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RESEARCH - MISC. DOCUMENTS [1980-1988] FOLDER NO. 12

Roy Miki fonds
RARE BOOKS AND SPECIAL COLLECTIONS

PLEASE RETAIN
ORIGINAL ORDER

May 5th, 1942.

TO ALL CONCERNED:

The Japanese people now definitely understand that we stand for one and only one definite plan of evacuation. This plan having been founded on a most human and reasonable basis, has three main points; 1. Mass evacuation. 2. Maintain family unity. 3. Government supply of housing, food, medical care and children's education.

We wish to reiterate our stand that although we have been most obedient to all government orders, we cannot possibly agree to the last order which calls for break-up of our families.

We are extremely disappointed in the ways that the three recognized Japanese committees have carried out in their so-called campaign to be useful to the Japanese people. We are also disappointed in the recent change of policy of the New Canadian which still call themselves "The Voice of the Second Generation". They have avoided giving certain news in Japanese and also have phrased certain news in a misunderstanding manner. For instance, in their issue of May 2nd, they stated in English only FAMILIES MUST PAY OWN BOARD IN GHOST TOWNS. They went so far as to brand our group as nothing but agitators, working against the interest of the Japanese people.

In spite of their opinion regarding us, we know for fact that the majority of the Japanese people are most understanding and co-operative with our group and what it stands for. Japanese women also have organized themselves to support and co-operate with us.

To all those concerned it must be clearly known that we definitely are not agitators or anything of the sort. Let it be also known that we do not encourage internment. All we have in our mind is a simple plan Mass Evacuation in Family Group and towards the realization of this plan we will not hesitate for one moment to do our utmost.

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The following letter was sent to the three recognized and one unrecognized Japanese Committees. Without saying as to who is responsible it is a fact that the people who went to work camps did so with a great misunderstanding regarding the regulations. It is very regrettable that the New Canadian, the official mouth-piece of the Commission, did not explain to them the full contents and meaning of PC1271 and PC1348. The letter follows:-

1. Our reason for request for wage increase or free supply of necessities

Working 25 days a month our income is			$50.00
Subtract: Board		$22.50	
Medical Fee		1.00	
Unemployment Insurance		.88	24.38
	NET		25.62
Subtract for family			20.00
Amount left for clothing & incidentals			$ 5.62

If we lay off a few days we will be in debt.

2. Re Workman's Compensation:
   A. Person injured on March 10th has received nothing yet.
   B. Do we come under Alberta Compensation Board? If so, we do not know their regulations.
   C. Do we come under Compensation Act? If not, we cannot do such hazardous work. If so, why do we have to pay medical fee.

3. When leaving Vancouver we were told that we will be paid even if we cannot work. Not only is this promise not carried out but also our pay is reduced when we lay off even a day on account of accident.

4. Our families do not tell us that they received $20.00 per month subtracted from our wages. We received our share of March wages on April 9th.

Decoigne Work No. 2 Camp
Members 90 people

****

Without having any definite assurances from the authorities Naturalized Japanese Committee are collecting signatures from the families of interned people. It is our opinion that they are doing so, to obtain the people's goodwill and then just have those people under their control. We urge all those concerned, to fully consider the entire story before they do anything definite.

Nisei Mass Evacuation Group

RESEARCH - MISC. DOCUMENTS
[1980-148] FOLDER NO. 27

68 Kate Street,
Winnipeg, Manitoba,

March 21, 1951.

Mr. George Tanaka,
National Executive Secretary,
c/o Berkley Hotel,
MONTREAL, P.Q.

Dear George:

I acknwledge receipt of your telegram and your letter.

No doubt you are very busy with numerous details to attend to re: the Conference. I have wired you a few minutes ago informing you of my inability to attend the Conference. I have counted on going and have tried desperately to obtain 'plane reservations and I finally managed to get one but I find that due to illness and business commitments I am unable to leave Winnipeg at this time. I deeply regret this because I have my banquet speeches prepared while I was laid up with a relapse of 'flu. When I wrote to T.U. I just started to get around a bit after being confined to bed with 'flu for 2 whole weeks. I was up and around for a few days and I was 'hit' again and when I received your telegram and letter I was in bed. I am sorry indeed for the last minute changes. This will add a few more worries at this busy time but I trust that you will get suitable party to take my place at the banquet.

Now, as to the president's address at the opening day of the Conference I will have to ask you to make a suitable report for me in my place as you know more about the work the National J.C.C.A. carried out during the time I was president. I meant to get together with you at Montreal regarding this matter.and get the information from you before making my address.

In one of the reports you sent to me I noticed that B.C. J.C.C.A. is not sending any delegate to the Conference. If this is true, I am sure that you will have one big uproar at the Conference. Is B.C. willing to pay their quota to the National J.C.C.A. ? If not, the present J.C.C.A. set-up will break down. I personally feel that a wire should be sent to Tony Kobayashi requesting him to send a delegate by 'plane to Montreal. If B.C. J.C.C.A. is not financially able to send &hdelegate to the Conference, I suggest that the National J.C.C.A. to foot the bill and get someone over from B.C.

George, I feel that we have to change the set-up of the National. If we carry on the way we have been doing up to now, I am of the opinion that not only B.C. but other chapters too will gradually draw away from the National. There seems to be a lack of tie between the Provincial Chapters and the Headquarters and as you have noted from the attitude of the B.C. delegates at the last conference, some people

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have the impression that they are not getting the benefit from the National. This feeling prevails because B.C. feels that National J.C.C.A is run exclusively by the Ontario people. In order to remedy this, we decided at the last conference to have provincial chapters make a regular report to the National Headquarters and the National issue bulletins to Provincial Chapters informing them of activities in various chapters. We also decided to add a corresponding secretary in the National Council. To be frank with you, George, our National Council and its officers including the president are nothing but figureheads. We were approached twice to give our approval regarding finances and that was about all. All decisions are made by the National Executive Committee and yourself. If this is the case, I don't think it is necessary to have a National Council.

I would like to say a few things about honouring outstanding J.C.C.A. workers and awarding these people a gold pin. I approve of this but I feel that if the J.CC.A. (National) is going to honor these people why don't the National foot the bill of the gold pins. I laughed when I read the decision made by the executive committee on this matter. I think that the proper way to do this is to honour these outstanding J.C.C.A. workers at the Tetimonial Banquet as you have planned and ask the Provincial Chapters to have their own banquet later and present the gold pin sent out PREPAID by the National J.C.C.A. There is quite differnce when one hears that he is getting a presentation from the National J.C.C.A instead from the Provincial Chapter. Provincial is a local organization and I feel that it will add more weight when it is presented in the name of the National. I think that this matter could be still altered by the decisions of the delegates attending the conference and I sure would like to see this remedied.

I have quite a lot to say and it is a good thing I am not attending the conference. I would appreciate your looking after our delegate, not that he requires any looking after. From what I know he has a mind of his own and I have instructed him on certain things. Beware! Another monkey wrench might be thrwon in by the Manitoba delegate, as usual.

I wish you every success in your deliberations at the conference. May your Conference be a successful one, I am

Yours sincerely,

HAH:

Harold A. Hirose.

RESEARCH - MISC. DOCUMENTS
[1980-1981]
FOLDER NO. 12

68 Kate Street,
Winnipeg, Manitoba,

March 10, 1951.

Mr. S. Takashima, Chairman,
Toronto Claimants Committee,
67 Ross Avenue,
TORONTO, Ontario.

Dear Mr. Takashima:

This is a belated reply to your letter of January 27th last in which you seek my opinion on the question of submitting a report of the Evacuation Claims at the coming Conference at Montreal.

I am sorry indeed for the delay in answering your letter. This time of the year is the busiest in my work of public accounting and auditing and I am frequently away from home on an out-of-town audits. Your letter was forwarded to me at my temporary office in the country and I did not get it until very late. Upon receiving your letter, I immediately started out a letter to you but that very day I took ill and was confined to bed with a severe case of "flu" for the past 2½ weeks. Today is the first time I'm up and around. I hope that you will understand the reason for the delay and will excuse me.

Now, as to the matter of presenting a report of the Evacuation Claims at the Conference, I personally think that there is no harm in having the report. This matter should be cleared off once and for all.

I think that faults are both sides. I personally feel that this matter has gone this far because the so-called "leaders" of both sides were narrow minded and they couldn't think to get together and talk over the matter. Principle is O.K. but it is silly to stray away from the main question and make slanderous remarks about individuals just because you don't happen to like him.

Mr. Takashima, I would like to ask this question as one of the claimants. From what I understood your Committee was proposing a different method of valuating and settling our property in B.C. which would be beneficial to the claimants as a whole. Now if this is true, why is it that only a handful of claimants in Toronto and vicinity alone took up this issue. Why weren't the claimants in other parts of Canada contacted. I say this because I am one of the claimants and I feel that 16 claimants will object to a sound proposal which will bring about better compensation for their EVACUATION CLAIMS. It looks to me that Toronto Claimants are out for their own good only and this is a very selfish and self-centered attitude, war or no war. I would appreciate your answer on this question.

Yours very truly,

RESEARCH - MISC. DOCUMENTS
[1980-1982]
FOLDER NO. 12

RESEARCH - MISC. DOCUMENTS

67 Rose Ave.
TORONTO.

Jan. 27, 1951.

Dear Mr. Hirose,

At a recent meeting of the Toronto Claimants' Committee the suggestion was made that a report on the Evacuation Claims be presented by the committee at the coming National Conference in Montreal. The stand taken by the committee in the past on this important question has been supported not only by a considerable number of claimants in Toronto, but by claimants in other centres such as Kamloops, Vernon, Lethbridge, Hamilton, Montreal, etc. For this reason, it would appear to be in the best interests of the national organization to give careful consideration to the controversy which existed between the National Executive Committee and the Toronto Claimants' Committee on the vital issues pertaining to the Evacuation Claims. We therefore feel that full discussion should be given to this subject at the forthcoming National Conference.

The National Executive Committee and the National Executive Secretary will undoubtedly try to suppress this proposal, but we feel that in all fairness to the National Council and the delegates attending the conference will seek to learn the views of both sides of the controversy. They will then be in a position to decide for themselves the merits or fallacies of the policy adopted in the past by the National Executive Committee on Evacuation Claims. This in turn will have a very important bearing on the future policy of the organization on similar questions.

However, the Toronto Claimants' Committee realizes that unless the National Council and you in particular as National President are in favor of investigating these views which opposed those of the National Executive Committee, then it is obviously futile to even present a report to the conference.

It is therefore the purpose of this letter to seek your views regarding our proposal before any further steps are taken by our committee.

We would appreciate a reply at your earliest convenience.

Yours very truly,

TORONTO CLAIMANTS COMMITTEE.

S. Takashima

per S. Takashima, chairman.

[1980-1982] FOLDER NO. 12

April 4, 1951.

Mr. Harold Hirose,
Past President, National JCCA
68 Kate St.
Winnipeg, Man.

Dear Mr. Hirose,

We regret that your letter did not arrive in time for the National JCCA Conference in Montreal. Owing to the fact that you had put the wrong address on the envelope namely, 67 Ross Ave. instead of Rose Ave. I did not receive it until the 24th. of March.

Although your letter does not indicate great enthusiasm in the presentation of the report which was proposed by the Toronto Claimants Committee, I am convinced that it would have revealed a great number of facts hitherto unknown on Evacuation Claims. However, it is too late now to discuss the matter any further.

I have asked Mr. Roger Obata to write to you in detail regarding the questions which you raised in your letter as he is quite familiar with all the facts.

I feel I must express the disappointment of our committee in the lack of interest you have shown as National President during the crisis in Toronto on the question of Evacuation Claims. It would appear to have been your responsibility to seek both sides of the controversy carefully rather than to seek seclusion in apathy.

I trust that the National JCCA will awaken to its respensibilities for the sake of the future of the organization.

Yours very truly,

S. Takashima

ST/mo

S. Takashima, chairman.

TORONTO CLAIMANTS COMMITTEE

RESEARCH - MISC. DOCUMENTS
[1980-1982]
POLICY NO.

RESEARCH - MISC. DOCUMENTS

346 Merton St.
Toronto 12, Ont.

April 10, 1951.

Dear Harold,

Your letter in reply to Mr. Takashima's letter of Jan. 27th. was read at a recent meeting which I attended. It was unfortunate that you had addressed the letter incorrectly as the committee was rather anxious to discuss in full the question of Evacuation Claims at the recent conference in Montreal. Receiving no reply from you in time for the conference, the committee abandoned the proposal.

I feel that I should write to you again as a result of your letter to Mr. Takashima. Yourl letter confirms the fears that I have held for some time that you have been completely out of touch with the issues involved in the question of Evacuation Claims. The greatest disappointment to me is that you have made no effort to delve into this question knowing that there were important differences on the matter of policy regarding Evacuation Claims. I took the trouble to write to you almost a year ago regarding these differences because I felt that as National President you would be greatly concerned. The matter was of such importance that I even suggested that you make a special trip to Toronto. To this letter I received not even an acknowledgment.

At the time of that letter the very question which you raised in your letter with regard to contacting other claimants with the committee's proposals was being negotiated with the National JCCA Exec. Comm. and the Co-Operative Comm. The Toronto Claimants Comm. had met with the National Exec. Comm. on two previous occasions to try to arrive at some satisfactory policy on Evacuation Claims which would be in the best interests of the claimants. As the differences in policy were so divergent, the claimants committee suggested that both proposals be sent to all claimants and their views sought on the matter. The National Exec. Comm. refused to send these letters out to the claimants. The claimants committee then asked the National Exec. Comm. to let them have the mailing list of all the claimants. This request was also refused.

The Toronto Claimants Comm. then felt that their last attempt to contact claimants was through the Co-Op. Comm. A joint meeting of the three groups was called at the Y.M.C.A. to delve into the whole matter. This was the meeting from which I felt that you would gain an insight into facts unknown to most claimants.

I hope you will realize now just how hard the claimants comm. tried to get together with the National Exec. Comm. The fact that you were not informed about these things by the Nat. Exec. Comm. should make it obvious to you the attitude they took on this question. I can assure you personally that it was very discouraging to struggle so hard for the sake of all claimants and get nowhere.

You are probably wondering why the Nat. Exec. Comm. and the Co-Op. Comm. refused to poll the views of the claimants. Well, the reason was that both groups were afraid that if the claimants read our proposals they (claimants) would endorse it. This would mean that both the Nat. Exec. Comm. and the Co-Op. Comm. would be compelled to reverse their arbitrary decisions on policy.

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I am sure you are aware of the fact that at the critical period just prior to to the government announcement of the awards no attempt was made whatsoever to consult claimants on the matter of policy.

The Toronto Claimants Comm. was formed upon the request of the National Exec. Comm. at a public meeting held under the auspices of the Toronto chapter. All the members of the committee were elected by secret ballott.

Shortly after its formation the claimants comm. proposed a detailed plan to conduct a public campaign timed to coincide with the government announcement. The purpose of this campaign was three-fold.

(1) it would inform the Canadian public of the tremendous economic losses suffered by the evacuees.
(2) it would show the inadequacy of the awards recommended by the Bird Commission.
(3) it would show the magnitude of losses excluded by the limitations of of the Bird Commission.

At first the National Exec. Comm. was in total agreement with this plan and even sent out letters to various chapters to organize this campaign.

However, after a short time the Exec. Sec'y. was influenced by the counsel for the Co-Op. Comm. to abandon the ideas of such a campaign as both he (counsel) and the Co-Op. Comm. were anxious to wind up this whole business. As a result, the whole thing fell through despite all the effort by the claimants comm. Thus, other claimants across the country were not given the opportunity to express their views.

Now, let us stop to assess the result of abandoning the campaign.
(1) Because there were no public protests to the awards granted by the government the average citizen feels that the Japanese evacuees were well compensated for their losses. One and a quarter million dollars looks like a substantial sum when headlined in the papers. But, was the amount claimed by the claimants given in the same write-up? Not a chance--the gov't. was too smart for that. In fact, the reply from Prime Minister St. Laurent definitely stated that the gov't.'s obligation to the Canadian people had been met, merely because a false impression was allowed to be printed in the papers, and no public protest resulted.
(2) Without public pressure the gov't. would not increase the amount of the awards and so the claimants were stuck with the recommendations of the Bird Commission.
(3) Without a public campaign there wasn't a ghost of a chance that the thousands of evacuees who could not claim for losses under the Bird inquiry, would receive any consideration by the gov't. let alone gain any compensation.

These results fall in line with the aims of the public campaign and therefore were quite apparent before attempting such a campaign. It is not as though the claimants committee criticized after it all happened. On the contrary, the National Exec. Comm. and the Co-Op. Comm. were warned a number of times before the government announcement just what would happen if they failed to carry out their commitments to the Japanese evacuees.

I am sure that you have not forgotten the pledges of the first two National Conferences to strive for full compensation of all losses resulting from the evacuation. The Bird inquiry was merely a step towards this end. To close the evacuation losses with the findings of the Bird Commission was a betrayal of trust placed in the National JCCA. Even with the passing of time, a considerable number of people still remember this trust, even though some of the leaders in the National Exec. Comm. have conveniently forgotten.

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My personal views on the question of Evacuation Claims are even stronger than those of the Toronto Claimants Comm. To me, the evacuation of Japanese people from B.C. was the greatest single act of distrust on the part of the Canadian gov't. To disprove this label of disloyalty I enlisted in the army and even stuck my neck out further by advocating enlistment publicly. You know as well as I do the hostile attitude of the average evacuee towards enlistment which existed at that time. Despite threats, abuses, and even broken frienships I still maintained that if we are to demand justice later, we must meet our obligations by serving our country in time of war. Now the "Justice" which I had in mind was the recognition of our loyalty, and secondly the economic restitution for losses resulting from the evacuation. I further realized that in order to achieve these two aims, the whole question would have to be put before the Canadian public. The gov't. in Ottawa obviously would not give such concessions willingly, and would only do it reluctantly even under public pressure.

The need for a national organization then became obvious and imperative. Despite the objections to forming a national organization by some of the active members of the National JCCA to-day, the first national conference was called. You are quite familiar with the developments subsequent to that conference so that I need not enlarge on that.

I t is apparent then that one of the most important goals which the national organization had set out to attain has fallen by the wayside. Instead of regaining dignity as Canadian citizens we are probably classed in Ottawa as a weak-kneed minority who can be bought off for 15 cents on the dollar(our award to the amount claimed). Because we did not put up the kind of fight the Ukrainians did for their Labor Temples do you think we are respected? I think not! We have labelled ourselves second-class citizens in the eyes of the government.

In my opinion, it is of secondary importance whether or not the public campaign would have increased the awards, although in all proability it would have. The important thing to me is that we would have had the opportunity of standing on our hind feet and demanding justice before the Canadian people. I think our dignity was at stake, and we would have left a record of our pride for the generations to follow.

There is just one more issue with which you may require some clarification. The controversy which appeared in the papers was on the subject of the Release forms which you probably received also.

Both the National Exec. Comm. and the Co-Op. Comm. advocated the signing of the Release. The Toronto Claimants Comm. objected to a clause in the Release which stated that the claimant would " release the gov't. from all claims whatsoever". While the National Exec. Comm. was advocating the signing of the Release, at the same time they prepared and sent a brief to the Prime Minister requesting consideration for claims outside the terms of reference. Can you imagine anything so ridiculous?

Now the signing of a the Release by claimants means:

(1) that the gov't. has a signed statement which says in effect"I am so satisfied with the awards that I shall make no further claims"
(2) that in the event of an organized protest the gov't. can use these releases to show how generously they had compensated the claimants, in fact, so so generously, that the claimants "voluntarily" waived all further claims.
(3) that all efforts to seek general compensation for losses outside the terms of reference can be readily subdued by the gov't. by waving a handful of these releases as concrete evidence of satisfied claimants.

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And so with the signing of the Releases(instead of receipts) assisted by the National JCCA and the Co-Op. Comm., the gov't. hurriedly closed the file on the Evacuation Claims with a happy sigh.

That is a pretty sad ending to a noble undertaking don't you think?

I hope that you will now understand in a small way what the JCCA has meant to me and why this business of Evacuation Claims has set me back the way it has.

I trust that you will pass along some of this information to the new president for his benefit as well as for the benefit of the organization.

Sincerely,

Roger Obata.

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[1930-1987]
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RESEARCH - MISC. DOCUMENTS

Telephone PAcific 7531

BRITISH COLUMBIA SECURITY COMMISSION

MARINE BUILDING

VANCOUVER, B.C.

April 13th, 1942.

Mrs. Sally Toshi Smith,
2627 Victor Street,
VICTORIA, B.C.

Dear Madam:

I am pleased to inform you that by virtue of an order issued by the Minister of Justice, March 30th, this Commission is authorized to issue Permit allowing you to remain in the Protected Area, and to be wholly excluded from the operation of Orders dated 26th February, 1942, and 4th of March, 1942, imposing restrictions upon persons of the Japanese race.

In compliance with this order I am sending you herewith enclosed Permit No. 00492.

Yours very truly,

Grant MacNeil
Secretary.

M:B:Mc

[1980-142] FOLDER NO. 12

R

CANADA

IN REPLY PLEASE QUOTE
NO. K 606410

Department of National Defence

Dependents' Allowance Board

Ottawa, Canada

May 3, 1943.

Mrs.Sally Smith,
1707 Albert Ave.,
Victoria, B.C.

Re: K 606410 - Pte. SMITH, Wallace Albert James

Dear Madam:

We are returning, herewith, by registered mail, the certificate of registration of marriage of Wallace Albert Jame Smith and Sally Toshi Kuwata, married September 3, 1938, at Victoria, B. B.

May we thank you for your co-operation.

Yours very truly,

DEPENDENTS' ALLOWANCE BOARD

R. V. Jamieson
For R.O.G. Bennett - Chairman

/CB
encl: 1
registered

D.A.B. 60A
5M—3-43 (9234)
H.Q. 1772-45-20

RESEARCH – MISC. DOCUMENTS

[1920-1942]

FOLDER NO. (2)

British Columbia Security Commission

VANCOUVER, B. C.

April 13th 1942.

COMMISSION PERMIT **No 00492**

JAPANESE REGISTRATION No. 10013

BY VIRTUE OF AN ORDER ISSUED BY THE MINISTER OF JUSTICE, DATED 30th March, 1942.

This Permit authorises Mrs. Sally Toshi SMITH,

2627 Victor Street,

VICTORIA, B.C.

to remain in accordance with the provisions of Orders in Council Nos. P.C. 1665 and 365.

to remain in the Protected Area and to be wholly excluded from the ~~and resident~~ operation of Orders dated 26th February 1942 and 4th March 1942 imposing restrictions upon persons of the Japanese race.

(Signed) E. MacNeil
For British Columbia Security Commission.

This Permit not valid unless signed by one of the following authorised signatories:

AUSTIN C. TAYLOR.....Chairman
F. J. MEAD.....Member
JOHN SHIRRAS.....Member
GRANT MAC NEIL.....Secretary

British Columbia Security Commission.

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[1920-1942]
FOLDER NO. 13

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) 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 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 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 evacuated 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 Reulations 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) asistance 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 Reulations.

(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 costituted 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.

(Signed) A. D. P. HEENEY,
Clerk of the Privy Council.

National Japanese Canadian Citizens Association

A Resume of Information on the Re-Admissibility of Strandees to Canada

Canadian born (Natural born Canadian Citizens)

(a) Who left Canada after the War to Japan as repatriates are re-admissible to Canada.

(b) Who were on a visit to Japan and who became stranded in that country as a result of the outbreak of War are re-admissible to Canada provided they have not acted in any manner to renounce Canadian citizenship.

(c) Who have been long resident in Japan, in some cases since they were but a few months or years old, may be re-admissible to Canada. Their applications will be examined on their individual merits.

(d) Who went to Japan under a wartime exchange agreement have lost their Canadian citizenship under Order-in-Council P.C. 10773 of November 26, 1942. It is believed that their case is not altogether without hope. The National JCCA will make further representation to the Canadian Government on their behalf.

(e) Who were forced to serve in the Japanese armed forces are not at present re-admissible. Their case is still under study by the Canadian Government.

Naturalized Canadians of Japanese Ancestry

(a) Who were on a visit to Japan and who became stranded in that country as a result of the outbreak of War are re-admissible to Canada provided they have not acted in any manner to renounce their Canadian citizenship.

(b) Who have been long resident in Japan prior to the outbreak of hostilities may be re-admissible to Canada provided they have retained their Canadian domicile.

(c) Who returned to Japan under a wartime exchange agreement have been deprived of their Canadian citizenship under Order-in-Council P.C. 10773 of November 26, 1942 and, therefore, are not re-admissible to Canada.

(d) Who were repatriated to Japan after the War suffered loss of their Canadian citizenship status under Orders-in-Council P.C. 7355 and 7356 of December 15, 1945 and, therefore, are not re-admissible to Canada. (The legal interpretation on these Orders as given by the Deputy Minister of Mines and Resources has been questioned by the National JCCA upon advice received from legal counsel, Andrew Brewin. It is expected that further information on this matter will be made known in the near future.)

Japanese Nationals

(a) Who were on a visit to Japan and who became stranded in that country as a result of the outbreak of War may be re-admissible to Canada, provided they can claim retention of Canadian domicile. Applications will be examined on their individual merits.

(b) Who have been long resident in Japan prior to the outbreak of hostilities are unlikely to be granted re-admission to Canada unless they can claim retention of Canadian domicile.

(c) Who returned to Japan under a wartime exchange agreement are not re-admissible to Canada.

(d) Who were repatriated to Japan after the War are not re-admissible to Canada.

Canadian Domicile

(a) According to information received from the Deputy Minister of Mines and Resources, Canadian citizens living in Japan prior to the outbreak of hostilities were required to report yearly to the Canadian Consul during their stay in Japan prior to the outbreak of hostilities in order to retain their status of Canadian domicile.

(b) Japanese Nationals who gained the status of Canadian domicile by virtue of prior free residence in Canada also were required to report yearly to the Canadian Consul during their stay in Japan prior to the outbreak of hostilities in order to retain Canadian domicile status.

(c) In respect to the circumstances arising from the exigencies of the wartime period, revocation of the status of Canadian domicile is not likely to be made provided the persons concerned have not acted in any manner to renounce that status.

p/c

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☒資格その他

◇カナダ生れの場合

(エー) 戦後にリパトリエートとして日本へ行った者は再入国を許される。

(ビー) 日本を訪問してみた間に開戦のため日本に立往生させられた者は、カナダの市民権を放棄する行動をしなかった者に限り再入国を許される。

(シー) 出生後間もなく日本へ行き長く日本に居住した者でも入国を許されるが、彼等の歸加申請は個々のケースに就て調査の上決定される。

(デー) 戦時中の交換船により日本へ行った者は一九四二年十一月廿六日の閣令第一〇七三号によつてカナダの市民権を放棄した事になつてゐる。(但しこれも全然望みがなくなつたといふ譯ではなく、全加市協では更にオタワ政府と交涉を續ける事にする。)

(イー) 強制前に日本の軍隊に奉公させられた者は現在のところでは再入国は許されない。然し彼等のケースはまたオタワ政府で研究中である。

◇歸化せる人の場合

(エー) 日本訪問中に開戦となり、立往生させられた者は、カナダの市民權を放棄する行動をしなかつた者に限り再入国を許される。

(ビー) 戦前から長く日本に居住したみた者は、カナダのドミサイル(居住權)を保持してゐる限り再入国を許される。

(シー) 戦時中の交換船により日本へ行った者は一九四二年十一月廿六日の閣令第一〇七三号によりカナダの市民權を放棄した事になつてゐて再入国は許されない。

(デー) 戦後にリパトリエート(日本へ歸国)した者は一九四五年十二月十五日の閣令第七三五号及の第七三五六号によりカナダ市民權を喪失した事になるので再入国は許されない。(此閣令に對する移民次官の法律的解釋に就ては全加市協はブリュイン辯護士よりの助言により疑問は提示してあるので此点に關しては近き將来に於て更に情報が得られるものと予期されてゐる。)

☒日本人ナショナルの場合

(エー) 日本訪問中に戦争となつて立往生させられた者は、カナダのドミサイル(居住權)を保持してゐると主張し得る限り再入国を許される。

(ビー) 戦前から長い間日本に居住してゐた者はカナダのドミサイルを保持してゐると主張し得ない限り、再入国は許されない。

(シー) 戦時中の交換船で日本へ行った者は、再入国を許されない。

(デー) 戦後に日本へリパトリエートした者は再入国を許されない。

☒ドミサイル(居住權)に就て

(エー) 移民次官より得た情報によると、戦前から日本に居住してゐるカナダ市民は彼等のカナダ居住權に關する資格を保持するために日本にゐる間毎年一回カナダ領事館に報告する事を要求されてゐる。

(ビー) 日本人ナショナルにして次前にカナダに正當に入国して一定期間居住しドミサイルの資格を得てゐた者も其資格を保持するためには日本にゐる間毎年一回カナダ領事館に報告する事を要求されてゐる。

(シー) 戦時中の緊急事態のために、右の如き年々の届け出が出来なかつたとしても其の資格を辞更に放棄するが如き行動に出でなかつた限り、カナダ居住權を喪失するものとは見られない。

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POLICY NO. [1980-1982]

RESEARCH - MISC. DOCUMENTS

L. H. 3A

ROYAL CANADIAN MOUNTED POLICE

IN REPLY PLEASE QUOTE

DIV. FILE No._____

59 Victoria Street,
Toronto, September 12th, 1946.

H. Q.

In order that we may complete the final arrangements for your repatriation, it will be necessary for you to report to the R.C.M.Police office at 59 Victoria Street, Toronto, at 10:00 A.M., Saturday, September 14th, 1946, and bring with you any baggage that you may have to check on your ticket. This baggage, after examination by the R.C.M.Police, will be transferred to the baggage room in the Union Station, where it will be held in readiness for the night train.

It may again be mentioned that you are to carry as little hand baggage as possible -- all large suitcases, etc., are to be checked on your ticket.

It will also be necessary for you to bring to the office with you the following:

Immunization Certificate
Japanese Registration Card
Food Ration Book.

Yours truly,

H. J. Newman

(H. J. Newman), Cpl.
Registrar.

[1980-984] POLICE NO. 13

MR & MRS SAM I HASHIDA
190 LANSDOWNE AVE
TORONTO ONTARIO
M6K 2V9

June 30, 1943.

Custodian of Enemy Property,
Department of Secretary of State,
Ottawa, and Vancouver, B.C., and British Columbia Security Commission, Vancouver B.C.

Dear Sir:

We, the Japanese evacuees on the whole, from the province of British Columbia, presently residing in the Southern Alberta beet growing area, hereby present a petition asking to retain ownership of our former properties.

The main reason for opposing the disposal of our properties is that our children were born and raised there. I sincerely hope that you will understand into what difficult situation these second generations are driven to trade their native homes. In many cases those properties were merited over a period of long years of hardship and self-denial.

Enclosing, please find a list of names who have signed the petition.

Once again, please give your sincerest consideration for this above plea.

Our petition continued on page 2.

NOTARIAL CERTIFICATE

I, John Vaselenak, of the City of Lethbridge, in the Province of Alberta, a Notary Public in and for the said Province hereby certify that the above and foregoing sheets contain and are true copies of the Original of which they purport to be copies,
Certified under my hand and Seal this 21st. day of August, A.D. 1943.

Signature JOHN VASELENAK
NOTARY PUBLIC IN AND FOR THE PROVINCE OF ALBERTA

MY COMMISSION CONTINUES DURING HIS MAJESTY'S PLEASURE.

RESEARCH - MISC. DOCUMENTS
[1980-1982]
POLICY NO

MR & MRS SAM I HASHIDA
190 LANSDOWNE AVE
TORONTO ONTARIO
M6K 2V9

For Roy's
ISR paper
only.

June 30, 1943.

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MY COMMISSION CONTINUES DURING HIS MAJESTY'S PLEASURE.

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POLICY NO. 13 [1980-198]

G-128-B

DEPARTMENT OF LABOUR - JAPANESE DIVISION

C A N A D A — TRANSPORTATION REQUISITION

360 Homer Street
VANCOUVER, B.C.

Number 0-67

Project SOUTHERN ONTARIO

Date May 7th. 1946

To: Canadian Pacific Railway Co.

Please supply the following ~~transportation~~ meals for persons of the Japanese race, and charge same to this Department as undernoted ~~and travelling~~ COACH ONLY from: TORONTO

to: NELSON, B.C. with stopover of 3 days at Lethbridge, Alta.

COACH ONLY rate, or at special rates agreed upon from points in British Columbia.

NO excess baggage to be charged to our account.

NO STOPOVER charges included

NAMES	Registration Nos.
	03964

JAPANESE REPATRIATE - meals to be supplied as follows:

4 Breakfasts	@ $ .55
3 Lunches	@ $ .80
3 Dinners	@ $1.05

per: D. Mactavish
Officer D. Mactavish
Eastern Regional Supervisor.

Information below for office copies only

Reason for travel ----------

Final destination ----------

Employer ----------

Authority ----------

1 copy to Transport Co. ✓
2 copies to Head Office
1 copy for issuing office

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RESEARCH - MISC. DOCUMENTS

NOTES AND COMMENTS

(Contributed Chiefly by the Undergraduate Editorial Board)

CONSTITUTIONAL LAW—WAR POWER—DUE PROCESS. *Kiyoshi Hirabayashi* v. *United States,* U. S. Advance Sheets, June 21, 1943, 63 S. Ct. 1375, 87 L. Ed. 1337.

In the winter of 1942, 70,000 American citizens of Japanese ancestry were excluded from certain areas of the Pacific coast, were obliged to submit to curfew regulations, and were finally taken away from their homes and businesses and shoved together in relocation camps in the interior of the United States. All this was accomplished through proclamations issued by the Army under the authority of an executive order and Congressional ratification of that order. Never before in the history of our country has the army dealt with so many of our civilian citizens in such a manner. Never before have we deprived a large body of American citizens of their personal liberty without having made any charges of crime or disloyalty against them. Immediately the question looms up to lawyers and laymen alike: Are such actions constitutional? Or are they in derogation of the very liberties we are fighting for?

It is well established that the existence of war doesn't absolutely suspend the guaranties and limitations of the Federal Constitution.[1] It does not remove the constitutional limitations safeguarding essential liberties. But "while emergency does not create power, emergency may furnish the occasion for the exercise of power."[2] So in any given question involving the infringement of a citizen's liberty, the fact that a state of war exists must be considered as one of the essential facts in the case. For, a classification of citizens which may be attacked as arbitrary and unreasonable in peace time, may by the existence of a state of war become just and reasonable. That a change in conditions make reasonable that which was previously unreasonable and thus lacking in due process, has been amply upheld in peace time legislation.[3]

[1] *Ex Parte* Milligan, 4 Wall. 2, 18 L. Ed. 281; United States v. Russell, 13 Wall. 623, 20 L. Ed. 474; Hamilton v. Kentucky Distilleries Co., 251 U. S. 146, 40 S. Ct. 106, 64 L. Ed. 194; United States v. Cohen Grocery Co., 225 U. S. 817, 41 S. Ct. 298, 65 L. Ed. 516; United States v. Macintosh, 283 U. S. 605, 622, 51 S. Ct. 570, 75 L. Ed. 1302; Home Owners Loan Association v. Blaisdell, 290 U. S. 398, 54 S. Ct. 231, 78 L. Ed. 413.

[2] Home Owners Loan Association v. Blaisdell, 290 U. S. 398, 54 S. Ct. 231, 78 L. Ed. 413, cited *supra* note 1.

[3] *Ibid.*

In the instant case the appellant, Gordon Hirabayashi, an American citizen of Japanese ancestry was convicted of violating the curfew order promulgated by the military commander of the Western Defense Command. The appellant admits he knowingly violated the curfew order, but he contends the order is unconstitutional because Congress unconstitutionally delegated its legislative power to the miiltary commander by authorizing him to impose the challenged regulation, and even if the regulation were in other respects lawfully authorized, the 5th Amendment prohibits the discrimination against citizens of Japanese ancestry and those of other ancestry.[4]

Before considering the Court's discussion of these contentions, let me summarize briefly the chief features of the regulatory program against the Japanese. On February 19, 1942, President Roosevelt issued his now famous Executive Order 9066.[5] Stating that for the successful prosecution of the war there must be every protection against espionage and sabotage, he authorized the Secretary of War and the Military Commander whom he may designate to prescribe military areas from which any and all persons may be excluded and the right of any person to enter, remain or leave subject to whatever restrictions the Secretary of War or appropriate Military Commander may impose in his discretion. These steps were to be taken whenever the designated military commander deemed it necessary or desirable.

With this executive order as a starting point, a rapid series of military proclamations effectuating the purposes of the order followed. First, General DeWitt designated military areas from which such persons as the situation required may be excluded. These military areas covered the entire Pacific Coast from the Canadian border to the Mexican boundary, and extended inland as much as 1,000 miles at some points.[6] By a subsequent order all enemy aliens and all persons of Japanese ancestry within these designated military areas were required to be in their place of residence between 8 P.M. and 6 A.M.[7] Next, a series of Civilian Exclusion Orders were issued by which persons of Japanese ancestry were excluded from certain sections of these military areas. This voluntary evacuation order was retracted almost immediately and

[4]In this comment I am concerned mainly with appellant's second contention.
[5]7 Federal Register 1407.
[6]Public Proclamation No. 1, March 2, 1942, 7 Federal Register 2320; Public Proclamation No. 2, March 16, 1942, 7 Federal Register 2405.
[7]Public Proclamation No. 3, March 24, 1942, 7 Federal Register 2405.

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a freezing order was issued[8] so as to allow for an orderly evacuation. Under a rapid series of exclusion orders the Japanese were removed to relocation centers set up in the interior of the country.[9] These centers were under Government control and operated at government expense. By June 1st, the task of evacuating 112,000 Japanese including 70,000 American citizens was completed. In the meantime, Congress, at the request of the Secretary of War, ratified Executive Order 9066 by imposing penalties for the violation of any of the regulations issued under authority of said order.[10]

The first constitutional question presented in this case is whether Congress and the Chief Executive acting together had the power to impose this curfew regulation as an emergency war measure. To this question the Court says, yes. And in justifying its conclusion the Court very soundly and liberally construes the war time powers of our Government. "The war power of the national government," says Chief Justice Stone in speaking for the majority, "is the power to wage war successfully. It extends to every matter and activity so related to the war as to substantially affect its conduct and progress."[11] And since the war power is given to the President and Congress by the Constitution[12] it has by the very nature of war given them a wide range of discretion in determining the nature and extent of danger and in selecting measures to cope with it. The Court frankly says that it is none of their business to review the wisdom of the acts of Congress and the Executive, nor to substitute its judgment for theirs. The Court's only function in such a question is to inquire whether in the light of all the facts and circumstances there was any substantial basis for the conclusion that the curfew was a protective measure necessary to meet the threat of sabotage and espionage which would substantially affect the war effort and which might reasonably be expected to aid a threatened enemy invasion. To answer this question the Court considers in

[8]Public Proclamation No. 4, March 27, 1942, 7 Federal Register 2601.
[9]This task was handled by the War Relocation Authority established by the President on March 16. It was to supervise the relocation of persons designated under Executive Order 9066 (cited *supra* note 5), 7 Federal Register 2165.
[10]18 U. S. C. A. 7, March 21, 1942.
[11]Martin v. Mott, 12 Wheat. 19, 6 L. Ed. 537; Prize Cases, 2 Black. 635, 17 L. Ed. 459; Miller v. United States, 11 Wall. 268, 20 L. Ed. 135; Arver v. United States, 245 U. S. 366, 38 S. Ct. 159, 62 L. Ed. 349; Northern Pacific Ry. Co. v. State of North Dakota *ex rel.* Langer, 250 U. S. 135, 39 S. Ct. 502, 63 L. Ed. 897; McKinley v. United States, 249 U. S. 397, 39 S. Ct. 324, 63 L. Ed. 6681.
[12]Constitution of U. S. Article 1, Sec. 8, p. 11, Article 2, Sec. 2, p. 11.

[841-980-1981] FOLDER NO. 13

considerable detail the conditions under which these actions were taken, and the nature of the class of people against whom they were taken. On December 7 the Japanese attacked the U. S. Naval Base at Pearl Harbor without warning. The Japanese then ran riot in the Far East and reduced most of the strategic sections of it to their possession. The fall of Wake, Hong Kong, Manila, Singapore, Netherland East Indies, Rangoon, Burma, the imminent fall of Bataan, Corregidor and the disastrous battle of the Java Sea, marred the horizon with blinding swiftness. And while these portentous events were taking place the majority of the 126,000 persons of Japanese ancestry in the United States were concentrated in the large cities on the Pacific coast, dangerously near military installations and large shipbuilding and aircraft concerns.[13] Added to this was the fact that the Japanese people, never having become assimilated with the white people, constituted a block among themselves. Many sent their children to Japanese language schools or to Japan for part of their education. There was good reason to believe that these Japanese language schools were sources of propaganda cultivating allegiance to Japan. Further, the Japanese have a system of dual citizenship by which children born in the United States of Japanese parents were under many circumstances deemed to be citizens of Japan.[14] All in all, the social, economic and political restrictions against the Japanese had tended to increase their attachment to Japan, its institutions and ambitions.

In light of all these facts can we say that the men charged with the responsibility of our national defense, were not justified in concluding that the United States might be in danger of invasion. Did they not have a sound basis for believing that the Japanese on the West Coast might constitute a hotbed of fifth columnists, well able to engage in sabotage and espionage? And if the war-making branches of government were justified in making these conclusions, were they not justified in coping with the situation by placing these restrictions on that class of persons who constituted such a menace to our national defense and safety? The Court said that in light of all the surrounding circumstances the government was so justified. Thus Executive Order 9066

[13]About one-fourth of the total value of major aircraft contracts were to be performed in California. California ranked second and Washington fifth of all the states of the Union with respect to the value of shipbuilding contracts to be performed.

[14]National Laws of Japan, Articles 1 and 2, Sec. 3.

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and the Act of Congress and the curfew regulation made thereunder were a valid exercise of the war power.

But the appellant contends that even though it be conceded that the curfew is a valid exercise of the war power, it is still unconstitutional because it discriminates against citizens of Japanese ancestry and so is violative of the 5th Amendment.[15] Appellant's contention involves no small constitutional issue. Equal treatment of all citizens no matter what their racial background may be has been one of the backbones of American tradition.[16] Nothing but a grave emergency vindicates a departure from it. The Court was fully aware of this. It said that distinctions based on ancestry are odious to a free people. But there is a war on. It so happens that citizens of one ancestry constituted an imminent threat to the very safety of our country. (If they did not constitute a threat in fact, there was at any rate a sound and reasonable basis for believing they were a threat.) In curbing this danger should the men responsible for our safety be compelled to close their eyes to the blatant fact that the Japanese, congested as they were in the large Pacific Coast cities, could work insuperable harm to our war effort? Should they be compelled to close their eyes to the fact that the mother country, with whom they kept close ethnic affiliations, might have at that very moment been planning an attack on the shores of the United States? The Supreme Court said the government did not need to close its eyes to these things; rather it could use these facts as a basis for discriminatory legislation. Such legislation "is not wholly beyond the limits of the Constitution and is not to be condemned because in other and in most circumstances racial distinctions are irrelevant."[17]

Justice Murphy, in his concurring opinion, seems to feel even more strongly than the majority of the Court, on the graveness of distinctions based on ancestry. He says that the curfew order putting 70,000 American citizens under a special ban bears a melancholy resemblance to the treatment accorded to members of the Jewish race in Germany

[15]The 5th Amendment contains no equal protection clause comparable to that of the 14th Amendment. However, any legislation which is unreasonably or arbitrarily discriminatory, violates the due process clause of the 5th Amendment.

[16]Yick Wo v. Hopkins, 118 U. S. 356, 6 S. Ct. 1064, 30 L. Ed. 220; Buchanan v. Warley, 245 U. S. 60, 38 S. Ct. 16, 62 L. Ed. 149.

[17]In United States v. Minouri Yasui, 48 F. Supp. 40, the facts were almost identical with the Hirabayashi case and the Court held Congress and the Executive could not make distinctions based on race.

and in other parts of Europe.' This, he thinks, goes to the very brink of constitutional power. When we have one law for the majority of citizens and another for those of a particular racial heritage, the point of denial of due process is dangerously approached. However, in line with the majority of the Court, Murphy says that the critical military situation existing on the Pacific Coast in the spring of 1942 justified the measures taken.

It is most interesting to note that the Court made no mention of martial law in its decision. In fact it disposes of the whole topic of martial law by simply saying no question of martial law or trial by military tribunal is involved. The famous *Milligan* case[18] gets no more prominence in the decision beyond being a mere citation. The Court by construing the curfew as a war time emergency measure instead of an exercise of partial martial law, saved itself a lot of trouble. For then it did not have to grapple with the rigid rules of the *Milligan* case. The lower court in the *Yasui* case[19] tried this very thing, but was caught amidst the rigid rules of the *Milligan* case, and it had to conclude that the curfew regulation as applied to American citizens was unconstitutional. The main trouble with the Circuit Court in the *Yasui* case was that it couldn't seem to conceive that the curfew order was anything but an exercise of martial law. For their bible on martial law they used the *Milligan* case. Under the doctrines of that case the government would have had to be able to justify full martial law on the West Coast before a military commander could take any action against a civilian. And to justify full martial law, the government would have had to show that the Japanese army was ready to land and the regular courts on the coast were unable to administer justice. On this martial law theory then, the law-making branches would not be able to strike at the particular danger where they saw it in the easiest and swiftest manner. Yes, the court was very wise in the instant case, in construing the curfew as an exercise of war-time emergency powers, and by so doing, avoiding the tangle and impractical result the court in the Yasui case came to.

In answering the question which I posed at the beginning of this article, namely, are these restrictions imposed on 70,000 American citi-

[18] *Ex Parte* Milligan, 4 Wall. 2, 18 L. Ed. 281.

[19] United States v. Minouri Yasui, 48 F. Supp. 40, 63 S. Ct. 1392. The Supreme Court sustained the conviction of the lower court but for the reasons stated in the Hirabayashi case, and not those of the lower court in the Yasui case.

zens of Japanese ancestry in derogation of the very liberties we are fighting for, I think most people will say they are not. It is well enough to say that constitutional limitations are not suspended in war-time. Yet, since war allows us to tear eighteen-year old boys away from school and fathers away from their children in order to fight and die anywhere from sweltering jungles to the frozen icelands, then certainly we ought to allow the government an ample measure of the benefit of any doubts when it acts to protect the home-front against what it thinks is highly dangerous to the prosecution of the war. But, whatever additional powers we allow the government to exercise in war-time ought to be solely justified on the basis of strict emergency. The court in the instant case upheld this discriminatory curfew order on the strict ground of war-time emergency. They said the only thing we decide in this case is that "the curfew order as applied and at the time when it was applied was within the boundaries of the war power." This is as it should be. The Court is not justifying its decision on grounds which would make similar restrictions constitutionally possible after the war is over.

The treatment of American citizens of Japanese ancestry still presents many constitutional questions. Granted that the government could set up military areas, curfews, and relocation camps because of military conditions prevailing in the Spring of '42, can they constitutionally keep in their relocation camps those American citizens who can prove their loyalty? Justice Douglas in his concurring opinion alludes to this problem. He implies that if no machinery is made available, whereby the individual could demonstrate his loyalty as a citizen in order to be reclassified, then the restriction would be unconstitutional. Certainly the government will have a tremendous burden on its hands if it tries to justify the keeping of thousands of American citizens against whom no specific charges have been made, in relocation camps without giving them a chance to prove their loyalty. But we are not concerned with this problem here.

Chief Justice Marshall said, in *McCulloch* v. *Maryland*,[20] that ours was a constitution intended to endure for ages to come, and to be adapted to the various crises of human affairs. The Court in the instant case admirably adapts our constitution to the greatest crisis of all human affairs—War.

MARGARET M. QUILL

[20] 4 Wheat. 316, 407, 415, 4 L. Ed. 79.

DEPARTMENT OF LABOUR
CANADA

)OMS,

Ottawa, July , 1946

Dear Sir:

I am sending out this letter as an invitation to all Canadians of the Japanese race who have moved East from British Columbia asking their co-operation with this Department in the relocation and re-establishment in other parts of Canada of their friends and relatives who are still in British Columbia, and have not as yet re-established themselves on a self supporting basis.

The Government has increased considerably this year the amount of the assistance grant for persons moving from British Columbia, in addition to providing free transportation for families and their belongings. Moreover, licences may hereafter be obtained in all proper cases for the acquisition of real property either urban or rural in suitable areas upon application to the nearest Japanese Placement Office of this Department.

The Dominion Employment Service and the Japanese Placement Officers of this Department will give every assistance to families and individuals coming East for employment and placement. The Department has established hostels for temporary accommodation of families in Saskatchewan, Manitoba, Ontario and Quebec which are open for family accommodation, pending placement.

Conditions are in general more favourable now than at any earlier date for relocation and we believe that it is in the interests of your friends and relatives that they take advantage at this time of every reasonable opportunity to leave the settlements in British Columbia or adjoining areas.

I would ask you, therefore, to write your relatives and friends still in British Columbia encouraging them to take advantage of opportunities for Eastern placement offered to them by officers of this Department at this time. Where you yourself can arrange locally for accommodation and employment of friends and relatives, it will, of course, be a great assistance -- in fact, I believe that more can be accomplished in this manner than in possibly any other one way.

It is my hope that by the concerted efforts by this Department and those already relocated, we may this season complete the re-establishment of all persons of the Japanese race who desire to remain in Canada. Your assistance will help to accomplish this result.

Yours very truly,

A. MacNamara

A. MacNamara.

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RG 27
Vol 169
File 614.02:11,
Vol 2
NPAC

Ottawa, May 24, 1944.

MEMORANDUM to Mr. A. H. Brown

Re: Films on Japanese Relocation.

(a) I have been discussing with Mr. Dallas Jones of the National Film Board the technicolor film which is now being produced on Japanese evacuation in British Columbia and I learned that this is being completed in the near future. It contrasts the pre-evacuation life of the Japanese with their present life and activities in the Housing Centres.

I believe that the time is opportune to reconsider the usefulness of extending this film to cover the Relocation Programme on the Prairies and in the East, in order to counteract recent harmful publicity which has helped to slow down relocation.

A film illustrating relocation of Japanese in various occupations between British Columbia and the Maritimes would have two valuable results this Season:

1. If shown in the Settlements it would stimulate knowledge of and interest in relocation, especially if accompanied by "pep talks" from informed persons. It could stress family placements and essential occupations on the Prairies and in the East.

2. If shown on rural and industrial circuits East of the Rockies it would inform the prospective employers and fellow workers of the availability of these employable people and their essential harmlessness, industry and loyalty.

Authority was given for expenditure of $5,000 on the first part of the film, and Mr. Jones states that the relocation part of the film could be produced for an additional $5,000.

(b) As a supplementary stimulus, we discussed the advisability of showing in the Japanese Settlements some general films on various industries of the Prairies and Eastern Canada. The National Film Board has a wide assortment of subjects, ranging from Prairie farming to Maritime fishing. They are willing to loan ~~run~~ them free of charge and also to have one of their British Columbia projectionists do the actual screening in the Settlements, without cost to us or to the audience. I feel that we should take advantage of this offer to have a selection of these short films shown in the various Settlements within the next two months to inform the people about the Prairies and the East and possibly interest them in relocation. The films could be seen also by the children in the schools to help educate them concerning life in other parts of Canada.

HTP/RMS

H. T. Pammett.

NFB NATIONAL FILM BOARD

INFORMATION SHEET

OF JAPANESE DESCENT

6053

16MM. COLOUR. SOUND
2 REELS. RUNNING TIME: 22 MINUTES

INFORMATION SHEET NO. 84
PRODUCED: AUGUST, 1945

PRODUCTION: *Produced for the Department of Labour by the National Film Board of Canada and Vancouver Motion Pictures.*

CONTENTS: Japanese re-location centres in central British Columbia.

When Canada declared war on Japan in December 1941, 23,000 residents of Japanese descent, most of them occupied in the fishing industry on Canada's West Coast, were living in the country's No. 1 Western defence zone. Many of them were slum dwellers, living under unsanitary conditions. In 1942, in connection with Canada's relocation scheme, nearly all these residents were moved to centres in the Interior of British Columbia.

The next part of the film tells of life in one of the biggest of these centres, Nakusp, B.C. Nakusp was a semi-abandoned town when Canada's citizens of Japanese descent moved in. By the Fall of 1942, the movement to new location centres was completed. As a result of shifting a fairly large population of these centres, a fuel shortage had to be overcame. As building proceeded, lumber was needed and many Japanese were employed in building as well as in highway construction and general roadwork.

Nakusp and New Denver, another relocation centre, are not internment camps. Self-help and individual initiative among the inhabitants are encouraged, and the Government relocation scheme has resulted in improvement on a general health level.

Tashme is the largest of these relocation towns - it is entirely self-sufficient. Tashme has its own hospital, school and church. Services are conducted in two languages, and there is a local factory manufacturing Soya Bean Sauce. Many of the children are organized in the Boy Scout movement, and there are manual training classes for boys while the girls take courses in domestic science.

There are three main Japanese groups in the relocation camps; first those who are loyal to Japan and who wish to return to that country after the war; then there is a large percentage of Canadian-Japanese awaiting naturalization and finally there are those who have became Canadians, either by birth or by naturalization.

ISSUED BY THE NATIONAL FILM BOARD OF CANADA, OTTAWA
AUGUST, 1945.

KHP

DOMINION DEPARTMENT OF LABOUR, JAPANESE DIVISION

INFORMATION FOR EMPLOYERS—FARM PLACEMENT PLAN JAPANESE CANADIAN FAMILIES 1945

1. At the outbreak of war with Japan, there were approximately 23,500 people of Japanese ancestry in Canada, all but 1,000 of whom were resident in British Columbia. For reasons of military necessity it was decided by the Dominion Government to remove these people from the coastal areas to points at least 100 miles inland. Since that time around 8,300 have been successfully relocated at points east of the Rockies. The balance are still living in relocation centres and scattered localities in the interior of British Columbia, and many of these are available for employment.

During the coming Spring and Summer, it is expected that a number of these evacuees, mostly as families, will be available for placement on farms and in other types of employment in Eastern Canada. Information as to the conditions under which their help may be obtained is given below.

2. The general outline of the Placement Plan is as follows:—

(a) *Physical and other examinations:*

Only persons of approved loyalty to Canada will be brought East. All workers, too, will be medically examined before leaving British Columbia.

(b) *Transportation:*

The Government will pay all transportation costs to the nearest railroad station.

(c) *Housing:*

Employers are expected to supply suitable living quarters rent-free. Since those families coming East are allowed only 1,500 pounds of baggage, it is essential that the employer provide all heavy furniture, such as tables, chairs, stoves, beds, mattresses, etc. These should be in place before the family arrives. Later, if desired, arrangements might be made with the tenant to purchase these items on terms mutually satisfactory.

(d) *Light and Heat:*

Practices in respect to these items vary. Some employers supply both free; others supply only light, asking the employee to look after his own wood or coal; farmers with bush areas usually offer firewood free for the cutting; others offer a certain amount of coal, say 4 or 5 or 6 tons per year, the balance to be supplied by the employee.

(e) *Garden Plot:*

Most farmers offer the use of a garden plot free for the growing of vegetables and small fruits.

(f) *Farm Produce:*

Some farmers give free a certain amount of milk, butter and eggs; others sell such at wholesale prices; employees are generally allowed specified amounts of fruit windfalls.

DOMINION DEPARTMENT OF LABOUR, JAPANESE DIVISION

TOWN EMPLOYER'S APPLICATION FOR JAPANESE CANADIAN WORKERS

1. *Applicant*

Name of Employer .....

Address ..... Tel. No. .....

Position in Company of person making application .....

2. *Number Needed:* Male ..... Female .....

3. *Labour Priority of work offered:* A B C Etc. .....

4. *Nature of work:* Describe .....

.....

5. *Wages:* What wage is offered to start, per hour? .....

Per day? ..... or per week? .....

What rate for overtime worked? .....

What increase would be given a good worker? ..... When? .....

6. *Hours of Work:* Per day ..... Saturday ..... Per Week .....

7. *Worker's qualifications:* Specify .....

.....

8. *Date when required* .....

9. *Housing:* Does employer provide boarding and housing facilities?

Yes ..... No ..... If Yes, what rates .....

If No, is such available nearby? At what rates .....

Date .....

.....
(Signature)

N.B.—After filling out and signing please return this application form to the Church Group from whom you received it. For future reference it would be well for you to keep a record of its contents or a copy.

REPORT OF LOCAL CHURCH GROUP RECOMMENDING APPLICANT

To Japanese Division, Dominion Department of Labour:

On behalf of the local Church Sponsoring Group at ....., I hereby certify that we are satisfied that this is a suitable placement for a Japanese Canadian family and we support this application. We will do what we can to welcome the family to the community and to make them feel at home among us.

Date ....., 1945.

.....
(Signature for Church Group)

DOMINION DEPARTMENT OF LABOUR, JAPANESE DIVISION

RURAL EMPLOYER'S APPLICATION FOR JAPANESE CANADIAN FAMILY

1. *Applicant*

Name (in block letters) .....
Address ..... Tel. No. .....
Nearest R.R. or bus station.....Distance from farm.....Miles.

2. *Farm*

Type of Farming .....
Number of acres under cultivation .....
Comment .....
.....

3. *Japanese Family*—Do you prefer:

Couple only ..... Couple with one or two children .....
Couple with several children .....
In addition to head of family, how many adult workers required? Male .... Female ....

4. *Employment:*—When is help required? .....
For how many is steady year round work available? .....
What occasional work is possible on your farm? .....
In the neighbourhood?.....

5. *Wages:*—What wages are you willing to pay per month:

To head of family? .....
To wife if employed part or full time? .....
To other workers? Male ..... Female .....

6. *Special financial arrangements* (In addition to the above)

Which of the following will you supply free of charge?
Rent ..... Heavy furniture ..... Fuel ..... Light ..... Garden plot ..... Milk .....
Butter ..... Eggs ..... Vegetables ..... Fruit .....

7. *Living Quarters* (Please describe as to size, water, heating, lighting, etc.)

.....
.....
.....

8. *General facilities*

Distance to public school ..... to High school ..... to Church .....
(what denomination) ..... to store .....

9. *Agreement*

I agree to abide by the conditions outlined above and in the circular "Information for Employers" if I am supplied with the help I am requesting.

Date ....
(Signature)

N.B.—After filling out and signing please return this application form to the Church Group from whom you received it. For future reference it would be well for you to keep a record of its contents or a copy.

REPORT OF LOCAL CHURCH GROUP RECOMMENDING APPLICANT

To Japanese Division, Dominion Department of Labour:

On behalf of the local Church Sponsoring Group at .....,
I hereby certify that we are satisfied that this is a suitable placement for a Japanese Canadian family and we support this application. We will do what we can to welcome the family to the community and to make them feel at home among us.

Date ....., 1945.

.....
(Signature for Church Group)

(g) *Wages:*

Wages to the male head of the family run from $50.00 to $80.00 per month plus free house rent—rates depend to quite a degree on arrangements made concerning (d), (e) and (f) above, and experience. Other adult members of the family as well as children old enough to work are generally paid by the hour and receive the prevailing wages of the area. Domestics receive the going monthly or hourly rate.

(h) *Hours of Work:*

No hard and fast rules can be drawn other than that the employer agrees that he will not, nor will any person on his behalf, require the employee to work more hours per day than is the custom in the locality for workers in like employment and that he will not in any way exploit the labour of the worker.

Many farmers are now arranging for a ten hour day. In periods of special pressure, the employer would, of course, expect the employee to put in longer hours. Sunday work should be reduced to a minimum.

(i) The employer agrees to use his best endeavours to keep the worker continuously and contentedly employed for as long a period as possible.

(j) If any change in the above conditions or a termination of employment is contemplated, the employer agrees to notify immediately the Placement Office in Toronto, preferably before taking such action.

3. *Schooling for the Children*

It is understood that the children of the families concerned shall be free to attend the neighbourhood school in the same way as any other children, in order to get a sound Canadian education.

4. Although most of these people will be hired at a certain wage to start with, some of them may wish to enter later into some type of crop-sharing contract on terms to be mutually agreed upon. In such cases, a definite contract should be drawn up and signed by both parties, preferably on a yearly basis.

5. Employers, other than farmers, needing help are invited to get in touch with the Placement Office. Wages must be the same as those paid to others doing the same type of work. Due to the housing shortage, the question of living accommodations should be given attention before the employer makes arrangements to take a family.

6. All communications for the Province of Ontario bearing on the above should be directed to—

The Placement Officer

Japanese Division, Dominion Department of Labour

24 Adelaide St. East

Toronto 1.

Telephone—Elgin 3436.

KEEP THIS INFORMATION CIRCULAR

DETACH ALONG THE DOTTED LINE

KHP

CHURCH SPONSORED PLACEMENT PLAN

for

JAPANESE CANADIAN FAMILIES

Under the Auspices of

THE NATIONAL INTERCHURCH ADVISORY COMMITTEE ON RESETTLEMENT OF JAPANESE CANADIANS

1. The Dominion Government, Department of Labour, is now endeavouring to resettle Japanese Canadian families of approved loyalty who wish to make their homes in Canada.

2. In view of the present farm labour shortage, it is the Government's hope that a number of these families now living in settlements in the interior of British Columbia may be placed in Eastern Canada on farms or in other positions in accordance with their special skills.

3. In furthering this plan, the National Interchurch Advisory Committee, with the concurrence of the Dominion Department of Labour, is seeking the co-operation of local church groups in the re-locating of as many families as possible during the coming months. The group undertaking the responsibility for placement might be the church membership as a whole, or, it might be the women's association, the women's missionary society, a men's club, or an adult Bible class. It is thought that a project of this sort should present a real appeal to many.

4. Although the general idea is that one group might sponsor one family, there is no reason why one group should not sponsor more than one family if such seems possible; or several groups in one church might sponsor several families.

It should be known beforehand that the Government pays the travelling expenses of the newcomers from British Columbia to the station nearest their place of work; the employer pays his wages. The Group's undertaking, therefore, becomes a "service project". While of necessity, varying somewhat in each case, in general, sponsorship would involve:

(*a*) The discovery of an employer—the conditions of employment are set out in a special folder entitled "Information for Employers". A copy of this folder, as well as an application form for the employer to sign, is attached.

(*b*) On finding an employer whom the Group is prepared to recommend, and who is willing to engage a family on the terms specified, the proposed living quarters should be visited and passed on by the sponsoring group. If reasonably satisfactory, the group should then secure the signature of the employer to the application blank and send the document to the Placement Officer whose address is given below. Negotiations for the family would then be commenced immediately.

(*c*) On arrival, the group or its representatives would greet the newcomers, see that they get to their new home, offer free counsel and advice, and endeavour to put them in touch with the life of the community.

(*d*) The Group would continue to sponsor the family until it becomes firmly established and its members able to take their places as normal Canadians in the community.

5. While particular attention is being given to the placing of families on farms, the finding of jobs of any kind for families or for individuals would be considered equally important; for example, there may be tradesmen, blacksmiths, hotels, garages, radio service shops, etc., in your community where competent help is required and which might be supplied. In each case it should be remembered that living accommodation is essential.

6. The Placement Office of the Dominion Government, Department of Labour, Japanese Division, stands ready at all times to render every assistance in connection with the project. For example, if a personal presentation to the sponsoring group is desired, such might be arranged. Please do not hesitate to write for more information or for printed matter dealing with the question.

Rev. George Dorey, D.D.
Rev. E. H. Johnson
Rev. W. W. Judd, D.C.L.
Rev. Fr. A. E. McQuillen
Rev. C. H. Schutt, D.D.

7. Address all communications to—

THE PLACEMENT OFFICER,
Japanese Division,
Dominion Government Department of Labour,
24 Adelaide St., East,
Toronto 1.

Telephone: ELgin 3436

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

506 ROYAL BANK BLDG.
HASTINGS AND GRANVILLE
VANCOUVER, B.C.

ONE PACIFIC 6131

PLEASE REFER TO
FILE No. 5129/3

April 12, 1945

Mr. Rinkichi TAGASHIRA,
Reg. No. 07988,
P. O. Box 666,
Revelstoke, B. C.

Dear Sir:

Enclosed find list of chattels which have been sold at auction.

We are also enclosing a statement from the Crone Storage Company for $57.20 covering 11 months storage of your chattels. Will you kindly forward the above Company a cheque immediately in payment of this bill or authorize us to pay same. We would call your attention to the fact that these goods are liable to be sold for storage charges if the account is not paid.

Yours truly,

G. D. Milsom
Administration Department

GDM/GH

Enc.

360 Homer Street,
Vancouver, B. C.

March 28, 1945

Dear Sir or Madam:-

We attach hereto a copy of NOTICE issued by the authority of the Honourable the Minister of Labour.

This Notice outlines various forms of assistance provided by the Government of Canada to persons of Japanese origin who make voluntary application for repatriation to Japan after the end of hostilities.

Specially prepared forms for making voluntary application have been sent to your nearest R.C.M. Police Detachment at , Lethbridge.
All members of a family sixteen years of age and over who are going to Japan must sign individual forms and these must be signed in the presence of an R.C.M.Police Officer.

The signing of applications by members of a family, or by individuals, need not interfere with their continuing with their present employment until the conclusion of the war, or thereafter until such time as repatriation can be arranged.

You are not obliged to report to the R.C.M.Police unless you are planning to go to Japan after the cessation of hostilities and wish to take advantage of the assistance provided by the Government to all those making voluntary applications.

This assured assistance from the Government, as outlined in the notice, will mean to many who desire repatriation, relief from unnecessary anxiety and it will allow them to plan for their future, and that of their children, along economic, social, and cultural lines which they fear may be denied them were they to remain in Canada.

Very truly yours,

BRITISH COLUMBIA SECURITY COMMISSION

T. B. PICKERSGILL
COMMISSIONER

No. 447

By Safe Hand

Your No. 1087

Ottawa, Ontario,
August 5, 1942.

MOST SECRET and PERSONAL

Dear Mr. Stephenson:

Replying to your personal letter of the 9th ultimo enclosing a "Report on Japanese Activities in British Columbia" dated June, 1942, as I intimated to you during our conversation on this subject on the 3rd instant, I forwarded the report to the Officer Commanding this Force at Vancouver, and I now attach a reply submitted by Sergeant J. K. Barnes, in charge of our Intelligence Section there, who has, for a number of years past, been in very close touch with the Japanese situation in British Columbia.

I was naturally very much interested in what your agent had to say and I intend to have the information and suggestions outlined therein followed up. By this I do not mean we should take the action suggested by the agent in arresting these persons mentioned by him as suspects. As many of these people are Canadian citizens, we could not produce the evidence necessary to justify our actions, which, as you know, are subject to a board of review, and the police are compelled to support their action by evidence before such tribunal.

Much has been said regarding Etsuji Morii, who is a naturalized Canadian citizen, but we have found no evidence which would substantiate the various accusations made against him. On the other hand, this man has been most co-operative with the police and the British Columbia Security Commission in regard to the plans of evacuation, and had we had the same co-operation from the Nisei the difficulties which the Commission had to overcome would never have occurred. There are, as you know, political groups among the Japanese, and Morii, who was the leader of the older people, made many enemies because of his advice to the Japanese that in this emergency they should co-operate.

We have had no evidence of espionage or sabotage among the Japanese in British Columbia. The situation has changed considerably since the report was written, and most of these people are now in isolated areas outside the protected area, and those at present in Vancouver will be removed by the first of November next. These consist largely of women and children.

The work camps situated along the main lines of railway in British Columbia are to be closed down

W. S. Stephenson, Esq.,
Room 3553, 630 Fifth Avenue,
New York City, N. Y.,
U. S. A.

RESEARCH - MISC. DOCUMENTS
[1920-1982]
POLICE NO. 13

and no other camps will be erected adjacent to railways over which war material is transported. There was a false impression abroad in regard to the Japanese located in these camps, and criticism was made that they were not properly guarded. I should like to point out here that these Japanese were not under any disability under the law once they were removed from the protected area, and the guards were not placed at these camps over the Japanese, but for the purpose of protecting the right of way in their vicinity. Outside of the protected area these people are under certain discipline imposed by the Commission, and they are not allowed to remove themselves from place to place without the permission of the police or the representatives appointed by the Commission.

The riot referred to, which took place in the Immigration detention building at Vancouver, was due to the fact that these people were incarcerated in the building for too long a period before they were removed to proper detention camps. These individuals had not been arrested because they were looked upon as enemies of the state in the accepted sense of the term. They had, however, refused to obey the orders of the Security Commission to leave the protected area in protest against the policy then in force of breaking up Japanese families. This has now been changed and I expect that many of these men, who are now in detention, will be given their liberty on their undertaking to comply with the orders of the Security Commission from now on. In conclusion, I should like to make this point clear, i.e., we have surveyed the Japanese question in British Columbia from a realistic point of view for a long time past. A number of factors had to be taken into consideration in dealing with the problem. There is no need for me to go into them here, as Assistant Commissioner Mead covered some of that ground at the conference on Monday. The fact remains, however, that we have searched without let-up for evidence detrimental to the interests of the state and we feel that our coverage has been good, but to date no such evidence has been uncovered. The work will go on, and many of the suggestions made by you will be carried out.

Sincerely yours,

S. T. Wood.

Encl.
FJL/MB

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