

RG. 3258

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1822/15

Ottawa December 21st, 1916



TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

*Privy Council
Referred back for further consideration
W. H. B. (S. J. M. S.)
6 Nov 1917*

The undersigned, referring to Colonial Office despatch to the Officer Administering the Government, No. 1183 of 20th October last, inviting the attention of your Excellency's Ministers to His Majesty's Proclamation of 7th September last requiring returns to be made by British subjects residing in the United Kingdom or any country or place outside His Majesty's Dominions or Protectorates of property in enemy territory belonging to British subjects, and also with regard to the claims of British subjects against enemy persons and enemy Governments, said despatch No. 1183 further drawing attention to the fact that by the said proclamation these returns, which formerly, as stated in Colonial Office despatch to His Royal Highness the Duke of Connaught, No. 15 of 6th January last, were voluntary, have now been made mandatory, and suggesting the advisability of local action to require the furnishing of similar returns by British subjects in Canada; ^{if the further returns} and the undersigned referring moreover to order 35 of the "Consolidated Orders respecting Trading with the Enemy, 1916," sanctioned on 2nd May, 1916, by the Governor General in Council, P.C. 1023, whereby the Custodian was required to keep a record of any such claims or property as might voluntarily be submitted for purposes

of

P 72 *minutes*

of record, has the honour to recommend the issue, under the powers in that behalf conferred by section 6 of the War Measures Act, 1914, or otherwise vested in Your Excellency, of a proclamation strictly commanding and enjoining that all British subjects within Canada, including all British companies, firms and corporations residing or carrying on business within Canada, who are entitled to property of any description whatsoever in enemy territory, or to any interest in such property, or who have claims against enemy persons or enemy Governments, shall forthwith make returns of their said property or claims to the Officers appointed to receive the same: Provided that it shall not be necessary to make such returns respecting property or claims, whereof returns have before the issue of the proclamation hereby recommended been voluntarily made to the Custodian (the Minister of Finance and Receiver General), appointed by order 23 of the Consolidated Orders respecting Trading with the Enemy, 1916, in the form prescribed by him; but if any one who has already made a return desires to amend that return, or to make an addition to it in respect of unpaid interest or dividends which may have become payable since the date of his previous return, he should apply for the necessary forms for this purpose, and in any such case a note should be made on the form to the effect that the return is an additional or amended return, as the case may be.

The Officers appointed to receive such returns

shall

shall be:-

(a) In the case of property in enemy territory and of claims against enemy persons, the Custodian as aforesaid, Finance Department, Ottawa.

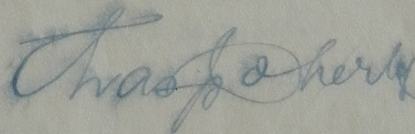
(b) In the case of claims against enemy Governments, the Directors of the Foreign Claims Office, Foreign Office, London, S.W.

The said returns shall be made in such form and with such particulars as the Custodian and the Directors of the Foreign Claims Office may respectively require.

2. For the purposes of the proclamation hereby recommended:-

The expression "property" includes documents of title to property; the expression "enemy territory" means the territory of any State at war with His Majesty (including the Colonies and Dependencies thereof); the expression "enemy persons" includes all persons, firms, companies and corporations, residing or carrying on business in enemy territory; the expression "enemy Government" means the Government of any State at war with His Majesty.

Humbly submitted,



Minister of Justice.