

Corr. Sept 1947

1-12

TELEPHONE PACIFIC 9164

Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

A. T. R. CAMPBELL
C. W. BRAZIERA. W. FISHER
R. J. McMASTER

C. G. ROBSON

RECEIVED

SEP 16 1947

CAMERON WELDON
& BREWINROYAL BANK BUILDING
675 WEST HASTINGS STREET
VANCOUVER, B. C.

OUR FILE NO.

September 14, 1947.

Andrew Brewin, Esq.,
Barrister & Solicitor,
Sterling Tower Building,
Toronto, Ont.

Dear Mr. Brewin:-

Re: Japanese Claims.

The writer has just spent a very interesting week with Ted Jolliffe with respect to the Steelworkers' dispute out here and matters relating thereto. As a result of our discussions it now appears advisable that I should be in Ottawa on Saturday the 27th inst.

Accordingly if you wish me to meet with yourself or your Committee before going up to Ottawa I would suggest that we meet in the late afternoon or evening of the 26th.

Yours truly,

CAMPBELL, BRAZIER, FISHER & McMASTER

Per *R. J. McMaster*

RJM/M

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September 8, 1947.

Messrs. Norris & MacLennan,
Barristers,
602 Hastings Avenue,
Vancouver, B. C.

Attention Mr. J. A. MacLennan.

Re: Japanese Canadian Property Claims

Dear Sirs:

There was a meeting a few days ago of the Japanese Canadian organizations from coast to coast, and they were discussing what attitude they should take in respect to the Commission to inquire into property losses.

They were so dissatisfied with the terms of reference that they were considering advising their members to boycott the Commission.

In this connection they inquired from me in regard to the prospects of securing any compensation for their losses through actions in the Exchequer Court, and reference was made to the case which you handled, a decision of which I understand is still being reserved, by Mr. Justice Thorson.

I wonder if you will let me know what are the developments.

Some of those present wondered whether there was anything they could do to expedite the decision, and I told them it would be most unwise to do anything without consulting you.

I would also be very glad if you could let me know the basis of your contentions, and what prospects of success you think there are, as it might affect the

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Messrs. Norris & MacLennan

September 8, 1947.

judgment of the Japanese Canadians in respect to a boycott.

My advice on the whole to them was that they should make the best of the Commission. If they could get 100% support for the boycott and all their members were ready to take the risk of getting nothing, I think it might be an effective demonstration of protest. I doubt, however, very much whether that would be the attitude of all those affected.

I have from time to time communicated with you and with Mr. McMaster more or less alternatively about the property claims and other matters affecting the Japanese Canadians.

I have assumed that Mr. McMaster is acting as the representative in Vancouver of the Co-operative Committee and that he was in consultation with other lawyers such as yourself who are interested, but I have never been able to get any formal advice as to whom I should communicate with. I would be glad if you could give me any clarification in respect to this.

I saw the Minister of Justice and the Secretary of State about ten days ago, and urged them to widen the terms of reference, but so far have no advice as to whether anything is to be done in this regard.

With kindest regards,

Yours sincerely,

FAB:HC

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September 15, 1947.

MEMO FOR MR. TANAKA

My office telephoned to-day to the Minister of Justice and were informed that the text of the Order-in-Council amending the terms of reference would not be available until Wednesday or Thursday.

I have had a letter from Mr. MacLennan of Norris & MacLennan to the effect that the Exchequer Court action brought by the Japanese Canadian claimant has been dismissed, and further expressing Mr. MacLennan's opinion that no appeal could successfully be taken.

In my opinion any consideration of boycotting the Commission is premature, furthermore my offhand opinion is that any such action would be unwise, and I would not at this stage be prepared to advise the Japanese Canadian Committee on Democracy or the Co-operative Committee to proceed with a boycott. It would appear that the amendment to the terms of reference removes the main objection which was made to the original terms, namely, the necessity of proving a lack of care on the part of the Custodian. I do not believe that public support could be obtained in any effort to get the terms of reference further widened at this stage, and I think it would be too much to expect those claimants who may have some reasonable prospective success, to forego the right to present their claims.

I believe that your Committee should dis-associate themselves from the view taken by the Toronto claimants and should advise the Toronto claimants to reconsider what seems to have been a hasty decision. I would further suggest that as soon as the amended terms of reference are available to us later this week, plans should be made forthwith to present claims as efficiently and vigorously as possible.

F. A. BREWIN

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*Norris & MacLennan*BARRISTERS AT LAW, SOLICITORS
NOTARIES PUBLIC

T.G. NORRIS, K.C. - J.A. MACLENNAN, LL.B.

TELEPHONE PACIFIC 5254

CABLE ADDRESS: "NORRIS"
VANCOUVER, CANADA

RECEIVED

BANK OF NOVA SCOTIA BUILDING
602 HASTINGS STREET WEST

Vancouver, B.C.

SEP 22 1947

CAMERON WELDON
& BREWIN

17th September, 1947.

Andrew Brewin Esq.,
c/o Messrs Cameron, Weldon & Brewin,
Barristers and Solicitors,
372 Bay Street,
Toronto, Ontario.

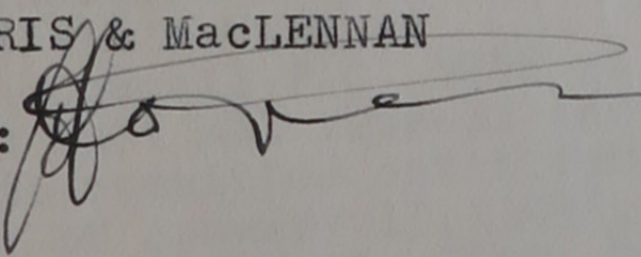
Dear Sir,

Re: Exchequer Court Test Cases

Further to our letter to you of the
11th instant, we now enclose herewith Reasons for
Judgment in connection with the test cases in the
Exchequer Court heard in Ottawa in 1944. If there
is any further information which you desire in this
connection, please do not hesitate to call upon us.

Yours truly,

NORRIS & MacLENNAN

Per: 

JAM/PMJ

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September 19, 1947.

Mr. George Tamaki,
Economic Advisory and Planning Board,
Legislative Building,
Regina, Saskatchewan.

Re: Japanese Canadian Claims

Dear Mr. Tamaki:

As you will no doubt have read, the government has amended its Order-in-Council appointing a Commission to investigate the property claims of Japanese Canadians, so that most of the claimants will now I think have a fair chance to have their claims considered.

The Co-operative Committee working with the National Japanese Canadian Citizens Association in the various provinces are trying to formulate plans whereby claimants may be legally represented at a minimum of cost and in co-operation with the other legal representatives of each province.

We presume that the Commissioner will hold hearings in each province in major centres. I would be glad if you would consult those qualified to express an opinion, and particularly representatives of the National Committee on Japanese Canadians and advise us whom they would recommend as the legal representative of the Committee in Saskatchewan.

I understand that there are not very many Japanese Canadians in Saskatchewan, but I presume some of them have claims which they would wish to present, and it seems clear that this could be done very much more efficiently and cheaply by one or two reliable representatives than by each claimant having to depend upon his own resources in securing legal advice.

Yours sincerely,

FAB:HC

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Mr. F. R. Scott

September 19, 1947.

may be paid out by the successful claimants out of money which they have recovered. Further, it is important in a matter of this sort to have legal representatives who are not just interested from a purely professional point of view. No doubt the task of interviewing the claimants and presenting their claims in some adequate way will be a large one.

Mr. F. R. Scott,
Department of Law,
McGill University,
Montreal, P.Q.

Yours sincerely,

Re: Japanese Canadians

Dear Frank:

I believe you are on the Montreal committee of the Co-operative Committee on Japanese Canadians. The government have yielded part way to our representations and amended the original Order-in-Council, and as a result, I feel sure that the proposal to boycott the Commission will not be taken too seriously. The Co-operative Committee acting with the National Japanese Canadian Citizens Association are trying to work out a scheme for legal representation of claimants before the Commission.

We presume that it will be necessary to have some sort of legal representation in each province, or major centre where the Commission meets, as I do not think it is feasible to have one or two claimants travel all the way across the country. I am writing to ask you whether you can suggest who might be the legal representative in Quebec for the Co-operative Committee to fit in with this plan if it goes through.

If you and your Committee could nominate someone, we could communicate with them in regard to the proposed plan and advise the Japanese Canadian organizations that our representative in Quebec would be so and so. It might be that I or someone else who has been in close touch with the situation may be available for part of the hearings in Montreal, or for consultation.

I do not know that we can promise adequate remuneration for the time spent, although it is our proposal to suggest that at least a minimum be raised by the claimants in proportion to the amount of their claims, and that more adequate fees fully representing the services rendered,

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Sept 1947

1-12

Mr. F. R. Scott

may be paid out by the successful claimants out of money which they have recovered. Further I feel that it is important in a matter of this sort to have legal representatives who are not just interested from a financial point of view. No doubt the task of interviewing the claimants and presenting their claims in some adequate way will be a large one.

September 19, 1947.

Yours sincerely,

Mr. F. R. Scott,
Department of Law,
McGill University,
Montreal, P.Q.

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September 19/47.

Mr. F. R. Scott

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Yours sincerely,

Messrs. Norris & MacLennan,
Barristers, Solicitors, etc.,
FAB:HC 411 Kings Street West,
Vancouver, B. C.

Attention Mr. J. A. MacLennan.

Re: Japanese Canadian Property Claims

Dear Sirs:

Thank you very much for your rather long and full letter of September 11th which came at a timely moment. Some of the older Japanese Canadians here have put great faith in the vindication of their legal rights in the Court, and while I have hesitated to comment about your case, as I know very little about it, I had felt that it was highly improbable that you would be successful. Partly as a result of their view on this matter, and partly for other reasons, quite a group of those who had claims here were of the opinion that they should boycott the Commission.

However, the information as to your case, and the expansion of the terms of reference by the Government will no doubt change their opinion.

The Co-operative Committee are issuing a statement advising them to take full advantage of the terms of the Commission. I enclose for your information a copy of the ascending Order which seems to me to give a very fair opportunity to all those whose property was vested in the Custodian to establish losses.

In regard to the delicate matter of the legal representation of the Co-operative Committee and the claimants in British Columbia, I would say that Mr. McMaster is apparently going to be in Toronto on Friday the 26th, at which time I will have an opportunity to discuss the matter with him.

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Messrs. Norris & MacLennan

September 19/47.

It will, of course, be necessary for a portion of the work of the Commission to be done through agents in British Columbia, and it is our desire that we should work through both of your firms.

September 19, 1947.

We are trying to work out a plan whereby the various claimants would be required to put up some minimum fee, and what further arrangements the more adequate fees out of the Commission. It might possibly be suggested that under the terms of reference, that is a matter that will have to be worked out. However, that is a matter that you will have to be fully informed. In the meantime, I have been in touch with Mr. Justice Bird and see that as fully as possible, information as to his proposal in regard to the expansion of the terms of reference by the Government will no doubt change their opinion.

Attention Mr. J. A. MacLennan.

Re: Japanese Canadian Property Claims

Dear Sirs:

Thank you very much for your rather long and full letter of September 11th which came at a timely moment. Some of the older Japanese Canadians here have put great faith in the vindication of their legal rights in the Court, and while I have hesitated to comment about your case, as I knew very little about it, I had felt that it was highly improbable that you would be successful. Partly as a result of their view on this matter, and partly for other reasons, quite a group of those who had claims here were of the opinion that they should boycott the Commission.

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Sept 1947

1-12

-2-

Messrs. Norris & MacLennan

September 19/47.

It will, of course, be necessary for a burden of the work of the Commission to be done through lawyers in British Columbia, and it is our desire that we should work through both of your firms.

We are trying to work out a plan whereby the various claimants would be required to put up some minimum fee to take care of expenses, and that further arrangements can be made for recovery of the more adequate fees out of the amount recovered, or one might possibly hope from the Government itself under the terms of the Commission. It might possibly be suggested that under the terms of reference the Commissioner might be entitled to appoint counsel to represent the claimants. However, that is a matter that will have to be worked out, and we will seek to keep you fully informed. In the meantime I have asked Mr. McMaster as solicitor to get in touch with Mr. Justice Bird and secure as fully as possible, information as to his proposal in regard to procedure and hearings, so that he may let me have this information when he is in the east.

I feel that it would probably be worth while for me as representative of the Co-operative Committee and a number of claimants in eastern Canada, to come out to Vancouver some time and consult with you and others as to how the claimants cases can be most effectively presented.

With kindest regards,

Yours sincerely,

FAB:HC

1. What forms he expects to have in presenting claims.
2. When such forms are likely to be published, and the time limited for filing the claims.
3. When he expects to start hearings.

I rather assume that he will not be coming east in October as proposed.

I would also venture to suggest that if you get an opportunity, you should discuss the presentation of claims, and the funds required for legal expenses, with Messrs. Norris & MacLennan, so that some division of work as between you and them may be arranged.

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Sept 1947

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Messrs. Campbell, Brazier, Fisher & McMaster

Sept. 19/47.

I do not know precisely what is the understanding between you. The Co-operative Committee in British Columbia have referred to the consultations with the Co-operative Committee, and I have been keeping in touch with them. It seems to me that we should seek to avoid any misunderstanding in this matter.

September 19, 1947.

I should be very interested if we have time, to hear from you and Ted about the Steelworkers dispute and the problems you are facing in British Columbia.

Messrs. Campbell, Brazier, Fisher & McMaster,
Barrister and Solicitors,
675 West Hastings Street,
Vancouver, B. C.

Yours sincerely,

FAB:JC

Attention Mr. R. J. McMaster.

Dear Sirs:

Re: Japanese Claims

Thank you for your letter of September 14th.

As you will no doubt have learned from the press, the Order-in-Council has been passed amending the original Order-in-Council, and I enclose herewith a copy of the amended Order.

I would be glad to meet you on the afternoon or evening of the 26th, and suggest that you call me either at my office or my home, both of which you will find in the telephone book, on your arrival.

I would be glad if you would secure before you come, whatever information you can in respect to the plans of Mr. Justice Bird in regard to the following matters.

1. What forms he expects to have used in presenting claims.
2. When such forms are likely to be published, and the time limited for filing the claims.
3. When he expects to start hearings.

I rather assume that he will not be coming east in October as proposed.

I would also venture to suggest that if you get an opportunity, you should discuss the presentation of claims, and the funds required for legal expenses, with Messrs. Norris & MacLennan, so that some division of work as between you and them may be arranged.

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Sept 1947

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Messrs. Campbell, Brazier, Fisher & McMaster

Sept. 19/47.

I do not know precisely what is the understanding between you. The Co-operative Committee in British Columbia have referred to the consultations with both of you alternately, and I have been keeping in touch with both firms. It seems to me that we should seek to avoid any misunderstanding in this matter.

I should be very interested if we have time, to hear from you and Ted about the Steelworkers dispute and the problems you are facing in British Columbia.

With kindest regards.

Yours sincerely,

FAB:HC

The Deputy Minister of Justice,
Ottawa, Canada.

Re: Japanese Property Claims *EWN*

Dear Sir:

We wish to thank you for copy of P.C. 1810 in connection with the above mentioned matter, and of P. C. 3737.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC

Corr.

Sept 1947

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24 Sterling Ave
 Winnipeg, Man
 Sept 23, 1947

Dear Mr. Brewin,

September 23, 1947.

As I am not sure whether the Mr. Williams have sailed, I am directing my correspondence to you until a further decision is made for Mr. Williams.

Messrs. Norris & MacLennan,
 Barristers,
 Bank of Nova Scotia Building,
 602 Hastings Street West,
 Vancouver, B.C.

We were greatly relieved to receive the Co-op release yesterday as we were considerably alarmed at the statement of the Toronto Plaintiffs group. We also are most anxious to proceed with the Commission.

Re: Exchequer Court Test Cases

Attention Mr. J. A. MacLennan

Dear Sirs:

Thank you for sending us the Reasons for Judgment in this matter.

We shall be writing to you shortly about other matters in connection with the Commission.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC

Our committee will meet on Thursday at five-thirty in the evening. Any direction we can have from your Committee will be most appreciated. If necessary please phone (reverse charges) me at my home (R. 7-302) if your plans are completed in time.

This note is in haste, in order

Corr.

Sept 1947

1-12

24 Sterling Ave.
Winnipeg, Man.
Sept. 23, 1947

Dear Mr. Brewin,

As I am not sure whether the McMillan Lane sailed, I am directing my correspondence to you until a replacement has been made for Mrs. McMillan.

We were greatly relieved to receive the Co-op release yesterday as we were considerably alarmed at the statement of the Toronto Claimants' group. We also are most anxious to proceed with preparations for the hearings but we do need direction as to procedures, forms etc.

Our committee will meet on Thursday at five-thirty in the evening. Any direction we can have from your Committee will be most appreciated. If necessary please phone (reverse charges) me at my home (Ph. 71302) if your plans are completed in time.

This note is in haste, in order

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Sept 1947

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that it will catch the next place.

If the Dr^c Millans are still in Louviers,
please extend to them our very best
wishes for their future and our
grateful thanks for all that they have
done.

Looking forward to hearing
from you as to developments.

Sincerely yours,

Thelma Hambley

(Mrs. C. G.)

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Corr. Sept 1947

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Ritchie & Huckvale

BARRISTERS, SOLICITORS, NOTARIES, & C.

J. NORMAN RITCHIE, K.C.
W. E. HUCKVALEOFFICES: ACADIA BUILDING
612 THIRD AVENUE S.*Lethbridge, Alberta,*
CANADA

23rd September, 1947.

Mrs. Hugh MacMillan,
Secretary,
Co-operative Committee on Japanese Canadians,
126 Eastbourne Avenue,
Toronto, Ontario.

Dear Madam:

Re: Japanese Canadians

Mr. W. S. Wallace has handed to the writer your mimeographed letter of September 19th, together with a copy of Order-in-Council P.C. 3737, setting out the amended Order-in-Council re claims of evacuated Japanese Canadians.

As you are aware, the writer together with Mr. L. S. Turcotte and Mr. W. S. Wallace have been appointed a legal sub-committee by the Lethbridge Consultative Committee.

On behalf of the sub-committee I am most anxious to obtain an outline of the procedure to be followed throughout Canada in presenting to the Commissioner the claims of any Hapanese Canadians who wish to make use of the sub-committee's services.

As I understand it, a form has been adopted by the Co-operative Committee for use by claimants in initiating their claims. Are we to understand that these forms will be circulated by your Toronto Committee? If not, would it be possible for us to obtain a supply of them in order that we may place them in the hands of any possible claimant?

I am also anxious to know if the Toronto Committee has made arrangements to obtain access to the records of the Custodian.

I gather from Mr. Wallace's file in the matter that Mr. Brewin has detailed a tariff of charges in connection with individual claims. We do not appear to have on our records this tariff and I am wondering if you could supply it. Further

Corr.

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Mrs. Huch MacMillan,

we have no knowledge of when the Commissioner will commence his sittings, although we are advised that he will start in the East. I hope that you will keep us apprised of these matters as they develop.

I would appreciate hearing from you as to the above matters at your convenience.

Yours truly,

W. H. MacMillan

WEH/JT.

Corr. Sept 1947

FORM FOR CO-OPERATIVE COMMITTEE

IN THE MATTER OF a Commission to Investigate Claims of Japanese Canadians for Property Losses.

This form containing the same material as the form to be sent to the Custodian's office is to be sent to either your National Japanese Canadian Citizens Association provincial chapter organization or the regional Co-operating Committee as listed.

Pursuant to the notice issued on the 26th day of September, 1947, I submit the following claim:

- (1) NAME TAKAHASHI TOYO (RCMP) Reg. No. 100954
(Print) Surname Given Name
- (2) Pre-Evacuation Address 42 Gorge Road, Victoria, B.C.
- (3) Present Address 234 Cottenham Street, Toronto, Ontario.
- (4) REAL ESTATE
- (a) Street Address (if any) 42 Gorge Road, Victoria, B.C. City or Municipality, Province
- (b) Legal description (lot number, block number, section number, etc.) Lot 12, Block 3
Section 10 Victoria Dist. Plan 1262 except that part thereof.
Shown outlined in red on Plan 132 B.L.
- (c) Type of Real Property (cross out words which do not apply):
(i) ~~Farm~~
(ii) Residence
(iii) ~~Business~~ Type of business
(iv) Any other type of property (describe)
- (d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.)
- (e) Fair market value at date of sale (estimate this to the best of your ability):
- | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|---------------|
| (i) Land | \$ | |
| (ii) Buildings | \$ | |
| (iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) | \$ | |
| (iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) | \$ | <u>12,500</u> |
| (v) Amount at which Custodian sold property and credited your account | \$ | <u>10,000</u> |
| (f) Loss (This figure is arrived at by deducting item (v) from item (iv)) | \$ | <u>2,500</u> |

(5) PERSONAL PROPERTY

- (a) Place or places at which property was left by the claimant at date of evacuation
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
- (c) How stored or packed at time of evacuation

(over)

- (d) In whose care was property left at date of evacuation by the claimant. (This question refers to the terms of reference which exclude claims where the property was lost, destroyed or stolen while under the custody, control or management of any person other than the Custodian appointed by the owner of the property. It involves some definite arrangement whereby you appointed someone to take care of the property and such person accepted the responsibility of so doing. Unless such an arrangement was made the question should be answered "in no one's care")

(e) Itemized description of personal property which is the subject of the claim:

- | | |
|-----------|--------------------------|
| 1. _____ | Estimated Value \$ _____ |
| 2. _____ | Estimated Value \$ _____ |
| 3. _____ | Estimated Value \$ _____ |
| 4. _____ | Estimated Value \$ _____ |
| 5. _____ | Estimated Value \$ _____ |
| 6. _____ | Estimated Value \$ _____ |
| 7. _____ | Estimated Value \$ _____ |
| 8. _____ | Estimated Value \$ _____ |
| 9. _____ | Estimated Value \$ _____ |
| 10. _____ | Estimated Value \$ _____ |

TOTAL CLAIM FOR PROPERTY LOSS \$ _____

N.B.—If you cannot list all the items here prepare a separate list with values set out opposite each item and attach it to the form. The item "personal property" includes shares, bonds, mortgages, loans, notes and all other forms of property not included in real estate.

- (f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e)) - - - - - \$ _____
- (6) (a) Place at which claimant prefers to be heard. (b) Do you require the services of an interpreter at the hearing? Yes or no _____
- (Vancouver, Kamloops, Nelson, Lethbridge, Moose Jaw, Winnipeg, Toronto or Montreal.)

N.B.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to take declarations. All lawyers are qualified to do so.

DOMINION OF CANADA)
of)
TO WIT:)

I, _____ of the _____
of _____ in the _____

DO SOLEMNLY DECLARE THAT:

The information set out in the form above is true and correct to the best of my knowledge, information and belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act".

DECLARED before me at the _____

of _____

in the _____

this _____

A.D. 1947.

day of _____

of _____

A Commissioner &c.

IN THE MATTER OF a Commission to Investigate Claims of Japanese Canadians for Property Losses.

TO: The Commissioner,
Office of the Custodian,
Royal Bank Bldg.,
Vancouver, B.C.

Pursuant to the notice issued on the 26th day of September, 1947, I submit the following claim:

(1) NAME TAKAHASHI KOSABURO TOYO (RCMP) Reg. No. 100954
(Print) Surname Given Name

(2) Pre-Evacuation Address 42 Gorge Road. Victoria B.C.

(3) Present Address 234 Cottingham St. Toronto Ont

(4) REAL ESTATE
(a) Street Address (if any) 42 Gorge Road. Victoria B.C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.) Lot 12 Block 3
Section 10 Victoria Dist. Plan 1262 except that part thereof
shown outlined in red on Plan 132 B.L.

(c) Type of Real Property (cross out words which do not apply):
(i) ~~Farm~~
(ii) ~~Residence~~ ✓ Type of business
(iii) ~~Business~~
(iv) Any other type of property (describe)
(d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.)

(e) Fair market value at date of sale (estimate this to the best of your ability):

(i) Land - - - - - \$
(ii) Buildings - - - - - \$
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - \$
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - \$ 15,000
(v) Amount at which Custodian sold property and credited your account - - - - - \$ 12,500
(vi) Loss (This figure is arrived at by deducting item (v) from item (iv)) - - - - - \$ 2,500

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
(c) How stored or packed at time of evacuation

(over)

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- (d) In whose care was property left at date of evacuation by the claimant. (This question refers to the terms of reference which exclude claims where the property was lost, destroyed or stolen while under the custody, control or management of any person other than the Custodian appointed by the owner of the property. It involves some definite arrangement whereby you appointed someone to take care of the property and such person accepted the responsibility of so doing. Unless such an arrangement was made the question should be answered "in no one's care")

- (e) Itemized description of personal property which is the subject of the claim:

1.	Estimated Value \$
2.	Estimated Value \$
3.	Estimated Value \$
4.	Estimated Value \$
5.	Estimated Value \$
6.	Estimated Value \$
7.	Estimated Value \$
8.	Estimated Value \$
9.	Estimated Value \$
10.	Estimated Value \$ 21.00

N.B.—If you cannot list all the items here prepare a separate list with values set out opposite each item and attach it to the form. The item "personal property" includes shares, bonds, mortgages, loans, notes and all other forms of property not included in real estate.

- (f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e) - - - - - \$ 5366.85)
- (6) (a) Place at which claimant prefers to be heard.
(Vancouver, Kamloops, Nelson, Lethbridge,
Moose Jaw, Winnipeg, Toronto or Montreal.)
- (b) Do you require the services of an interpreter at the hearing? Yes or no

N.B.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to take declarations. All lawyers are qualified to do so.

DOMINION OF CANADA)
of)
TO WIT:)

I, _____ of the _____
in the _____

DO SOLEMNLY DECLARE THAT:

The information set out in the form above is true and correct to the best of my knowledge, information and belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act".

DECLARED before me at the _____

of _____

in the _____

this _____

day of _____

A.D. 1947.

A Commissioner &c.

N.B.—THIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONER SHOULD BE MAILED BY REGISTERED MAIL TO THE COMMISSIONER, c/o THE OFFICE OF THE CUSTODIAN, ROYAL BANK BLDG., VANCOUVER, B.C., BEFORE NOVEMBER 30th, 1947. IF YOU CANNOT MAIL IT BEFORE THIS DATE SET OUT BELOW REASONS FOR THE DELAY.

REMITTANCE FORM

I,
(name)
.....
(address)

having retained the Co-operative Committee on Japanese Canadians to present my claim to the Commissioner, and having paid 1% of the total claim, enclose herewith the sum of \$..... being a further 1% advance to ensure adequate funds for the completion of vitally important work yet to be done during the final hearings.

.....
(signature)

IMPORTANT

- Make cheques or money orders payable to: CO-OPERATIVE COMMITTEE CLAIMS FUND.

- Mail all remittances to: Miss M. K. Boos, Secretary,
Co-operative Committee,
67 Riverdale Ave.,
Toronto 6, Ontario.

(detach here)

送金用紙

私事 (姓名)
(住所)

曩に日系カナダ市民協同委員会にロンドンに
私の要請を提出する事を一任し、要求額の1%セント
を支拂ひましたが、同運動を完成する為に必要な
る資金を保證する意味で、更に1%セントを追加し
茲に同封致します。

注意

すべて送金は協同委員会要求資金、に充てる事

送金先は

トロント市オーストリア郵便区

リバサイド街六七

エム・ケー・ブ羅斯 様

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6102

CLASS OF SERVICE DESIRED

FULL RATE MESSAGE

DAY LETTER

Miss Margaret Boos,
194 Homewood Ave.,
Oshawa, Ont.
Sept. 28

September 29, 1947.

Co-operative Committee on Japanese Canadians,
299 Queen Street West,
Toronto, Ontario.

Re: Japanese Canadian Claims

Dear Sirs:

I am bringing my account for services up to date. I am writing at your suggestion to put down in as definite form as possible some of the points I presume that these accounts will come to an end shortly as the future legal expenses will be paid by the claimants directly.

Our last account was for services rendered up to June 25th 1947. Legal assistance to the claimants in the various provinces, and as anticipated that a very large percentage of the claims will be represented by the Co-operative Committee, although it is, of course, impossible to be sure of this until later.

FAB:HC
Encl.

The first point which I wish to make is that my clients are very definitely of the opinion that it will be extremely difficult if not impossible to have all the claims filed by the 30th of November. Many of the claimants live in remote camps. Quite a considerable number of them cannot speak English, and to arrange for translation and preparation of accurate material to go in the claims and to make sure that all those who have bona fide claims are aware of the terms of reference, will inevitably take some organization and a good deal of time. It is not as though the claimants were all living in cities where they would be accessible to solicitors or were all the type of persons well able to understand what is required from a newspaper notice.

Our organization has had considerable experience in dealing to get in touch with Japanese Canadians all across Canada and has always found that it takes longer or than might be expected.

We would respectfully suggest that the time for filing claims be extended. Secondly we would like to

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We suggest that first of all a hearing be held either in Vancouver or such other place as would meet the convenience of the Commission. At this hearing the Orders-in-Counsel could be proved and the type of evidence to be presented might be discussed, and questions such as the production of documents which we mention later in this hearing could be settled. It might also be advisable at this time to have a general picture of the claims that have been filed. It has also occurred to us that inasmuch as this is a public inquiry and not a litigation between individuals there may be certain items of evidence or investigation which the Commission might properly undertake at the suggestion of the Commission. For example an investigation might be made of the sales of real property in the Vancouver area during the years 1939 to 1942. It is suggested that the sales of real property in the Vancouver area be affected so that a general picture of the trend of real property values in relation to

Dear John:

I am writing at your suggestion to put down in as definite form as possible some of the suggestions I made to you on the telephone the other day, and which you may wish to take up with the Commission.

As I told you the Co-operative Committee will be offering legal assistance to the claimants in the various provinces, and we anticipate that a very large percentage of the claimants will be represented by the Co-operative Committee, although it is, of course, impossible to be sure of this until later.

The first point which I wish to make is that my clients are very definitely of the opinion that it will be extremely difficult if not impossible to have all the claims filed by the 30th of November. Many of the claimants live in remote camps. Quite a considerable number of them cannot speak English, and to arrange for translation and preparation of accurate material to go in the claims and to make sure that all those who have bona fide claims are aware of the terms of reference, will inevitably take some organization and a good deal of time. It is not as though the claimants were all living in cities where they would be accessible to solicitors or were all the type of persons well able to understand what is required from a newspaper notice.

Our organization has had considerable experience in seeking to get in touch with Japanese Canadians scattered across Canada and has always found that it takes a little longer than might be expected.

We would respectfully suggest that the time for filing claims be extended. Secondly we would like to set

CANADIAN NATIONAL

-2-

Sept. 29/47.

J. W. G. Hunter

September 29/47.

out in a rough general way our idea of the hearings.

We suggest that first of all a formal preliminary hearing be held either in Vancouver or such other place as would meet the convenience of the Commission. At this hearing the Orders-in-Counsel could be proved and the type of evidence to be presented might be discussed, and questions such as the production of documents which we mention later in this hearing could be settled. It might also be advisable at this time to have a general picture of the claims that have been filed. It has also occurred to us that inasmuch as this is a public inquiry and not a litigation between individuals there may in the circumstances be certain items of evidence or investigation which the Commissioner might properly undertake at the suggestion of counsel. For example an investigation might be made of sales during the years immediately preceding the sales by the Custodian in the neighbourhood affected so that a general picture of the trend of real property values in relation to assessed values may be secured. In any event counsel may wish to make certain suggestions at that time as to the things that might usefully be done in order to have a thorough view of the issues in question.

It is our view that as in the ordinary cases of litigation it would be extremely helpful and would save a lot of time if the solicitors for the claimants were entitled to production at least of those documents which the Custodian intends to use upon the hearing. This I think would probably have the effect of saving a lot of time in narrowing the issues in dispute.

It may be that you would agree to this without any necessity of applying to the Commissioner, but if that is not your view, I think it is a matter which should be taken up at the formal opening of his hearings.

The next stage of hearings we presume would be at various centres throughout Canada where oral evidence of the claimants and of any witnesses they could produce in support of such claims would be presented.

It is clear that at some later stage, evidence of values of land and personal property at the time and in the areas concerned, is important and would have to be given before the case of any individual claimant was closed. This evidence would naturally be given in British Columbia.

No doubt upon a public inquiry any relevant evidence can be given at any time up until the report is made. It is obvious, however, that some organization as to the times for presenting other types of evidence and other argument, would save time.

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6102

CLASS OF SERVICE DESIRED

FULL RATE MESSAGE

DAY LETTER

NIGHT MESSAGE

J.W.G. Hunter Esq.,

Sept. 29/47.

You may assure the Commissioner that we shall do our best to see that the claims are presented with moderation, and with as little time wasted as is possible.

I would naturally be glad to hear from you as soon as possible as to any definite arrangements that are made in regard to proposed date of hearings.


It has occurred to us that it might be most convenient if the hearings of oral evidence were to start in eastern Canada and the Commission were to proceed towards the west for the final hearings in British Columbia.

No doubt, however, this is a matter to which the Commissioner and yourself will already have given much thought.

Yours sincerely,

FAB:HC

FAB

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE			FORM 6102
 CANADIAN NATIONAL		TELEGRAPHS	
W. M. ARMSTRONG, GENERAL MANAGER TORONTO			
CHECK	RECEIVERS NO.	TIME FILED	
Send the following message, subject to the terms on back hereof, which are hereby agreed to		CHARGE TO DEPT. OR ADDRESS	
Toronto, Ont. September 30, 1947,			
J.W.G. HUNTER ESC. HOTEL VANCOUVER, VICTORIA, B.C.			
NEW CANADIAN PUBLISHED NOTICE FROM THE COMMISSIONER DATED SEPTEMBER TWENTY-SIXTH NINETEEN FORTY-SEVEN STOP HAVE NOT SEEN NOTICE IN OTHER PRESS STOP PLEASE WIRE US WHETHER THIS IS OFFICIAL NOTICE OR WHETHER PUBLICATION PREMATURE AND ^{whether} ANY CHANGES TO BE MADE IN ^{NOTICE} REQUIREMENTS AFTER YOUR DISCUSSION WITH COMMISSIONER.			
F.A. BREWIN			
Charge: Cameron, Weldon & Brewin 372 Bay St., Toronto, Ont.			

Corr.

Sept 1947

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