or communications with other persons, their activities in relation to the dissemination of news or the propagation of opinions or otherwise with respect to the conduct of any such enemy aliens;

(d) To prohibit or restrict the possession or use by all or any enemy aliens, ordinarily resident or actually present in such protected area, of any specified articles and to require the delivery up by any such enemy aliens aforesaid of any such specified articles to the Royal Canadian Mounted Police;

(e) To authorize the detention, in such place and under such conditions as he may from time to time direct, of all or any enemy aliens ordinarily resident or actually present in such protected area;

(f) To authorize the detention of any persons, other than enemy aliens, ordinarily resident or actually present in such protected area in order to prevent such persons from acting in any manner prejudicial to the public safety or the safety of the State;

(g) To authorize the release, upon such conditions as he may specify, of any person ordered to be detained or any article delivered up pursuant to this Regulation.

(3) Any person in the protected area reasonably believed by any peace officer or by any person acting on behalf of His Majesty to be contravening any order made under this Regulation may, without prejudice to any proceedings which may be taken against him, be removed from the protected area or detained therein by any peace officer or person acting on behalf of His Majesty aforesaid.

(4) This Regulation shall be administered by the Commissioner of the Royal Canadian Mounted Police.

(5) This Regulation and any order made hereunder shall have full force and effect according to its terms notwithstanding anything contained in any other of these Regulations.

Certified to be a true copy.

~~Sgd. A.D.P.Heeney~~ A. Normand

Asst Clerk of the Privy Council.

DEPARTMENT OF NATIONAL DEFENCE.

TO ALL WHOM these Presents shall come or whom the same may in anywise concern,

GREETINGS;

WHEREAS Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, as amended by Order in Council dated 16th January, 1942, (P. C. 365), provides that the Minister of National Defence with the concurrence of the Minister of Justice may, if it appears necessary or expedient so to do in the public interest and for the efficient prosecution of the War, make, in respect of any area in Canada, an order declaring that, after such time as may be specified in such order, such area shall be a protected area and subject to the provisions of the said Regulation 4.

AND WHEREAS it has been represented to the undersigned, the Minister of National Defence, that in respect of that area hereinafter defined of the Province of British Columbia it is necessary and expedient in the public interest and for the efficient prosecution of the War to make an order declaring the said area a protected area and subject to the provisions of the said Regulation 4.

NOW KNOW YOU that in pursuance of the power granted as aforesaid and with the concurrence of the Minister of Justice the undersigned, the Minister of National Defence, doth hereby, pursuant to the provisions of the said Regulation 4, as amended, of the Defence of Canada Regulations (Consolidation) 1941, order that after the thirty-first day of January, 1942, that area of the Province of British Columbia, including all islands, west of a line described as hereunder is hereby declared to be a protected area for the purposes of and subject to the provisions of the said Regulation 4, as amended, of the Defence of Canada Regulations (Consolidation) 1941.

Commencing at Boundary Point No. 7 on the International Boundary between the Dominion of Canada and Alaska, thence following the line of the "Cascade Mountains," as defined by paragraph 2 of Section 24 of the Interpretation Act of British Columbia, being chapter 1 of the Revised Statutes of 1936, to the northwest corner of Lot 1410, Range 5, Coast Land District, thence due east to a point due north of the northwest corner of Lot 373, Range 5, Coast Land District, thence due south to said northwest corner of Lot 373 being a point on the aforementioned line of the "Cascade Mountains," (being the area surrounding the Village Municipality of Terrace); thence following said line of the "Cascade Mountains" to the western boundary of Township 5, Range 26, west of the sixth Meridian, thence following the northerly, easterly and southerly boundaries of said Township 5, to the southwest corner thereof, being a point on the line of the "Cascade Mountains." (being the area surrounding the Village Municipality of Hope); thence following the "Cascade Mountains" to the southerly Boundary of the Province.

AND I DO HEREBY DIRECT that this order be published in the Canada Gazette and in two issues within fourteen days of the date hereof of each of two daily newspapers published in the City of Victoria and of each of two daily newspapers published in the City of Vancouver, both places being situate in the said Province of British Columbia.

DATED at the Department of National Defence at the City of Ottawa, this twenty-ninth day of January, in the year of Our Lord one thousand nine hundred and forty-two.

J. L. Ralston
Minister of National Defence.

I concur in the making of the foregoing order.

Louis S. St. Laurent,

Minister of Justice.

No. 212 EXTRA Vol. LXXV

THE CANADA GAZETTE
LA GAZETTE DU CANADA

OTTAWA, FRIDAY, FEBRUARY 27, 1942

OTTAWA, VENDREDI 27 FÉVRIER 1942

ORDERS IN COUNCIL

[1486]

AT THE GOVERNMENT HOUSE AT OTTAWA

Tuesday, the 24th day of February, 1942.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL

WHEREAS the Minister of Justice reports that by reason of the development of the war it may become necessary to take special measures within certain areas of Canada;

Now, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under the authority of The War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, and they are hereby amended by rescinding paragraph 2 of Regulation 4 thereof and substituting therefor the following paragraph:

(2) The Minister of Justice may, with respect to a protected area, make orders in relation to any of the following matters:—

(*a*) To require any or all persons to leave such protected area;

(*b*) To prohibit any or all persons from entering, leaving or returning to such protected area except as permitted pursuant to such order;

(*c*) To impose upon any or all persons ordinarily resident or actually present in such protected area, such restrictions as may be specified in the order in respect of their employment or business, their movements or places of residence, their associations or communications with other persons, their activities in relation to the dissemination of news or the propagation of opinions or otherwise with respect to the conduct of any such persons;

(*d*) To prohibit or restrict the possession or use by any or all persons, ordinarily resident or

ARRÊTÉS EN CONSEIL

[1486]

HÔTEL DU GOUVERNEMENT À OTTAWA

Le mardi 24 février 1942.

PRÉSENT:

SON EXCELLENCE LE GOUVERNEUR GÉNÉRAL EN CONSEIL

ATTENDU que le ministre de la Justice signale que, par suite du développement de la guerre, il peut devenir nécessaire de prendre des mesures spéciales dans certaines zones du Canada,

A CES CAUSES, sur la recommandation du ministre de la Justice et en vertu de la *Loi des mesures de guerre*, chapitre 206 des Statuts revisés du Canada, 1927, il plaît à Son Excellence le Gouverneur général en conseil de modifier, par les présentes, les Règlements concernant la défense du Canada (Codification) 1941, en abrogeant le paragraphe 2 de l'article 4 desdits Règlements et en y substituant le suivant:

(2) Le ministre de la Justice peut, relativement à une zone protégée, rendre des décrets sur les points suivants:

(*a*) Obliger qui que ce soit à quitter cette zone protégée;

(*b*) Défendre à qui que ce soit d'entrer dans la zone protégée, d'en sortir ou d'y retourner, sauf moyennant autorisation donnée conformément à ces décrets;

(*c*) Imposer à toutes personnes résidant habituellement, ou réellement présentes dans cette zone protégée, les restrictions que ces décrets peuvent spécifier en ce qui concerne l'emploi ou les affaires de ces personnes, leurs déplacements ou leurs lieux de résidence, leurs associations ou communications avec d'autres personnes, leurs activités relatives à la dissémination de nouvelles ou à la propagation d'opinions, ou relatives à toute autre chose concernant la conduite de ces personnes;

(*d*) Interdire ou restreindre la possession ou l'usage, par toutes personnes résidant habituelle-

4. Prior to his departure from the Greater Vancouver area as aforesaid, and at all times material hereto the Suppliant was the owner in fee simple of that certain residential property situate at 668 East Cordova Street, in the City of Vancouver, in the Province of British Columbia, free and clear of any encumbrances, which said property is more particularly known and described as Lot 14, Block 59, District Lot 196, Group 1, New Westminster District.

5. In the alternative to Paragraph 4 herein, the Suppliant at all times material hereto was, and still is, the owner in fee simple of the aforesaid residential property.

6. The aforesaid residential property is presently occupied by a tenant and the rentals are sufficient to maintain the property in good standing and condition.

7. Subsequent to the said filing of the said J. P. Declaration and subsequent to the departure of the Suppliant from the City of Vancouver, as aforesaid, the Parliament of the Dominion of Canada, or in the alternative, the Governor-General in Council purported to further amend, vary and extend the said Order-in-Council No. P.C. 1665 and the said Order-in-Council No. P.C. 2483 by Order-in-Council No. P.C. 469 dated the 19th day of January, 1943.

8. By virtue of the said last-mentioned Order-in-Council, the Suppliant became aware that the Custodian purported to have acquired the right and privilege, or in the alternative, purported that he at all times had the right and privilege, inter alia, to sell, dispose of or liquidate the Suppliant's interest in the aforesaid residential property to such person or persons and on such terms as the Custodian might in his discretion deem appropriate without reference to the wishes or desires of the Suppliant and without his consent.

9. By a notice in Vancouver daily newspapers of

actually present in such protected area, of any specified articles and to require the delivery up by any such persons aforesaid of any such specified articles to the Royal Canadian Mounted Police;

(*e*) To authorize the detention, in such place and under such conditions as he may from time to time direct, of any or all persons ordinarily resident or actually present in such protected area;

(*f*) To authorize the release, upon such conditions as he may specify, of any person ordered to be detained or any article delivered up pursuant to this Regulation.

A. D. P. HEENEY,
36-1 Clerk of the Privy Council.

[1542]

AT THE GOVERNMENT HOUSE AT OTTAWA
Thursday, the 26th day of February, 1942.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL

WHEREAS by Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, as amended by Order in Council P.C. 365 of January 16, 1942, and by Order in Council P.C. 1486 of February 24, 1942, provision is made for the establishment of "protected areas" and the Minister of Justice is authorized to make orders in relation to, amongst other matters, the prohibition or restriction of the possession or use by any or all persons ordinarily resident or actually present in such protected area of any specified articles and is authorized to require the delivery up by any such persons of any such specified articles to the Royal Canadian Mounted Police;

AND WHEREAS the Minister of Justice reports that the Commissioner of the Royal Canadian Mounted Police has advised him that for administrative purposes it might be desirable that the Minister of Justice be authorized to require that such specified articles be delivered up to persons other than members of the Royal Canadian Mounted Police.

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, as amended by Order in Council P.C. 365 of January 16, 1942, and by Order in Council P.C. 1486 of February 24, 1942, and it is hereby amended by striking out sub-paragraph (*d*) of paragraph (2) thereof and substituting therefor the following sub-paragraphs:

"(*d*) to prohibit or restrict the possession or use by any or all persons ordinarily resident or actually present in such protected area of any specified articles and require the delivery up by any such person aforesaid of any such specified articles to any Justice of the Peace, residing in or near the locality where such specified article is had in possession or to an officer or constable of the Police Force of the Province or city in or near such locality or to an officer or constable of the Royal Canadian Mounted Police;

(*dd*) to require any such Justice of the Peace or officer or constable receiving any specified article required to be delivered by any person under sub-paragraph (*d*) of this paragraph to give to the person delivering the same a receipt therefor and to report the fact to the Commissioner of the Royal Canadian Mounted Police;

(*ddd*) to order under whose direction any articles delivered under sub-paragraph (*d*) of this paragraph shall be retained or otherwise disposed of;

(*dddd*) to authorize any peace officer or any officer or constable of the Royal Canadian Mounted Police to search without warrant the premises or any place occupied or believed to be occupied by any person reasonably suspected of having in his possession or upon his premises any articles specified under sub-paragraph (*d*) of this paragraph and to seize any such specified articles found on such premises."

A. D. P. HEENEY,
36-1 Clerk of the Privy Council.

ment, ou réellement présentes dans cette zone protégée, de tout objet spécifié, et exiger la remise à la Royale gendarmerie à cheval du Canada, par ces personnes, comme il est dit ci-dessus, de tout objet ainsi spécifié;

(*e*) Autoriser la détention, au lieu et dans les conditions qu'il peut déterminer, de toute personne résidant habituellement, ou réellement présente, dans cette zone protégée;

(*f*) Autoriser la libération, aux conditions qu'il peut spécifier, des personnes dont la détention a été ordonnée, ou la restitution de tout objet remis, conformément au présent article.

A.-D.-P. HEENEY,
36-1 Greffier du Conseil privé.

[1542]

HÔTEL DU GOUVERNMENT À OTTAWA
Le jeudi 26 février 1942.

PRÉSENT:

SON EXCELLENCE LE GOUVERNEUR GÉNÉRAL EN CONSEIL

ATTENDU que l'article 4 des Règlements concernant la défense du Canada (Codification) 1941, modifié par les arrêtés en conseil C.P. 365 du 16 janvier 1942 et C.P. 1486 du 24 février 1942, prescrit l'établissement de "zones protégées" et autorise le ministre de la Justice à rendre des décrets pour, entre autres choses, interdire ou restreindre la possession ou l'usage par toutes personnes résidant ordinairement, ou réellement présentes dans ladite zone protégée, de tout objet spécifié, et à exiger la remise à la Royale gendarmerie à cheval du Canada, par ces personnes, de tout objet ainsi spécifié;

ET ATTENDU que le ministre de la Justice rapporte que le Commissaire de la Royale gendarmerie à cheval du Canada lui a fait part qu'il serait désirable, pour des fins administratives, que le ministre de la Justice fût autorisé à exiger que ces objets spécifiés soient remis à des personnes autres que les membres de la Royale gendarmerie à cheval du Canada;

A CES CAUSES, il plaît à Son Excellence le Gouverneur général en conseil, sur la recommandation du ministre de la Justice, et sous l'autorité de la *Loi des mesures de guerre*, chapitre 206 des Statuts revisés du Canada, 1927, de modifier l'article 4 des Règlements concernant la défense du Canada (Codification) 1941, déjà modifié par les arrêtés en conseil C.P. 365 du 16 janvier 1942 et C.P. 1486 du 24 février 1942, lequel est par les présentes modifié par la radiation de l'alinéa (*d*) du paragraphe (2) et son remplacement par les suivants:

"(*d*) Interdire ou restreindre la possession ou l'usage, par toute personne résidant ordinairement, ou réellement présente dans cette zone protégée, de tout objet spécifié, et en exiger la remise par ladite personne à un juge de paix résidant dans ou près la localité où ledit objet spécifié est possédé, ou à un officier ou constable de la police de la province ou de la cité dans ou près ladite localité, ou à un officier ou un gendarme de la Royale gendarmerie à cheval du Canada;

(*dd*) Obliger ce juge de paix, ou officier ou gendarme qui reçoit un objet spécifié qu'une personne a été requise de remettre sous l'autorité de l'alinéa (*d*) du présent paragraphe, à délivrer à la personne qui remet l'objet un

récépissé à cet effet et d'en signaler le fait au Commissaire de la Royale gendarmerie à cheval du Canada;

(*ddd*) Prescrire sur les instructions de qui tout objet remis en vertu de l'alinéa (*d*) du présent paragraphe doit être gardé ou autrement employé;

(*dddd*) Autoriser tout agent de la paix ou tout officier ou gendarme de la Royale gendarmerie à cheval du Canada à perquisitionner sans mandat dans tout local ou endroit occupé ou qu'on croit occupé par une personne soupçonnée légitimement d'avoir en sa possession ou dans ses locaux tout objet spécifié au sens de l'alinéa (*d*) du présent paragraphe et à saisir les objets spécifiés trouvés dans ces locaux.

A.-D.-P. HEENEY,
36-1 Greffier du Conseil privé.

GOVERNMENT NOTICE

DEPARTMENT OF JUSTICE

WHEREAS pursuant to the provisions of Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, as amended by Order in Council P.C. 365 of January 16, 1942, the Minister of National Defence with the concurrence of the Minister of Justice declared by order published in an Extra of the *Canada Gazette* on February 2, 1942, that an area of the Province of British Columbia, west of a line described in the said order be a protected area for the purposes and subject to the provisions of Regulation 4 aforesaid;

AND WHEREAS by an order dated February 5, 1942, of the Acting Minister of Justice certain measures were taken with regard to enemy aliens in the said protected area;

AND WHEREAS by Order in Council P.C. 1486 of February 24, 1942, Regulation 4 aforesaid was further amended to render it applicable to all persons in the said protected area whether enemy aliens or otherwise;

AND WHEREAS by an order dated February 25, 1942, of the undersigned, the Minister of Justice, certain measures were taken with regard to all persons of the Japanese race in the said protected area, whether enemy aliens or otherwise;

AND WHEREAS by Order in Council P.C. 1542 dated February 26, 1942, Regulation 4 aforesaid was further amended to empower the undersigned, the Minister of Justice, to provide in greater detail for certain matters.

NOW KNOW YE that the undersigned, the Minister of Justice, doth hereby rescind the order made by the undersigned, the Minister of Justice, on February 25, 1942, and pursuant to the provisions of the said Regulation 4 as above amended, doth hereby order that:

1. Every person of the Japanese race, while within the protected area aforesaid, shall hereafter be at his usual place of residence each day before sunset and shall remain therein until sunrise on the following day, and no such person shall go out of his usual place of residence aforesaid upon the streets or otherwise during the hours between sunset and sunrise;

2. No person of the Japanese race shall have in his possession or use in such protected area any motor vehicle, camera, radio transmitter, radio receiving set, firearm, ammunition or explosive;

3. It shall be the duty of every person of the Japanese race having in his possession or upon his premises any article mentioned in the next preceding paragraph, forthwith to cause such article to be delivered up to any Justice of the Peace residing in or near the locality where any such article is had in possession, or to an officer or constable of the Police Force of the Province or city in or near such locality or to an officer or constable of the Royal Canadian Mounted Police;

4. Any Justice of the Peace or officer or constable receiving any article mentioned in paragraph 2 of this order shall give to the person delivering the same a receipt therefor and shall report the fact to the Commissioner of the Royal Canadian Mounted Police, and shall retain or otherwise dispose of any such article as directed by the said Commissioner;

5. Any peace officer or any officer or constable of the Royal Canadian Mounted Police having power to act as such peace officer or officer or constable in the said protected area, is authorized to search without warrant the premises or any place occupied or believed to be occupied by any person of the Japanese race reasonably suspected of having in his possession or upon his premises any article mentioned in paragraph 2 of this order, and to seize any such article found on such premises;

6. Every person of the Japanese race shall leave the protected area aforesaid forthwith;

7. No person of the Japanese race shall enter such protected area except under permit issued by the Royal Canadian Mounted Police;

8. In this order, "person of the Japanese race" means, as well as any person wholly of the Japanese race, a person not wholly of the Japanese race if his father or mother is of the Japanese race and if the Commissioner of the Royal Canadian Mounted Police by notice in writing has required or requires him to register pursuant to Order in Council P.C. 9760 of December 16, 1941.

Dated at Ottawa this 26th day of February, 1942.

LOUIS S. ST. LAURENT,
36-1 Minister of Justice.

OTTAWA: Printed by EDMOND CLOUTIER, Printer to the King's Most Excellent Majesty, 1942.

WHEREAS, pursuant to the provisions of Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, as amended by Order in Council P. C. 365 of January 16th, 1942, the Minister of National Defence with the concurrence of the Minister of Justice declared by order published in an Extra of the Canada Gazette on February 2nd, 1942, that an area of the Province of British Columbia, west of a line described in the said order be a protected area for the purposes and subject to the provisions of Regulation 4 aforesaid;

AND WHEREAS, by an order dated February 5th, 1942, of the Acting Minister of Justice certain measures were taken with regard to enemy aliens in the said protected area;

AND WHEREAS, by Order in Council P. C. 1486 of February 24th, 1942, Regulation 4 aforesaid was further amended to render it applicable to all persons in the said protected area whether enemy aliens or otherwise;

AND WHEREAS, it is now deemed necessary that special measures be taken in respect of all persons of the Japanese race in the said protected area whether enemy aliens or otherwise;

NOW KNOW YE that the undersigned the Minister of Justice, doth pursuant to the provisions of the said Regulation 4 as amended, hereby order that, -

1. Every person of the Japanese race, while within the protected area aforesaid, shall hereafter be at his usual place of residence each day before sunset and shall remain therein until sunrise on the following day, and no such person shall go out of his usual place of residence aforesaid upon the streets or otherwise during the hours between sunset and sunrise.

2. No person of the Japanese race shall have in his possession or use in such protected area any motor vehicle, camera, radio transmitter, radio receiving set, firearm, ammunition or explosive;

3. It shall be the duty of every person of the Japanese race having in his possession or upon his premises any article mentioned in the next preceding paragraph forthwith to cause such article to be delivered up to an officer or constable of the Royal Canadian Mounted Police;

4. Every person of the Japanese race shall leave the protected area aforesaid forthwith;

5. No person of the Japanese race shall enter such protected area except under permit issued by the Royal Canadian Mounted Police.

6. In this order, "person of the Japanese race" means, as well as any person wholly of the Japanese race, a person not wholly of the Japanese race if his father or mother is of the Japanese race and if the Commissioner of the Royal Canadian Mounted Police by notice in writing has required or requires him to register pursuant to Order in Council P. C. 9760 of December 16th, 1941.

Dated at Ottawa this 25th day of February, 1942.

(sgd) "Louis S. St. Laurent"

Minister of Justice.

P.C. 1665

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 4th day of MARCH, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS in view of the serious situation prevailing in the Province of British Columbia arising out of the war with Japan it is deemed necessary for the security and defence of Canada to take further steps for the evacuation of persons of the Japanese race from the protected areas in that Province;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Right Honourable W.L.Mackenzie King, the Prime Minister, and under and by virtue of the powers conferred by the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to make the following regulations and they are hereby made and established accordingly:

Interpretation

1. (1) In these Regulations unless the context otherwise requires -

(a) "Commission" means the British Columbia Security Commission established under the provisions of this Order.

(b) "Minister" means the Minister of Labour.

(c) Other words and phrases shall have the same meaning as in the Defence of Canada Regulations.

British Columbia Security Commission

2. (1) There shall be a Commission, to be known as the British Columbia Security Commission, which shall consist of three members, a Chairman and two Commissioners, who shall hold office during pleasure.

(2) The members of the Commission shall be appointed by the Governor in Council, on the recommendation of the Minister, and shall be paid such remuneration and allowances as may be fixed by the Governor in Council;

(3) Except as otherwise herein provided any act of the Commission shall require the concurrence of all members of the Commission.

(4) Where for any reason any member of the Commission is unable to act, the Minister may appoint temporarily a substitute member, upon such terms and conditions as he may determine.

(5)/

(5) The headquarters of the Commission shall be at a place selected by it in the Province of British Columbia, and meetings of the Commission may be held at the headquarters, or at such other place in British Columbia or elsewhere, as the Chairman may decide.

(6) The members of the Commission shall take and subscribe an oath before any Superior Court judge in the Province of British Columbia, which shall be filed in the office of the Clerk of the Privy Council, and which shall be in the following form:

> "I . . . . . solemnly and sincerely swear that I will faithfully and honestly fulfil the duties which devolve upon me as a member of the British Columbia Security Commission."

3. The Commission may, with the approval of the Minister, make by-laws not inconsistent with the provisions hereof, for the direction, conduct and government of its business.

4. Every document purporting to be or to contain a by-law, order or other instrument of the Commission, and purporting to be signed by the Chairman, shall be evidence of such by-law, order or other instrument.

5. (1) The Commission may, with the approval of the Minister, employ such professional technical and other officers, clerks and employees as it may deem necessary for the proper conduct of its affairs, and may, with the approval of the Governor in Council, fix their remuneration,

(2) The Commission may utilize the services of any officer, servant or employee of any department of the Government of Canada loaned by the Minister thereof.

6. (1) The Commission may enter into contracts, and hold property, real or personal, and shall be deemed to have the powers necessary to perform the duties assigned to the Commission, including all powers incidental to the performance of the said duties.

(2) The Commission may sue, and, with the consent of the Attorney General of Canada, be sued in its own name, in respect of its own acts, but such proceedings shall only be taken in the Exchequer Court of Canada.

(3) The Commission shall in all matters, including those relating to the responsibility of the members of the Commission for the acts of any servant or agent of the Commission, be deemed to be an agent of the Crown.

7. (1) No transaction shall be entered into by the Commission involving an expenditure in excess of fifteen thousand dollars, except with the approval of the Governor in Council.

(2) No real property shall be purchased by the Commission except with the approval of the Governor in Council.

8. The Commission may enter into any arrangement with any department of the Government of Canada or of the Government of the Province of British Columbia for the use of or occupation of any Dominion or Provincial Crown Lands.

Advisory Committee

9. (1) There shall be appointed by the Governor in Council an Advisory Committee to the British Columbia Security Commission, to consist of not more than twenty members, to advise the Commission on all matters relating to the duties of the Commission.

(2) Meetings of the said Advisory Committee may be called by the Chairman of the Commission.

(3) Any member of the said Advisory Committee may be paid his actual reasonable disbursements incurred in connection with the performance of the work of the Advisory Committee.

Duties and Powers of Commission

10. (1) It shall be the duty of the Commission to plan, supervise and direct the evacuation from the protected areas of British Columbia of all persons of the Japanese race.

(2) For the purpose of performing the duties aforesaid the Commission shall determine the time and order of the evacuation of such persons, the mode of transport and all matters relative to the placement of such persons.

(3) The Commission shall provide for the housing, feeding, care and protection of such persons in so far as the same may be necessary.

(4) A plan or plans for the evacuation and placement aforesaid shall be submitted to the Minister, and shall be put into operation by the Commission when approved by the Minister.

11. (1) The Commission shall have power to require by order any person of the Japanese race, in any protected area in British Columbia, to remain at his place of residence or to leave his place of residence and to proceed to any other place within or without the protected area at such time and in such manner as the Commission may prescribe in such order, or to order the detention of any such person, and any such order may be enforced by any person nominated by the Commission so to do.

(2) The Commission may make orders respecting the conduct, activities and discipline of any person evacuated under the provisions of these Regulations.

Custody of Japanese Property

12. (1) As a protective measure only, all property situated in any protected area of British Columbia belonging to any person of the Japanese race resident in such area (excepting fishing vessels subject to Order in Council P.C. 288 of the 13th January, 1942, and deposits of money, shares of stock, debentures, bonds or other securities), delivered up to any person by the owner

pursuant/

pursuant to the Order of the Minister of Justice dated February 26, 1942, or which is turned over to the Custodian by the owner, or which the owner, on being evacuatedm is unable to take with him, shall be vested in and subject to the control and management of the Custodian as defined in the Regulations respecting Trading with the Enemy, 1939; provided, however, that no commission shall be charged by the Custodian in respect of such control and management.

(2) Subject as hereinafter provided, and for the purposes of the control and management of such property, rights and interest by the Custodian, the Regulations respecting Trading with the Enemy, 1939, shall apply mutatis mutandis to the same extent as if such property, rights and interests belonged to any enemy within the meaning of the said Regulations.

(3) The property, rights and interests so vested in and subject to the control and management of the Custodian, or the proceeds thereof, shall be dealt with in such manner as the Governor in Council may direct.

Departmental Assistance

13. All departments and agencies of the Government of Canada shall assist the Commission by lending to the Commission such personnel and by furnishing such medical aid, hospitalization, food, clothing, transportation, use of land, buildings, equipment, utilities and other supplies and services as are available, and may be required by the Commission, and in particular, but without restricting the generality of the foregoing, there shall be furnished to the Commission,-

(a) assistance by the Royal Canadian Mounted Police in the compiling of information concerning the persons to be evacuated under these Regulations in the segregation and concentration of such persons and in the maintenance of public security in respect thereof.

(b) assistance by the Department of Transport in the transportation of persons evacuated under these Regulations.

(c) assistance by the Department of National Defence by furnishing personnel to advise on and assist in the housing, feeding and clothing of persons evacuated under these Regulations.

(d) assistance by the Department of Munitions and Supply in advising upon and entering into contracts or other arrangements to provide housing, food, supplies and services for such persons.

(e) assistance by the Royal Canadian Mounted Police and/or the Department of National Defence in the protection of persons evacuated under these Regulations and in the maintenance of public security in respect thereof.

(f) assistance by the Department of Labour in establishment of work camps and in providing employment, and in particular in the absorption of evacuated persons in the Canadian Japanese Construction Corps constituted by Order in Council P.C. 1271 of February 17th, 1942, or in the work camps established under Order in Council

P.C. 1348 of February 19th, 1942, or in any other activity in which such persons can be employed without prejudice to the public safety or the safety of the State, outside the protected areas in British Columbia.

Provided, however, that notwithstanding the provisions of these Regulations any minister responsible for the administration of any of the departments or agencies of the Government shall have the right to determine whether or not any item of assistance requested can be made available.

Expenses

14. All expenses or costs incurred by the Commission or by any department or agency of the Government of Canada in connection with the enforcement or administration of these Regulations shall be payable out of moneys appropriated by Parliament to carry out measures deemed necessary in consequence of the existence of a state of war.

Offences

15. Every person who contravenes or fails to comply with any of these Regulations or any order or by-law made under any of these Regulations shall be guilty of an offence, and liable, on summary conviction, to a fine not exceeding five hundred dollars, or to imprisonment for a term not exceeding twelve months, or to both such fine and such imprisonment.

16. Nothing contained herein shall be construed to limit or derogate from the powers conferred on any authority other than the Commission by the Defence of Canada Regulations or any other statute or law.

Certified to be a true copy

A. M. Shell

~~Sgd. A.D.P.Heeney~~

Asst Clerk of the Privy Council.

P. C. 2483

AT THE GOVERNMENT HOUSE AT OTTAWA

Friday, the 27th day of March, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P. C. 1665 dated March 4, 1942, the British Columbia Security Commission was established for the purpose of planning, supervising and directing the evacuation from the protected areas of British Columbia of all persons of the Japanese race and for such purpose was empowered to determine amongst other things all matters relative to the placement of such persons;

And whereas it is represented to the Minister of Justice that it is desirable to provide that any plan with regard to the placement of such persons be limited to making provision for the temporary placement only of such persons during the continuation of the state of war now existing and that the authority of the Commission should include power to vary or amend any placement order;

And whereas recommendations have been made to the Minister of Justice by the British Columbia Security Commission to the effect that a greater degree of protective control over persons of the Japanese race and the property of such persons be provided for than was provided by the Order establishing the Commission, above referred to;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice and under and by virtue of the powers conferred by the War Measures Act, Chapter 206, R. S. C. 1927, is pleased to amend the Regulations established by Order in Council P. C. 1665 dated March 4, 1942, as follows:

1. Regulation one is hereby amended by adding thereto the following paragraph:

"(bb) 'Person of the Japanese race' means any person of the Japanese race required to leave any protected area of British Columbia by Order of the Minister of Justice under Regulation 4, as amended, of the Defence of Canada Regulations (Consolidation) 1941."

2. Regulation ten is hereby amended by adding thereto the following paragraphs:

"(5) Any such plan or plans shall make provision for the temporary placement only of such persons during the continuation of the state of war now existing.

"(6) The Commission's authority relative to the placement of persons shall include power to vary or amend any placement order."

3. Regulation eleven is hereby amended by rescinding paragraphs two thereof and substituting therefor the following:

"(2) The Commission may make orders respecting the conduct, activities and discipline of any person of the Japanese race who is within any protected area or who is ordinarily resident within any protected area but who has left or leaves such area after February 5, 1942."

4. Regulation twelve is hereby rescinded and the following substituted therefor:

"12 (1) Subject as hereinafter in this Regulation provided, as a protective measure only, all property situated in any protected area of British Columbia belonging to any person of the Japanese race (excepting fishing vessels subject to Order in Council P. C. 288 of January 13, 1942, and deposits of money, shares of stock, debentures, bonds or other securities) delivered up to any person by the owner pursuant to an order of the Minister of Justice, or which is turned over to the Custodian by or on behalf of the owner, or which the owner, on being evacuated from the protected area, is unable to take with him, shall be vested in and subject to the control and management of the Custodian as defined in the Regulations Respecting Trading with the Enemy, (1939); provided, however, that no commission shall be charged by the Custodian in respect of such control and management.

"(2) The Custodian may, notwithstanding anything contained in this Regulation, order that all or any property whatsoever, situated in any protected area of British Columbia, belonging to any person of the Japanese race shall, for the purpose of protecting the interests of the owner or any other person, be vested in the Custodian, and the Custodian shall have full power to administer such property for the benefit of all such interested persons, and shall release such property upon being satisfied that the interests aforesaid will not be prejudiced thereby.

June 19th, 1943, the Custodian announced his intention to sell the interests of persons of the Japanese race in all real properties in Greater Vancouver, in the Province of British Columbia, including the aforesaid residential property belonging to, or in the alternative, formerly belonging to the Suppliant, and by a catalogue published and distributed by the Custodian, his servants or agents, in the Greater Vancouver area of the Province of British Columbia on or about the said 19th day of June, 1943, the Custodian gave further notice of his intention to sell the same.

10. The Suppliant objects to the sale, liquidation or other disposition of the said residential property and says that the Custodian is not under the aforesaid Orders-in-Council or Regulations, or any of them, or under any power or authority of any nature vested in him, entitled to sell, liquidate or otherwise dispose of the said property against the wishes and desires of the Suppliant.

11. The Suppliant says further that under and by virtue of Order-in-Council No. P.C. 1665 aforesaid as originally enacted, or in the alternative, under and by virtue of such Order-in-Council as amended by Order-in-Council No. P.C. 2483 as aforesaid, or in the still further alternative, that by filing the said J. P. Declaration, or in the still further alternative, upon being evacuated from the Greater Vancouver area pursuant to Defence of Canada Regulations as aforesaid, rights and privileges were accruing or were acquired and accrued by and to the Suppliant under the said Orders-in-Council No. P.C. 1665 and No. P. C. 2483 and each of them, and the Suppliant says that he was at all times and is now still entitled to rely upon the terms of the said Orders-in-Council providing, inter alia, that the aforesaid residential property should be and remain in the possession of the Custodian and under his management and control for the protection of the Suppliant for the period of his enforced evacuation from the Greater Vancouver area.

"(3) For the purposes of the control and management of such property by the Custodian, the Consolidated Regulations Respecting Trading with the Enemy, (1939), shall apply mutatis mutandis to the same extent as if the property belonged to an enemy within the meaning of the said Consolidated Regulations."

Certified to be a true copy.

(Sgd.) A. M. Shell

Asst Clerk of the Privy Council.

Order in Council revoking P.C. 5523, dated 29th June, 1942 and P.C. 6885, dated 20th July, 1942 - transfer to the Custodian of the property of persons of the Japanese race evacuated from the protected areas of B.C.

P. C. 469

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 19th day of JANUARY, 1943.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL -

WHEREAS by Order in Council dated 29th June, 1942, (P.C. 5523) amended by Order in Council dated 4th August, 1942, (P.C. 6885) Regulations were made imposing certain duties and responsibilities on the Director of Soldier Settlement of Canada in relation to agricultural lands owned by persons of the Japanese race ordinarily resident in the protected areas of British Columbia;

AND WHEREAS the Secretary of State reports that the appraisals of lands contemplated by the said Order in Council as amended have been made and that it is the opinion of the Minister of Mines and Resources, to whom the Director of Soldier Settlement of Canada reports under the said Order in Council as amended, that the said Order in Council as amended, should be revoked;

That by Order in Council, dated 20th July, 1942, (P.C. 6247) it was provided that on and after the 1st August, 1942, all unfinished business of the Committee under the Chairmanship of the Honourable Mr. Justice Sidney A. Smith of Vancouver, appointed by Order in Council of 13th January, 1942, (P.C. 288) in respect of vessels or equipment vested in the Custodian under the said Order should be transferred to the Custodian, and the Custodian was vested with all vessels and equipment which had not been disposed of under the supervision of the said Committee;

That since the transfer was effected, question has been raised as to the authority of the Custodian to deal with unfinished business of the said Committee in relation to vessels or equipment disposed of prior to the 1st August, 1942, and it is expedient to remove any doubts in this respect;

That by Orders in Council relating to the property of persons of the Japanese race evacuated from the protected areas of British Columbia, the Custodian has been vested with the responsibility of controlling and managing property belonging to persons of the Japanese race who have been evacuated from the protected areas, except deposits of money, shares of stock, debentures, bonds or other securities or other property which

the owner on being evacuated from the protected areas was able to take with him; and

That the evacuation of persons of the Japanese race from the protected areas has now been substantially completed and that it is necessary to provide facilities for liquidation of property in appropriate cases.

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Secretary of State, concurred in by the Minister of Mines and Resources, the Minister of Pensions and National Health, the Minister of Labour and the Minister of Fisheries, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows:

1. Order in Council, dated 29th June, 1942, (P.C. 5523) and amending Order in Council dated 4th August, 1942, (P.C. 6885) are hereby revoked.

2. Paragraphs numbered 3 and 4 in Order in Council dated 20th July, 1942 (P.C. 6247) are hereby rescinded and the following are substituted therefor:

3. The Custodian may, where he considers it advisable so to do, liquidate, sell or otherwise dispose of any such vessel or equipment on such terms and conditions as he deems advisable; and any agreement entered into or document executed by the Custodian on or after August 1, 1942, and prior to the date of this Order, purporting to be an agreement for, or to be, a transfer, conveyance or other disposition of any such vessel or equipment or of any right, title or interest therein is hereby given full legal validity, force and effect as if the Custodian had full power to enter into such agreement or to execute such document, and as if such vessel or equipment or such right, title or interest therein, as the case may be, had been vested in the Custodian, at the time of the entry into such agreement or the execution of such document.

4. Without restricting the generality of the powers hereinbefore conferred, all unfinished business of the said Committee is hereby transferred to the Custodian and shall be deemed to have been so transferred as on and from the 1st August, 1942.

Wherever, under Orders in Council under the War Measures Act, Chapter 206 of the Revised Statutes of

Canada/

Canada 1927, the Custodian has been vested with the power and responsibility of controlling and managing any property of persons of the Japanese race evacuated from the protected areas, such power and responsibility shall be deemed to include and to have included from the date of the vesting of such property in the Custodian, the power to liquidate, sell, or otherwise dispose of such property; and for the purpose of such liquidation, sale or other disposition the Consolidated Regulations Respecting Trading with the Enemy (1939) shall apply mutatis mutandis as if the property belonged to an enemy within the meaning of the said Consolidated Regulations.

Certified to be a true copy.

A. M. Bree

~~A.D.P.Heeney~~

Asst Clerk of the Privy Council.

12. The Suppliant, in the alternative to Paragraph 11 hereof, says further that the Custodian has acquired possession of the aforesaid real property upon Trust requiring him to hold the same in Trust for the protection of the Suppliant and under his management and control upon a condition requiring the Custodian to return to the Suppliant the said property at such time as the Greater Vancouver area in the Province of British Columbia ceases to be a Protected area under or by virtue of the Defence of Canada Regulations or other law of the Dominion of Canada as a result of the existing war.

13. In the still further alternative, the Suppliant says that the said property is under the control and management of the Custodian upon Trust on a condition requiring the Custodian to return to the Suppliant such property upon the expiration of the existing war between the Empire of Japan and the Dominion of Canada after accounting for the rents and profits arising from the same, or in the still further alternative, upon a condition requiring the Custodian to retain and hold the said property for the protection and benefit of the Suppliant until otherwise authorized or directed in accordance with any Treaty of Peace to be entered into between the Dominion of Canada and the Empire of Japan upon termination of the existing war.

14. In the still further alternative, the Suppliant says that the aforesaid Orders-in-Council No. P.C. 1665, No. P.C. 2483 and No. P.C. 469 are invalid and unconstitutional and ultra vires the power or authority of the Parliament of the Dominion of Canada or the Governor-General in Council and the War Measures Act, Revised Statutes of Canada, 1927, Chapter 206.

15. In the still further alternative, the Suppliant says that if the aforesaid Order-in-Council No. P.C. 1665 is valid and constitutional (which is not admitted but denied), then the aforesaid Orders-in-Council No. P.C. 2483 and No. P.C. 469 and each of them, amending or purporting to amend, vary or extend the said Order-in-Council No. P.C. 1665 are invalid and

unconstitutional and ultra vires the power or authority of the Parliament of the Dominion of Canada or the Governor-General in Council and the War Measures Act, R.S.C. 1927, Ch. 206.

YOUR SUPPLIANT, THEREFORE, HUMBLY PRAYS:

(a) For a Declaration that the Custodian is not entitled to sell, liquidate or otherwise dispose of the hereinbefore described real property against the wishes and desires of the Suppliant;

(b) For a Declaration that Orders-in-Council Numbers P.C. 1665, 2483 and 469 as aforesaid, or one or more of them, is or are invalid, unconstitutional and ultra vires the power or authority of the Parliament of the Dominion of Canada or the Governor-General in Council or the War Measures Act, R.B.C. 1927, Ch. 206;

(c) In the alternative, for a Declaration that the said Orders-in-Council or any of them, do not give to the Custodian the authority or power to sell, liquidate or otherwise dispose of the aforesaid real property without the Suppliant's consent;

(d) For a Declaration that the Custodian is a Trustee of the Suppliant in respect of the aforesaid real property on terms requiring the Custodian to return the same to the Suppliant upon the Greater Vancouver area ceasing to be a Protected Area or upon the termination of the existing hostilities between the Empire of Japan and the Dominion of Canada, or on terms requiring the Custodian to deal with the property in accordance with any Treaty of Peace to be entered into between the Dominion of Canada and the Empire of Japan on the termination of the existing war;

(e) For an Order compelling the Custodian to carry out the terms of his Trust as aforesaid;

(f) For an Injunction to restrain the Custodian, his

servants or agents from selling, liquidating or otherwise disposing of the aforesaid residential property;

(g) For such other and further relief as to this Honourable Court may seem meet;

(h) For the costs of and incidental to this Petition.

DATED the 19th day of July, 1943.

COUNSEL FOR THE SUPPLIANT, Eikichi Nakashima.

THE SUPPLIANT PRAYS for a Statement in defence on behalf of His Majesty within four weeks after the date of service hereof or otherwise that the Petition may be taken as confessed.

The address of John Arthur MacLennan, Counsel for the Suppliant, is c/o the legal firm of Norris & MacLennan, Solicitors for the Suppliant, 311 - 602 West Hastings Street, Vancouver, British Columbia.

IN THE EXCHEQUER COURT OF CANADA

BETWEEN:

EIKICHI NAKASHIMA,

Suppliant,

-and-

HIS MAJESTY THE KING,

Respondent.

NOTICE OF MOTION

Copy received
E.A. Newcombe
for Suppliant
2/5/44.