Corr. Nov 1947 1-14

Not within terms of Commission
I Sen. Toole

DECEIVED

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 EBATA (Print) Surname GENGI Given Name (RCMP) Reg. No. 00137

(2) Pre-Evacuation Address 1666 ROBSON ST. VANCOUVER B.C.

(3) Present Address C/O SHERIDAN NURSERIES, SHERIDAN ONT

(4) REAL ESTATE

(a) Street Address (if any) _____ City or Municipality, _____ Province

(b) Legal description (lot number, block number, section number, etc.) _____

(c) Type of Real Property (cross out words which do not apply):

~~(i) Farm~~
(ii) Residence
(iii) Business
~~(iv) Any other type of property~~ (describe)

Type of business CLEANING & PRESSING SHOP

(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.) SOLE OWNER

(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) - - - - - - - - - - - - - - - $ 1200

(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - - - - - - - - - - - $ 1200

(v) ~~Amount at which Custodian sold property and credited your account~~ VALUE OF UNSOLD MACHINE - - $ 150

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) STORAGE TO DATE - - - $ 99 1149

(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) - $ 1149

(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 YES

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 of)
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.

_____

_____

_____

_____

IN THE MATTER OF a Commission
To: The Commissioner,
Office of the Custodian,
Royal Bank Bldg.,
Vancouver, B.C.

Pursuant to th

(1) NAME

(2)

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 EBATA (Print) Surname GENE I Given Name (RCMP) Reg. No. 00137

(2) Pre-Evacuation Address 1666 ROBSON ST. VANCOUVER B.C.

(3) Present Address C/O SHERIDAN NURSERIES, SHERIDAN, ONT.

(4) REAL ESTATE

(a) Street Address (if any) _____ City or Municipality, _____ Province _____

(b) Legal description (lot number, block number, section number, etc.) _____

(c) Type of Real Property (cross out words which do not apply):

(i) ~~Farm~~
(ii) ~~Residence~~ Type of business CLEANING & PRESSING SHOP
(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.) SOLE OWNER

(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) - - - - - - - - - - - - - - - - $ 1200

(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - - - - - - - - - - - - $ 1200

(v) ~~Amount at which Custodian sold property and credited your account~~ VALUE OF UNSOLD MACHINERY $ 150
STORAGE TO DATE $ 99

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 1149

(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) - $ 1149

(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 YES

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 of)
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.

_____

_____

_____

_____

Province of Saskatchewan

OFFICE OF THE CHIEF INDUSTRIAL EXECUTIVE

Legislative Building,
Regina, Saskatchewan.

RECEIVED
NOV 1 1947
CAMERON WELDON
& BREWIN
REFER TO FILE

October 29th, 1947

Mr. A. F. Brewin,
c/o Cameron, Weldon and Brewin,
Sterling Tower,
Toronto 1, Ontario.

Dear Mr. Brewin:-

Re: Japanese Canadian Claims.

In reply to your letter of October 15, this is to confirm that I will be handling the claims in Regina, inasmuch as the only claims at present concern my father and my brother.

With reference to your inquiry for a legal representative for the co-operative committee in Moose Jaw and other points in Saskatchewan, I would suggest Dr. M. C. Shumiatcher, 2060 Rae Street, Regina. I have discussed this matter with him, and he has consented to act in that capacity. I shall, of course, be glad to assist him in any way that I can.

I would, therefore, suggest that you contact Dr. Shumiatcher on this matter.

Yours sincerely,

George Tamaki.

George Tamaki

GT/d

JAPANESE CANADIAN COMMITTEE FOR DEMOCRACY
84 GERRARD ST. E., TORONTO ★ TELEPHONE AD. 2547

National Japanese Canadian Citizens Association.

Re: Record of time for printing of claims forms.

Sept. 26, meeting at Mr. A. Brewin's residence - discussion on claims procedure in general - those present: A. Brewin, G. Tanaka, R. Obata, K. Tanaka.

Sept. 30, received New Canadian which informed No-op. Committee and National JCCA of Commissioner's notice to claimants as to filing of claim and Nov. 30 deadline for filing.

Oct 6 - 15, drafting of claims form, etc., by Co-operative Committee and National Japanese Canadian Citizens Association.

Oct 16, Final drafts to printers.

Oct 21 - 23, Proofs from printers received and corrected.

~~Oct 28, Forms, etc., (including Japanese translations mimeographed Japanese translations) sent via express to B.C., Alta., Manitoba, Saskatchewan.~~

Oct 28, Claims forms, Letter to claimants from Co-operative Com. and retainer received from printers.

Nov. 1, Claims forms and other printed material including mimeographed Japanese translations of forms ~~xx~~ sent via express to B.C., Alta., Man., Sask.,

Nov. 3, Forms, etc., sent via express to Quebec.

CAMPBELL, BRAZIER, FISHER & McMASTER,
Barristers,
Royal Bank Building,
VANCOUVER, B.C.

RECEIVED
NOV 13 1947
CAMERON WELDON
& BREWIN

October 27th, 1947.

National Japanese
Canadian Citizens Association,
84 Gerrard St., E.,
Toronto, Ontario.

Attention of George Tanaka:

Dear Sirs:

We have for acknowledgment receipt of your letter of the 25th inst.,

When the writer was in Toronto, he had a long discussion with Roger Obata in which Roger suggested that we might make a few sample valuations, the findings of which might act as a guide for claimants when stating their claims. The writer intimated to Roger at the time that he would discuss the matter with Mr. Brewin which he did. It was Mr. Brewin's view that there would be little to be gained by such a sample survey. After considering the matter, the writer is of the same opinion. For instance, he heard of a case a few days ago where the Custodian had a piece of property valued at $7800.00 and the Japanese had arranged through his counsel with the Custodian to withhold selling the property at that price for four months to permit a private sale. The man's solicitor sold the property for $14,000.00. Obviously, this would not be a fair sample on which to base other claims and if we got two or three of these types amongst a small sampling, it would be very misleading.

We feel that the claimants will have to make the best estimate they can of the real value of their property at the time it was sold. They should be fairly generous in this respect but not extravagant.

AIRMAIL

RECEIVED
NOV 3 1947
CAMERON WELDON

Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

A. T. R. CAMPBELL
E. W. BRAZIER
A. W. FISHER
R. J. McMASTER
A. J. FISHER

National Japanese Canadian
Citizens Association:

October 27th, 1947.

After discussions which the writer has had with Mr. Justice Bird, the Commissioner, while naturally the Commissioner would not commit himself, we feel that if cases arise where property has been undervalued in the claims and evidence adduced on the hearing indicates that a fair market value is higher than that claimed, we should be able to get permission to amend the claim accordingly.

We would suggest that you take this matter up with Mr. Brewin at an early date and we are sending him a copy of this letter.

COPY

Yours truly,

CAMPBELL, BRAZIER, FISHER & McMASTER,

Per:

McM:MM

cc. Andrew Brewin, Esq.,
Barrister, etc.,
Sterling Tower Building,
Toronto 1, Ontario.

1. Joint Owners and where property is held jointly they should not file his own claim. We urged that he communicate with his joint owner to agree on the fair market value of the property, then show in Section 4(e) the whole value and the value of his interests.

2. Husbands and Wives where they have separate property must file separate claims.

AIRMAIL

TELEPHONE PACIFIC 9164

Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

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

A. J. F. JOHNSON

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

RECEIVED
NOV 3 1947
CAMERON WELDON
& BREWIN

OUR FILE No.

October 31, 1947

Gonaga
Taahme
or Hope BC

Andrew Brewin, Esq.
Barrister, etc.
Sterling Tower Bldg.
Toronto, Ontario

Dear Andrew:

Re: Japanese Claims

As previously reported Mr. McLennan and myself met with the Council of the B. C. Canadian Japanese Citizens Association at Greenwood on Tuesday night. It is my impression that, while there has been quite a lot of talk about the inquiry amongst the Japanese in B. C., there has not been too much preparation. They have been, I suppose like the rest of us, waiting to see what will happen. While we had a good meeting Tuesday night and we believe the Committee will step into action right away, we do not know how many claims will be filed. Because of the great distances between centres of population in B. C., we suspect that those claims which are filed will either be filed just before November 30 and many will be late.

In going over the proof form (which is all they had at that time) with the Committee, we came across a number of matters which raised difficulties and on which we gave them some advise. I thought it as well that we should let you know how we advised them.

1. Joint Owners - We advised where property is held jointly that each owner should file his own claim. We urged that he communicate with his joint owner to agree on the fair market value of the property, then show in Section 4(e) the whole value and the value of his interests.

2. Husbands and Wives where they have separate property must file separate claims.

3. Corporations where owned by one or two persons - Each member should include his interest in the corporation in his own personal claim and the Company should also file a claim. Thus if one claim is excluded the other might succeed. In such cases we advised that the 1% fee on the value of the Company would be collected only once, that is, on each of the member's claims provided the full value were shown there and all members filed claims.

4. Personal Property. You will probably have noticed by now that we made a mistake in the form in 5(e) in not providing any place for the deduction of monies received or credited by the custodian for sale of personal property. We have advised the claimants to file this in.

5. Fishing Vessels. In Greenwood a large portion of the population are former fishermen. Without specific reference to the orders-in-council, we were unable to give definite advise. Mr. McLennan thought, from his recollection of the orders that a strong argument could be made to the Commissioner that despite the fact these vessels were mainly sold by a Commission, the custodian could be fixed with responsibility for their sale.

Accordingly we advised claimants to include fishing vessels and gear in their claims. We understood that early in the proceedings we would urge upon the Commissioner that he is bound to deal with these. If he refuses to do so then the said representations would immediately be made to the Government to broaden the terms of reference to include them or to have a separate reference. If these efforts failed we said the 1% would be rebated less a small nominal handling charge.

We had to deal with this problem on the spot and trust the proposal we made will meet with the approval of the Committee.

6. Deceased Persons. When a prospective claimant has died resident in Canada, we advised them to have the person who has been appointed personal representative to apply or, if no such person has been appointed, then have the nearest next-of-kin apply.

You will recall when I was in Toronto you mentioned that you were going to assign to someone the task of preparing a brief of all relevant orders-in-Council. Has this been commenced? If not, I would urge that it be done immediately. Someone should also be set to work on making a brief of the relevant Prices Board regulations and schedules with respect to ceiling prices on personal property.

Yours truly,

CAMPBELL BRAZIER FISHER & McMASTER

Per R. J. McMaster

RJM:WD

COPY FOR MR. BREWIN.

COPY FOR MR. BREWIN

CHERNIACK & CHERNIACK
Barristers and Solicitors

RITCHIE & HUCKVALE

31-460 Main St.,
Winnipeg, Canada
November 1, 1947.

Co-operative Committee on Japanese Canadians,
Apt. 28, 94 Homewood Ave.,
Toronto, Ont.

Dear Sirs:

I am in receipt of your Form Letter "to lawyers", together with copies of the form prepared by you, and as requested by you, I am confirming my willingness to act under the financial arrangements as proposed by you.

There are, however, several questions with regard to the forms on which I would like clarification.

1. Your explanatory letter contemplates sending two forms to the claimants and requests him to complete and forward them to the Commissioner, and does not contemplate sending an extra copy to us. Of the two forms, you sent me, it is obvious that one is meant for the Commissioner and the other for the Co-operative Committee. Do you think that the letter that is attached to the forms is sufficiently clear in this respect, or do you intend to clarify same with an additional note?

2. The Commission is authorized to hear claims for loss due to sale of personal property at less than market value, in addition to the other losses. Neither the Commissioner's instruction, nor the form prepared by you provides for itemization of this type of claim. Where do you suggest or propose to insert this type of claim?

3. Subject to your advice, I propose to show the net proceeds of sale by Custodian in item 4(e) (v) after charges are deducted, arguing that costs of the sale should be properly payable by the Government, which forced same.

I wrote to Mr. Brewin in connection with charges and received a reply dated the 9th ultimo, to the effect that at present it is difficult to know, whether or not we will be able to question same. I am wondering whether we can in some way insert into these forms, a claim regarding improper deductions, such as the cost of shipping goods, legal costs, etc.

Trusting to hear from you shortly, i am
Yours sincerely,

S. M. CHERNIACK

COPY FOR MR. BREWIN.

RITCHIE & HUCKVALE

L. S. TURCOTTE, LL.B.

Acadia Building,
612 Third Ave. S.,
Lethbridge, Alberta
November 1st, 1947.

Co-operative Committee on Japanese Canadians,
Apartment 28, 94 Homewood Avenue,
Toronto, Ontario.

Attention Miss Margaret K. Boos

Dear Madam:

I am this morning in receipt of your letter of October 29th wherein you enclosed printed copies of:-

1. Form of Retainer.
2. Letter to Japanese Canadian Claimants.
3. Claim form.
4. Form for Co-operative Committee.

The terms outlined in your letter are quite satisfactory to me and the procedure as set out is as I already understood it.

The chief worry of the local Committee now is concerned with the time element. We are, therefore, exceedingly anxious to obtain a supply of the above forms at the earliest possible date. I am concerned lest there be a considerable number of claims coming in at the last moment and we therefore will be unable to have their claims given the time and attention that they deserve.

I am also anxious that a Press announcement be made at the earliest possible date to the effect that these forms are available to any claimants desirous to use the services of the local Committee.

For these reasons, I would very much appreciate it if you could rush us a supply of forms immediately.

Yours truly,

WEH/JT

(signed) W. E. HUCKVALE

COPY FOR MR. BREWIN.

L. S. TURCOTTE, LL.B.

Bank of Nova Scotia Bldg.,
Box 442,
Lethbridge, Alta.

November 4th, 1947.

Miss Margaret K. Boos,
Co-operative Committee on Japanese Canadians,
Apartment 28,
94 Homewood Ave.,
Toronto, Ont.

Dear Madam:-

I acknowledge receipt of your letter of the 29th of October enclosing copy of forms. The arrangements outlined in your letter are quite satisfactory. I do not know how much work we will have here as another Solicitor in the City claims that he has been retained by most of the Japanese here. However, I had three inquiries yesterday and it would appear that a considerable number of the Japanese here will take advantage of the services offered by the Co-operative Committee.

I trust that a supply of the forms has been forwarded as the time for filing the claims is growing short and naturally we would like to file the claims as quickly as possible so as to avoid a ruch at the last moment.

Yours very truly,

L. S. TURCOTTE

P.S. - Forms received to-day.

L.S.T.

COPY FOR MR. BREWIN

H. R. Okuda,
713 Moffat Ave.,
Verdun, Montreal 19, Que.
October 31st, 1947.

Cooperative Committee,
94 Homewood Ave., Apt. 28,
Toronto, Ont.

Dear Miss Boos:-

At point of writing we have not received the claims forms. However, as you explain, the same should be here shortly.

From your mimeographed notice, dated October 29th, 1947, I gather each claimant will be given four forms - two for the commission, one for the cooperative committee, and one as claimant's copy.

Re the province of Quebec, I gather the claims form copy for the cooperative committee and the retainer form of each claimant be sent to Mr. Roger Ouimet, K.C., the legal representative of the Cooperative Committee, and only cheques, monies, etc., together with remittance record forms, be sent to the office of the Cooperative Committee in Toronto.

If the above interpretations are correct, please do not bother to clarify further. If, however, the interpretations are otherwise, will appreciate information thereof.

Yours very truly,

(signed) H. R. OKUDA

Q. J. C. C. A.

November 5, 1947.

Mr. R. J. McMaster,
c/o Messrs. Campbell,Brazier,Fisher & McMaster,
Barristers, Solicitors,
Royal Bank Building,
675 West Hastings Street,
Vancouver, B.C.

Re: Japanese Claims

Dear Bob:

Thank you for your letter of October 31st, enclosing copy of a letter to Mr. Tanaka of October 27th.

I am writing further about the matters discussed in my last letter to you, namely, the employing of the services of Mr. Adams and Mr. Hidaka.

I was in Montreal and discussed that matter with Mr. Roger Ouimet, who will be representing us in Quebec.

Subject to further advice from you it was our frank opinion that for a number of reasons which I need not set out in this letter, it would not be advisable to retain the services of Mr. Adams and Mr. Hidaka.

In regard to the matter generally, the Japanese Canadian Association here have advised us that they would prefer us to make arrangements if possible, with George Tamaki, whom I think I mentioned to you when you were here. He is a lawyer now employed by the Industrial Development Board, or whatever it is called in Saskatchewan. The Japanese Canadian Association recommend that we try to borrow him from the Government of Saskatchewan. From what I know of him, he would be extremely helpful. They also recommend that we try to obtain Mr. Yamaga, who is either at Tashme or Hope, B. C. and who apparently has very considerable knowledge of the Fraser valley farms and their value.

Mr. R. J. McMaster November 5, 1947.

Before finally discussing the matter of Mr. Adams suggestion, with the Co-operative Committee, I would very much prefer to be in a position to state definitely what alternatives we have. I am very strongly of the opinion that we would be very much handicapped if our witnesses as to valuations, were not residents of the Province of British Columbia. I would like to be able to advise the Co-operative Committee here that you and Mr. Norris and Mr. MacLennan are able to make a positive recommendation.

This seems to be a matter of some urgency, as no doubt Mr. Adams will be pressing his offer of assistance, and we shall have to give him some definite reply.

Thank you for your comments in regard to the claim forms.

I have the following comments:

In regard to Item No. 3 - Corporations- I am wondering if you have given any consideration as to how corporations can make any claim. You will find I think that shares of stock were excluded from the original vesting orders, and have not been sold by the Custodian at all. In regard to corporations whose assets were liquidated by the Custodian it does not appear to me at the moment how any claim can be made in respect to them, both because the order of reference clearly refers to persons of the Japanese race, who were evacuated from the coast, and secondly because liquidation of corporations does not appear to have been under the Orders in Council referred to in the terms of reference.

In regard to fishing vessels, while I agree that claimants might well include fishing vessels and gear in their claims, it would appear on the face of it that only vessels and equipment not disposed of by the original committee are covered, see the reference in the recitals of P.C. 1810 to Order in Council P.C. 6247 which only vested in the Custodian, vessels and equipment not disposed of by the committee established by Order in Council P.C. 288 of January 13th 1942.

I hope to be able to send to you shortly, a copy of the relevant Orders in Council as we have already made considerable progress in collecting this.

I agree with you that a brief of the relevant Prices Board regulations and schedules with respect to ceiling prices on personal property, would be very important. It may be that if we get Mr. Tamaki free to work for us, that he could look after this part of the work.

Yours very truly,

FAB:HC

November 5, 1947.

Mr. George Tanaka,
84 Gerard Street East,
Toronto, Ontario.

Dear George:

I have a letter from Mr. McMaster in which he makes the following comments on proof forms:

1. Joint Owners- They advised that where property is held jointly that each owner should file his own claim, and should communicate with the other joint owner to agree on the fair market value of the property, then show in Section 4(e) the whole value and the value of his interests.

2. Husbands and Wives where they have separate property should file separate claims.

3. Corporations - Mr. McMaster suggests that corporations should file claims, but so far as I am able to determine such claims could not be considered by the Commissioner. I have written for a further opinion on this to Mr. McMaster.

4. Personal Property --It would appear that we made an oversight in not including in 5(e) any place for the deduction of moneys realized by the Custodian on the sale of personal property.

There does not appear to be much room on the form for this, but it could probably be filled in somewhere under the items listed under "E" and the total claim for property loss could take into account and credits to the Custodian for moneys received by him from sales.

5. Fishing Vessels- Mr. McMaster discussed claims in regard to fishing vessels. It appears to us here that the terms of reference as worded only include those fish-

ing vessels which were not disposed of by the committee set up by the original Order in Council P.C. 288 of the 13th of January 1942. However, perhaps claims for fishing vessels should be included and if they are ruled out by reason of the fact that the sales were made by the committee, further representations may be made to the Government to explain the terms of reference.

6. Deceased Persons- Where a claimant has died resident in Canada, a person who has been appointed personal representative should fill in the forms, or if no such person has been appointed, then the next of kin should fill in the forms.

Perhaps you will wish to circulate copies of this letter to the various representatives who are assisting in filling in the claim forms.

Yours very truly,

FAB:HC

November 5, 1947.

Mr. George Tamaki,
Office of the Chief Industrial Executive,
Legislative Building,
Regina, Saskatchewan.

Re: Japanese Canadian Claims

Dear Mr. Tamaki:

Thank you for your letter of October 29th. I am very glad to hear that Mr. Shumiatcher will be willing to be the legal representative of the Co-operative Committee in Moose Jaw and other points in Saskatchewan. I have notified the Co-operative Committee of this and no doubt Mr. George Tanaka will be sending the prrofs of claim to Mr. Shumiatcher, and I myself will communicate with him later.

I believe Mr. Tanaka has written to you in regard to the possibility of your being lent by the Government of Saskatchewan to the Co-operative Committee for the purpose of investigating and collecting necessary material in regard to properties, which will be claimed. I may say that personally I should be very happy if this is possible.

However, before I could make any formal proposal either to you or to the Government of Saskatchewan in respect to this proposal, I should, of course, have to consult the Co-operative Committee and the National Japanese Canadian Citizens Association, and our legal representatives in British Columbia who are at present seeking to discover some expert valuators who will be able to give evidence on our behalf.

Yours very truly,

FAB:HC

November 5, 1947.

J. W. G. Hunter Esq.,
c/o Messrs. Reid, Allen, Hunter & Campbell,
38 King Street West,
Toronto, Ontario.

Re: Japanese Claims

Dear Mr. Hunter:

We are enclosing for your information, a letter that the Co-operative Committee have sent to the Japanese Canadians, together with a copy of the claim form that we have drawn for them. This is for your information.

This form has been sent out to representatives of the various branches of the National Japanese Canadian Citizens Association who will distribute them, and do their best to have the claimants complete the forms and send them to the Custodian by the date fixed in the Commissioner's notice, namely, the 30th of November.

We have proceeded with all possible expedition, and it is still extremely doubtful whether or not it will be possible to have all the claims filed by the 30th of November. However, we propose to do our best, and at the opening sittings in Vancouver on the 3rd of December, we will be able to tell the Commissioner how far we have been able to succeed.

We have discussed with you on several occasions, the question of the production of documents.

We would be glad if you could advise us officially of what will be the policy of the Custodian in this regard. Our own suggestion is that it will greatly facilitate the disposal of these matters if all valuations, statements of account and lists of assets are produced to

TELEPHONE PACIFIC 9164

RECEIVED

-2-

J. W. G. Hunter Esq.,

November 5, 1947.

the legal representatives of the claimants before the oral hearings in the various centres in which those hearings are to take place.

We also suggest that production should include any other documents which the Custodian considers relevant, or propose to use at the hearings.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC
Encl.

Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

A. T. R. CAMPBELL
C. W. BRAZIER

A. W. FISHER
R. J. McMASTER

TELEPHONE PACIFIC 9164

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

OUR FILE No.

RECEIVED
NOV 7 1947
CAMERON WELDON
& BREWIN

RECEIVED
NOV 6 1947
CAMERON WELDON
& BREWIN

Nov 5.

Dear Mr. Brewin:

Enclosed is Cheque for # 230.90 in payment of your statement dated Sept 29/47.

The Committee instructed me to convey to you its appreciation for your continued interest and effort on their behalf.

Yours sincerely,

E. M. Nichols

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Campbell, Brazier, Fisher & McMaster
Barristers and Solicitors

A. T. R. CAMPBELL
C. W. BRAZIER
A. W. FISHER
R. J. McMASTER
A. J. F. JOHNSON

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VANCOUVER, B.C.

RECEIVED
NOV 7 1947
CAMERON WELDON
& BREWIN

OUR FILE No.

November 5th, 1947.

AIRMAIL

Andrew Brewin, Esq.,
Barrister & Solicitor,
Sterling Tower,
TORONTO 1, Ont.

Dear Andrew:

I have for acknowledgment receipt of your recent letter containing comments with regard to Eric Adams. I might say that when I was in Ottawa, some friends of mine there with whom I discussed the problem of statistician, suggested Eric Adams as a suitable person. However, they also intimated to me the difficulties in which he had found himself in the recent investigation and by reason of that I hesitated to put his name forward myself.

When a man is charged and found not guilty, it does seem unfair to hold it against him. On the other hand, I am very much afraid that either Mr. Justice Bird or the press might not take the same view.

I spoke to Mr. McLennan about it late yesterday afternoon and he feels very strongly that we should not put forward Mr. Adams' name. He did agree with my suggestion that there is no reason why Mr. Adams might not make an application to the Commissioner for the position if we could get the Commissioner committed to the idea of having a statistician but we ought not to give him our official endorsation.

I had a visit from Mr. Watson, the Secretary to the Commission, the other day in which he was very desirous of being assured that a large number of claims would be filed at the earliest possible date before November 30th. I told him that I had just returned from Greenwood and that the forms had not yet arrived there but I understood they would arrive at the time of his visit. I pointed out to him the difficulty of getting

Andrew Brewin, Esq.,

November 5th, 1947.

the forms circulated in the Province of British Columbia and expressed the opinion that I was very doubtful whether they would be filed in a large quantity in this Province much before the 30th of November. He communicated this information to Mr. Justice Bird from whom I received a letter today strongly urging that claims be filed as well before November 30th as possible so that Counsel might have an opportunity of preparing for the hearings. He indicates in his letter that he would like to commence the hearings immediately after the conclusion of the preliminary session of the Commission to be held December 3rd.

~~I think~~ I will write to Mr. Justice Bird telling him that although I would very much like to be able to assure him that the claims would be filed at an earlier date, that, in the circumstances, I am not at all hopeful and that I think there is no reasonable possibility of being able to commence the hearings early in December. Such a procedure would probably only result in the necessity of returning to several places in British Columbia to take further evidence.

We received a favourable finding by the Minister of Labour today in the Steelworkers case, as a result of which we are expecting to get all of the charges dismissed. This, I hope, will give me more time to apply to the Japanese problem. It might be well if you could at a fairly early date drop me a memorandum on the points which you feel ought to be raised on the preliminary hearing so that we might get some work done on it out here and be in a better position to discuss the matter with you when you come out around December 1st.

Yours truly,
CAMPBELL BRAZIER FISHER & McMASTER,

McM:MM
AIRMAIL

Per: R. J. McMaster

Campbell, Brazier, Fisher & McMaster
Barristers and Solicitors

A. T. R. CAMPBELL
C. W. BRAZIER
A. W. FISHER
R. J. McMASTER
E. J. F. JOHNSON

TELEPHONE PACIFIC 3164
ROYAL BANK BUILDING
675 WEST HASTINGS STREET
VANCOUVER, B.C.

November 7, 1947.

Mr. R. J. McMaster,
c/o Messrs. Campbell, Brazier, Fisher & McMaster,
Barristers, Solicitors,
Royal Bank Building,
675 West Hastings Street,
Vancouver, B.C.

Re: Japanese Claims

Dear Bob:

Since speaking to you and Mr. MacLennan on the telephone, I have again spoken to Mr. Tanaka, and he tells me that copies of claim forms were expressed to Greenwood last Saturday, and that he will to-day be sending to you 50 copies by air mail.

If you secure the name of an expert on values could you wire it to me, so that I may take the matter up at once with the Co-operative Committee and an answer may be given to Mr. Adams and Mr. Hidaka.

I have written to Mr. Hunter telling him that we have sent the forms out and that we will do our best to have them completed by November 30th, but it is not likely that we will have them completed by that time.

I will plan to come to Vancouver by air arriving at 5.50 a.m. on Monday December 1st.

I would be very much obliged if you could make some hotel reservations for me.

I will try to give some thought later to the questions that should come up at the preliminary hearing and write to you later.

Yours very truly,

FAB: HC

Campbell, Brazier, Fisher & McMaster
Barristers and Solicitors

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

A. J. F. JOHNSON

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OUR FILE No.

RECEIVED
NOV 10 1947
CAMERON WELDON
& BREWIN

November 7th
1947

Andrew Brewin Esq.,
C/O Messrs Cameron, Weldon & Brewin
Barristers and Solicitors,
Sterling Tower Building
Toronto, Ont.

Dear Andrew:

RE: Japanese claims.

With respect to your suggestion that Eric Adams, of Montreal, might be employed by the Commission at our suggestion to do statistical work and act as valuator, we have to advise that we have been carrying on negotiations herewith a view to the possibility of Prof. Farr being so engaged.

Prof. Farr was formerly a Professor of Economics at Victoria College, and a few years ago was employed by the City of Vancouver and the City of Victoria to make an investigation into the assets of the B. C. Electric Railway Company with a view to making representations to the Public Utilities Commission. He is a qualified statistician and has wide experience in valuation. At present he is engaged in the practice of law.

We have had some difficulty in taking this matter up with the local committee as Dr. Hunter Lewis, who is the Chairman of the Civil Liberties Union, has been ill for a number of weeks.

The other possibility in our minds, if this arrangement cannot be effected, and it appears to us after talking to Mr. Justice Bird, most likely, that if the Commission appoints a statistician they would select someone presently engaged on the staff of the Dominion Government.

We will keep you advised as to further developments in this respect.

Yours truly

CAMPBELL BRAZIER FISHER & McMASTER

Per. R J McMaster

RJM/G.

Province of Saskatchewan

OFFICE OF THE CHIEF INDUSTRIAL EXECUTIVE

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NOV 8 1947
CAMERON WELDON
& BREWIN

RECEIVED
NOV 10 1947
CAMERON WELDON
& BREWIN

REFER TO FILE

94 Homewood Ave.
Nov. 7th, 1947.

Dear Mr Brewin:

I'm enclosing copies of those letters re unfair this week. As Mr Cherniak's question was to require some advice from you, I'm wondering if I could have a few minutes of your time between 11.30 and 12.00 a.m. Sat. morning. I'll call your office at 11.30 to see if that is convenient.

Sincerely

M. Lees

Province of Saskatchewan

OFFICE OF THE CHIEF INDUSTRIAL EXECUTIVE

Legislative Building,
Regina, Saskatchewan.

RECEIVED
NOV 10 1947
CAMERON WELDON
& BREWIN
REFER TO FILE

November 8th, 1947.

Mr. A. F. Brewin,
c/o Cameron, Weldon & Brewin,
Barristers and Solicitors,
Sterling Tower,
Toronto 1, Ontario.

Dear Mr. Brewin:-

Re: Japanese Canadian Claims

Thank you for your letter of November 5th. Mr. Tanaka has also written me regarding the possibility of obtaining leave from the Government of Saskatchewan. I have advised him,however, when I mentioned the question of a full time appraiser to him, it was not my intention that I would be available for this work for any extended period. My own intention was that I could take two or three weeks in Vancouver to assist you in setting up the necessary machinery for this purpose.

As you know the public eye is now concentrated on our Industrial Enterprises in this Province, especially in view of the approaching general election, and I do not feel that I should be happy in requesting a leave of absence for any long period. I shall, of course, be willing to give you every assistance I can in this matter from Regina.

Yours very truly,

George Tamaki.

George Tamaki

GT/d

November 10, 1947.

Miss Margaret Boos,
Apartment 28,
94 Homewood Avenue,
Toronto, Ontario.

Dear Miss Boos: Re: Japanese Canadian Claims

I have received a letter from Mr. McMaster in which he states that they are carrying on negotiations with a view to engaging Professor Farr as an expert on the valuation and statistical work.

I will be glad if you could arrange a meeting of the Committee to discuss Mr. McMaster's suggestion, and also the letter from Mr. Adams.

Yours very truly,

FAB:HC

Mr. S. N. Cherniack

November 10, 1947.

As you have probably heard, the preliminary hearings are to be in Vancouver on the 3rd of December. The writer is going out to Vancouver on the 1st of December.

November 10, 1947.

Mr. S. N. Cherniack,
c/o Messrs. Cherniack & Cherniack,
Barristers and Solicitors,
31-460 Main Street,
Winnipeg, Manitoba.

Re: Japanese Canadian Claims

Dear Mr. Cherniack:

I have been asked by Miss Boos to reply to your letter of November 1st, and to answer the questions set out in your letter. The answers are as follows:

1. I believe that the subsequent material has made it quite clear that two forms in duplicate should be sent to the Commissioner, and one retained for the Co-operative Committee.

2. You are quite right that there is an omission in the form. Under 5(e) there should be an item setting out the amount at which sales of personal property were made by the Custodian and this should be deducted from the fair market value in order to arrive at the loss.

3. I do not think it is possible to argue that costs of the sales by the Custodian can be taken into account by the Commissioner. It seems to me fairly clear that the Commissioner is only concerned with determining the difference between the fair market value and the amount at which the Custodian actually sold. If the Custodian made deductions which he is not entitled to make, this would seem to be a matter of accounting by the Custodian and of separate representation to the Government. We are advising the other claimants not to make any reference to improper deductions.

I would be glad to have your further advice as to whether you think we are wrong in this. My feeling is that it would be a mistake to put in, items that clearly seem to fall outside the terms of reference.

Mr. S. N. Cherniack

November 10, 1947.

As you have probably heard, the preliminary hearings are to be in Vancouver on the 3rd of December. The writer is going out to Vancouver on the 1st of December.

I do not suppose that you will find it possible to be in Vancouver, but we will report fully to you what transpires. We would be glad of any suggestions as to points you think should be made at the preliminary hearing. We feel satisfied that it will not be possible for the Commissioner to actually start hearing claims until the beginning of next year.

Yours very truly,

FAB:HC

November 10, 1947.

Mr. R. J. McMaster,
c/o Messrs. Campbell,Brazier,Fisher & McMaster,
Barristers and Solicitors,
Royal Bank Building,
675 West Hastings Street,
Vancouver, B.C.

Re: Japanese Claims

Dear Bob:

I am sending to you by air mail under separate cover, two copies of relevant Orders-in-Council, one of which could be for Mr. MacLennan.

We will have a meeting of the Committee to deal with Mr. Adam's offer in the light of your suggestion of November 7th. I would, of course, be glad to hear from you any further information you get in regard to Professor Farr.

Yours very truly,

FAB:HC

REID, ALLEN, HUNTER & CAMPBELL
BARRISTERS & SOLICITORS

THOMAS REID
JOHN W. G. HUNTER
JOHN B. ALLEN
ALAN R. CAMPBELL

November 10, 1947.

Mr. George Tamaki,
Office of the Chief Industrial Executive,
Legislative Building,
Regina, Saskatchewan.

Re: Japanese Canadian Claims

Dear Mr. Tamaki:

Thank you for your letter of November 8th. After discussing this matter with Mr. Tanaka, I will be in touch with you later.

I am sorry you will not be able to spend longer time, but hope we will be able to make arrangements with you to spend two or three weeks on this work. I would suggest offhand that it would be very valuable if you could arrange to be in Vancouver during the first week in December when the preliminary proceedings are discussed before the Commissioner, and when the various lawyers concerned will have a chance to discuss the matter involved, thoroughly.

Yours very truly,

FAB:HC

REID, ALLEN, HUNTER & CAMPBELL
BARRISTERS & SOLICITORS

THOMAS REID
JOHN W. G. HUNTER
JOHN B. ALLEN
ALAN R. CAMPBELL

38 KING STREET WEST
TELEPHONE ELGIN 3141
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CAMERON, WELDON & BREWIN

November 10th, 1947.

Mr. A.F. Brewin,
c/o Cameron, Weldon and Brewin,
372 Bay Street, TORONTO.

Dear Mr. Brewin :

- Re: Japanese Claims Commission -

I acknowledge receipt of your letter of November 5th, with enclosures as therein stated.

My position in connection with the above Commission is to act as counsel for the Dominion Government, and as such to attempt to ensure that the Japanese claimants receive no more than the fair market value of their property at the time of the sale. I am not counsel for the Custodian, although, in a sense my duties will necessitate the justification of the actions of the Custodian.

I am stating my position in order that it may be clear that I am not in a position to produce documents from the Custodian without his approval. However, I have discussed this matter with the Custodian at some considerable length, and in order to facilitate the Hearings, it is at present proposed to produce for the solicitors for the claimants any documents which are deemed relevant to the claim. //

We have had photostatic copies made of the appraisals of those properties which were sold to the Veterans' Land Act. I have not yet seen these photostats, //

but it is my understanding that they have been made in triplicate, and if this is so, it is proposed to furnish the solicitors for the claimants with one copy. It is presumed that the Commissioner will be satisfied with a photostatic copy, and it is further presumed that you will not raise any objection.

Insofar as appraisals of other properties are concerned, and insofar as statements of accounts and other relevant documents are concerned, it will all boil down to the question, first of all what is relevant, and secondly whether it is physically possible for the Custodian's Office to make copies of all the relevant material. We should like to be able to do this and to furnish the solicitors for the claimants with copies of all material before the oral hearings take place, as it is felt that this will greatly facilitate the hearings. It may be, however, that no sufficient stenographic help will be available, in which case, we shall simply have to make the documents available at the office of the Custodian, and the solicitors for the claimants or their agents will have to attend there and inspect or make copies of same.

We should very much prefer to be able to furnish copies, as it will start the initial hearings on a proper basis, and reduce the hearing to an issue right from the beginning. It is our intention to do this, and as mentioned above, it will only be a physical impossibility that will prevent it.

All the above is entirely without prejudice to the rights of the Government or the Custodian, as it may be that for reasons of which I am not yet aware, there will be occasions in which we do not care to furnish this material. In that case, you will have to apply to the Commissioner for an order for production. I am making this latter reservation, not because I anticipate any such occasion arising, but simply because situations may arise which I cannot anticipate.

Yours truly,

John W. G. Hunter

JWGH:LMS

November 12, 1947.

Roger Ouimet Esq.,K.C.,
c/o Messrs. Demers, Monet, Ouimet & Lefebvre,
Barristers, Solicitors,
La Sauvegarde Building,
152 Notre Dame Street East,
Montreal, Quebec.

Re: Japanese Claims

Dear Mr. Ouimet:

We enclose herewith for your information, copy of a letter from Mr. Hunter dealing with proposals in regard to production of documents by the Custodian.

Yours very truly,

CAMERON, WELDON & BREWIN

per: FAB

FAB:HC
Encl.

November 12, 1947.

Mr. R. J. McMaster,
c/o Messrs. Campbell, Brazier, Fisher & McMaster,
Barristers, Solicitors,
Royal Bank Building,
675 West Hastings Street,
Vancouver, B.C.

Re: Japanese Claims

Dear Bob:

We enclose herewith for your information, copy of a letter from Mr. Hunter dealing with proposals in regard to production of documents by the Custodian.

Yours very truly,
CAMERON, WELDON & BREWIN
per:

FAB:HC

November 12, 1947.

Mr. R. A. Best,
Barrister, Solicitor,
15 Toronto Street,
Toronto, Ontario.

Re: Japanese Claims

Dear Mr. Best:

We enclose herewith for your information, copy of a letter from Mr. Hunter dealing with proposals in regard to production of documents by the Custodian.

Yours very truly,

CAMERON, WELDON & BREWIN

per: JWM

FAB:HC
Encl.

November 12, 1947.

Messrs. Ritchie & Huckvale,
Barristers,
Lethbridge, Alberta.

Re: Japanese Claims

Dear Sirs:

We enclose herewith for your information, copy of a letter from Mr. Hunter dealing with proposals in regard to production of documents by the Custodian.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC
Encl.

November 12, 1947.

Messrs. Cherniack & Cherniack,
Barristers, Solicitors,
31-460 Main Street,
Winnipeg, Manitoba.

Re: Japanese Claims

Dear Sirs:

We enclose herewith for your information, copy of a letter from Mr. Hunter dealing with proposals in regard to production of documents by the Custodian.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC
Encl.

November 12, 1947.

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

Re: Japanese Claims

Dear Sirs:

We enclose herewith for your information, copy of a letter from Mr. Hunter dealing with proposals in regard to producation of documents by the Custodian.

Yours very truly,

CAMERON, WELDON & BREWIN

per: FAB

FAB:HC
Encl.

NC

November 12, 1947.

John W. G. Hunter Esquire,
c/o Messrs. Reid, Allen, Hunter & Campbell,
Barristers & Solicitors,
38 King Street West,
Toronto, Ontario.

Re: Japanese Claims Commission

Dear Mr. Hunter:

We thank you for your letter of November 10th. We are glad to note that where possible copies of relevant documents will be made available by the Custodian to solicitors for the claimants.

Yours very truly,

CAMERON, WELDON & BREWIN

per: Fab

FAB:HC

November 12, 1947.

COPY FOR MR. BREWIN

MOTION : Nichols/Boos - "That where it is necessary for Japanese Canadian Citizens' Association provincial chapters to assist in the preparation of claims forms, and where this work becomes too time-consuming or expensive to be handled voluntarily, the Cooperative Committee on Japanese Canadians consider the granting of limited financial assistance from the Claims Account."

MOTION: Nichols/Boos - "That, in view of the request through Mr. McMaster from the Japanese Canadian Citizens' Association in British Columbia for three hundred dollars ($300.00) to assist with claims work in that province, such expenses up to but not exceeding $300.00 be met from the Claims Fund; similarly with requests for one hundred dollars ($100.00) each from Manitoba and Ontario chapters."

Burns
BARRISTERS AND SOLICITORS
NOTARIES PUBLIC
S. STUART YATES
C. H. BURNS

TELEPHONE G 6613 7181

615-618 CENTRAL BUILDING,
930 View Street,
VICTORIA, B.C.

November 12th, 1947.

November 12, 1947.

Mr. Togo K. Takahashi,
234 Cottingham Street,
Toronto 5,
Ontario.

Mr. M. Takato,
c/o Spruce Falls Power and Paper Co.,
Camp 5-K,
Val Cote, Ontario.

Dear Mr. Takto: Re: Japanese Canadian Claims

We enclose herewith two forms for proof of claim, to be completed and sent to the Commissioner at the address set out at the top of the claim form, and also a copy to be completed and returned to us for the Co-operative Committee.

As you will understand, the forms must be sworn before a lawyer or other person authorized to take affidavits. If we can be of any further assistance, please let us know.

Yours very truly,

CAMERON, WELDON & BREWIN
per:

FAB:HC
Encl.

I am sorry that I have not been able to obtain for you sooner the information called for in your letter of the Custodian's Office on Monday of this week. This information came from who appraised the properties owned by the persons mentioned. Mr. and Mrs.

1. P. R. Brown & Sons Ltd., Van der Vliet Building, May, Pemberton-Holmes Limited.

I understand, were Messrs. P. R. Brown & Sons Ltd., and

In view of the fact that they appraised the business properties and the business itself, I am somewhat at a loss to recommend the name of others to give you an appraisal.

For appraising land values I recommend Mr. Shanks of B. C. Land and Investment Agency Limited, Mr. Ford of Meisterman, Forman & Co., and for appraising the business I recommend that you refer to Mr. George Randall as I believe his office handles more sales of business than any other firm in the City.

I am at a loss to make recommendations to you in this respect because the Custodian applied to me at the time that these sales were contemplated and asked me who I would like to have represent you in making the appraisal, and at that time accepted my recommendations, namely; P. R. Brown & Sons,

Yates & Burns
BARRISTERS AND SOLICITORS
NOTARIES PUBLIC

R. S. STUART YATES
A. J. BURNS

TELEPHONE GARDEN 1731

611-613 CENTRAL BUILDING,
620 VIEW STREET,
VICTORIA, B.C.

November 12th, 1947.

Mr. Togo K. Takahashi,
234 Cottingham Street,
Toronto 5,
Ontario.

Dear Sir:

I am sorry that I have not been able to obtain for you sooner the information called for in your letter of October 30th. This information was only received by me from the Custodian's Office on Monday of this week. The persons who appraised the properties belonging to yourself and Mrs. Takahashi are as follows:

1. In respect to the Yates Street and North Park Street properties and your business, the appraisers were Messrs. P. R. Brown & Sons Ltd., Van der Vliet, Cabeldu & May, Pantorium Dye Works, Renfrew Brothers, and Paisley Cleaners, of this City, and Stanley Brock of Vancouver.

2. The persons who appraised the Gorge Road property, I understand, were Messrs. P. R. Brown & Sons Ltd., and Pemberton-Holmes Limited.

In view of the numbers that appraised the business properties and the business itself, I am somewhat at a loss to recommend the names of others to give you an appraisal.

For appraising land values I recommend Mr. Shanks of the B. C. Land and Investment Agency Limited, Mr. Ford of Heisterman, Forman & Co., and for appraising the business I recommend that you refer to Mr. George Randall as I believe his office handles more sales of business than any other firm in the City.

I am at a loss to make recommendations to you in this respect because the Custodian applied to me at the time that these sales were contemplated and asked me who I would like to have represent you in making the appraisal, and at that time he accepted my recommendations, namely; P. R. Brown & Sons,

Pantorium Dye Works, and Van der Vliet, Cabeldu & May.

Since you left Victoria a number of our old time real estate agents who were most competant at appraising property have passed on and it is now difficult to recommend any other than on the list given you herein. One other firm, however, which might be considered is Ker & Stephenson Limited, as they have been in business for many years in Victoria and are fairly conversant with values of business property. I trust that this information will be sufficient to assist you in your claim for compensation and that you will be successful in obtaining something further from the Dominion Government in respect to the properties that you formerly owned in Victoria.

Yours truly,

R. Stuart Yates.

RSSY:AVH

Campbell, Brazier, Fisher & McMaster
Barristers and Solicitors

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

A. J. F. JOHNSON

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

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NOV 15 1947
CAMERON WELDON & BREWIN

OUR FILE No.

November 13th, 1947.

AIRMAIL

Andrew Brewin, Esq.,
Barrister & Solicitor,
Sterling Tower Building,
Toronto 1, Ontario.

Dear Andrew:

I notice upon receipt of claim forms from the Toronto Committee that there was included translations of each document into Japanese. I had thought when I was in Toronto that I advised you that the Commissioner insists that the claim forms be filed in English. I communicated with the Japanese Committee in British Columbia advising them to see that all claims are filed in English and would suggest that the word be passed around across the country.

Mr. Justice Bird got in touch with me today and asked me to come up to see him. He had received a letter from the Japanese Canadian Committee requesting an extension of time. The letter itself indicated that a great part of the delay in getting claims in was the fault of the Committee in not having their forms printed at an earlier date. I pointed out to him some of the difficulties which had arisen and that cooled him off a bit. I understand he will answer the letter not committing himself to giving the extension of time. However, off the record, I am assured that if, a few days before the 30th, Mr. McLennan and myself make a formal application to him for an extension of time for filing claim forms, an extension will be granted. He expressly requested, however, that this arrangement should not be made known to the Japanese themselves as he feels, perhaps with justification, that if they knew an extension will be granted, it might just cause further delays.

I regret to report that I am having trouble

fC

Andrew Brewin, Esq., November 13th, 1947.

in getting a committee set up here. Mr. H. Lewis, the President of the Civil Liberties Union, is still in Hospital. I was in touch with his Deputy a short time ago and he undertook to take some action with respect to it forthwith. However, it has not resulted in any action to date.

We made no new progress on the question of the statistician. I think your idea of getting George released from Saskatchewan, if possible, is a good one. Could you give me a report on the results of your discussions with Hunter as to the Commissioner appointing some one and also with respect to the production of files.

Yours truly,
CAMPBELL BRAZIER FISHER & McMASTER,

McM:MM

Per: R. J. McMaster

COPY FOR MR. BREWIN

Grain Exchange Bldg.,
Calgary, Alta., Can.

2060 Rae St.,
Regina, Sask.,
Nov. 14th, 1947.

Miss M. K. Boos, Secretary,
Co-Operative Committee on Japanese Canadians,
Apt. 28, 94 Homewood Ave.,
Toronto, Ont.

Dear Miss Boos:

This will acknowledge with thanks receipt of your form letter of appointment relating to Japanese claims in the Province of Saskatchewan, together with a quantity of forms for the filing of such claims, and for the payment of retainers. We shall be pleased to accept the appointment of the Cooperative Committee on Japanese Canadians, and to assure you of our cooperation in this work. We expect to have all of the claims completed by the twenty-first instant, and ready for filing at that time, and we shall advise you of our progress in this regard.

Mr. G. Tamaki and the writer have been concerned about the procedure to be adopted by the Commission in hearing the evidence of claimants. On October 27th, 1947, we communicated with Mr. A. Watson, secretary of the Commission, and posed the following questions:

1. Will claimants or their counsel have access to the records of the Custodian with respect to the property with which each claimant is concerned?

2. Will the Custodian or his representative be available for cross-examination by claimants or their counsel?

3. Does the Custodian propose to submit an independent assessment of the property disposed of by him in the course of his duties?

4. Will the Commissioner receive information as to the assessed value of the property, or as to the estimated value of the property disposed of by the Custodian, either viva voce or otherwise?

5. Does the Commissioner propose to visit the sites of the property where loss is claimed as a result of the sale of realty?

6. Will the rules of evidence apply to the inquiry, or will the Commissioner regard himself as acting in an administrative capacity, and hence free to receive evidence of every description?

7. Does the Commissioner regard it as desirable that the parties appear personally before him?

By letter dated Nov. 1, 1947, Mr. Watson advised us that the opening session of the Commission will be held at the Court House at Vancouver on Dec. 3, 1947, when claimants and their counsel may speak to the questions raised in my communication.

No doubt, consideration has been given to these points by other counsel acting for Canadian Japanese claimants. We would suggest that every effort be made to secure a statement of procedure allowing for the maximum freedom in presenting evidence of valuation and loss. Should the Cooperative Committee desire that the writer appear before the Commission on these matters, the writer will be pleased to make himself available for that purpose without charge and only upon payment of expenses.

Yours very truly,

SHUMIATCHER & SHUMIATCHER

Per."M. C. Shumiatcher "

2060 Rae Street,
Regina, Saskatchewan,
November 14th, 1947.

Miss Margaret K. Boos, Secretary,
Co-Operative Committee on Japanese Canadians,
Apt. 28, 94 Homewood Avenue,
Toronto, Ontario.

Dear Miss Boos:

This will acknowledge with thanks receipt of your form letter of appointment relating to Japanese claims in the Province of Saskatchewan, together with a quantity of forms for the filing of such claims, and for the payment of retainers. We shall be pleased to accept the appointment of the Cooperative Committee on Japanese Canadians, and to assure you of our cooperation in this work. We expect to have all of the claims completed by the twenty-first instant, and ready for filing at that time, and we shall advise you of our progress in this regard.

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"2. Will the Custodian or his representative be available for cross-examination by claimants or their counsel?

"3. Does the Custodian propose to submit an independent assessment of the property disposed of by him in the course of his duties?

"4. Will the Commissioner receive information as to the assessed value of the property, or as to the estimated value of the property disposed of by the Custodian, either viva voce or otherwise?

"5. Does the Commissioner propose to visit the situs of the property where loss is claimed as a result of the sale of reality?

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By letter dated November first, 1947, Mr. Watson advised us that the opening session of the Commission will be held at the Court House at Vancouver on December third, 1947, when claimants and their counsel may speak to the questions raised in my communication.

No doubt, consideration has been given to these points by other counsel acting for Canadian Japanese claimants. We would suggest that every effort be made to secure a statement of procedure allowing for the maximum freedom in presenting evidence of valuation and loss. Should the Cooperative Committee desire that the writer appear before the Commission on these matters, the writer will be pleased to make himself available for that purpose without charge and only upon payment of expenses.

Yours very truly,

SHUMIATCHER & SHUMIATCHER

Per:_____

mcs;jc

Cherniack & Cherniack
BARRISTERS AND SOLICITORS

J. A. CHERNIACK, B.A., LL.B.
S. M. CHERNIACK, LL.B.

PLEASE REFER
TO FILE No.

RECEIVED
NOV 17 1947
CAMERON WELDON
& BREWIN.

Phones { 22 877
22 878

31-460 Main Street
Winnipeg,
Canada

November 15th, 1947.

Mr. F. A. Brewin,
c/o Cameron, Welldon and Brewin,
372 Bay Street,
TORONTO, Ontario.

Dear Mr. Brewin:-

Re: Japanese Canadian Claims

I acknowledge with thanks receipt of your letters of the 10th and 12th instant and note in particular your remarks regarding the cost of the sales by the Custodian. I feel that the likelihood of further terms of reference or extension of the present terms is extremely remote and that this may be our only opportunity of presenting an argument regarding any of the losses suffered by Japanese Canadians. It appears to me that we can say that just as the Government paid the administration costs of the Custodian, so should the costs of sales and storage of chattels be chargeable to the Custodian's administration expenses. I know that I need not argue the moral grounds to you, and I don't want to quibble about fine interpretation, but the wording of the terms of reference seems to establish that the Commissioner is to determine the loss equal to the difference between "the amount received from the sale" and the "fair market value" and I feel that we can argue that the "amount received" means the net amount received and not the price for which it was sold.

Would you consider the advisability of arguing this point before the Commissioner at the preliminary hearing? I feel we have nothing to lose in making an attempt and a great deal to gain if we are successful.

To date we have completed some 55 forms out of an estimate of 125 for the Province. Because we are unable to satisfactorily establish the claimants' estimate of the fair market value, we have been trying to keep the estimates at what seems a reasonable figure and I do not know in what way this estimate would be affected by our having made available to us before the hearing the copies of appraisals referred to in Mr. Hunter's letter to you of the 10th instant. Do you propose that we request these immediately or do you consider that they will be considered in Vancouver after the Commissioner has travelled across the country? I realize that you may not be able to answer this question until after your meeting of December 3rd.

We have had considerable difficulty in the valuation of personal property because we have either been unable to obtain the itemized list of the personal property from the claimants or we have obtained lists of 3 and 4 pages in

cont'd ---

length which made it impossible to include in the claim because of limited time and personnel. In some instance, therefore, we had to say something like this:

"Chattels sold by Custodian on the 4th day of March, 1943,
Estimated Value - $500.00
Amount received from Custodian - 76.22
Loss - $423.78

Do you feel that the Commissioner will reject such a claim because it is too general or will he give us an opportunity to go into the values in detail at the time of the Hearing? If we stopped to make an itemized list in detail, we could certainly not complete all claims by the deadline.

Because I felt that the Commissioner might not accept interpreters supplied by us, I have answered the question in the forms as to the necessity of an interpreter as "yes". When I send the forms in, I propose to make it clear that the claimant cannot speak English but we will be able to supply an interpreter. You might clarify this point when you meet with the Commissioner.

We have had several requests to complete forms by sons of people who were repatriated. The property or the claims were not assigned nor was Power of Attorney given. Shall we complete such claims by "next of kin remaining in Canada" or "personal representative" or should we tell them not to bother at all especially in view of the terms of reference referring only to persons residing in Canada at the date of the Order. I would like an immediate answer to this last question even if you cannot answer the others quite so quickly.

Yours very truly,

S. M. Cherniack.

SMC*yh

AIRMAIL

Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

A. T. R. CAMPBELL
C. W. BRAZIER

A. W. FISHER
R. J. McMASTER

A. J. F. JOHNSON

TELEPHONE PACIFIC 9164

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

RECEIVED
NOV 17 1947
CAMERON WELDON & BREWIN

OUR FILE No.

November 15, 1947

Andrew Brewin, Esq.
Barrister, Etc.
Sterling Building
Toronto 1, Ontario

Dear Andrew:

Re: Japanese Claims

We have succeeded in reserving a room for you at the Georgia Hotel on December 1st and we advised them that you would be here until the 4th or 5th. The Georgia is quite a comfortable hotel situated directly across from the Court House in Vancouver.

Yours truly,

Bale

RJM:WD

ERIC G. ADAMS
ECONOMIC AND ENGINEERING REPORTS
411 CONFEDERATION BLDG., MONTREAL 2, P.Q.

MEMBER —
ENGINEERING INSTITUTE OF CANADA
CORPORATION OF PROFESSIONAL ENGINEERS OF QUEBEC
ASSOCIATION OF PROFESSIONAL ENGINEERS OF THE PROVINCE OF ONTARIO
LICENSED PROFESSIONAL ENGINEER OF THE STATE OF NEW YORK

RECEIVED
NOV 17 1947
CAMERON WELDON & BREWIN

Nov. 15, 1947.

F. A. Brewin, Counsel,
Co-operative Committee on Japanese Canadians,
372 Bay Street,
Toronto 1, Ont.

Dear Mr. Brewin:

Since two weeks have passed since I received your letter of October 31st, I am writing to enquire whether your Committee executive and that of the National Japanese Canadian Citizens' Association have reached a decision on the proposal I put forward in my letter of October 29th. If not, I suggest that you delete the last sentence of the penultimate paragraph relating to the reservation to negotiate an additional commission direct with a claimant whose claim was particularly complicated. Upon reflection, I can see how this might prove difficult to handle in practice and I suppose the inclusion of such a provision leaves a certain element of indefiniteness as to total costs involved for the claimants. Consequently, I think it preferable to drop this provision and thereby avoid any delay in bringing the negotiations to a close.

Yours very truly,

Eric G. Adams

EGA/JM

cc. to Mr. George Tanaka,
National Executive Secretary,
National Japanese Canadian Citizens' Association,
84 Gerrard St. East,
Toronto, Ont.

15th November, 1947.

AIR MAIL
Mr. R.J. McMaster,
Messrs. Campbell, Brazier, Fisher and McMaster,
Barristers, etc.,
675 West Hastings St.,
Vancouver, B.C.

Dear Bob:

Thank you for your letter of November 13th.

In respect to the translations into Japanese I understand that the Japanese form was only for the purpose of assisting those who do not understand English well to understand the form. The instructions that have been sent out made it perfectly clear that only the English forms are to be filed. However, I will have Mr. Tanaka notify all his branches to make it clear once again that forms cannot be accepted in Japanese.

In regard to the extension of time for filing claims you might tell Mr. Justice Bird that when asked my advice I suggested to them that they should not make any application for extension or consider extension until they had made every effort to complete their forms in time and found it impossible, if this turned out to be the case. However, they were so much disturbed about the prospect that they felt bound to write the letter. I certainly do not think Mr. Justice Bird should complain about the committee not having their forms printed at an earlier date. I think you can assure him that every possible effort was made to print them just as quickly as possible and I think had he himself sought to have the forms printed, which after all would have been the more usual form of procedure, he would have found it to take equally as long.

In regard to a valuator did I understand from your letter saying that you have made no progress, that you were not able to engage Professor Farr.

This seems to be the most important matter we have to be concerned with at the moment and I know you realize that it is important that we be informed just as soon as possible

THE CO-OPERATIVE COMMITTEE
ON
JAPANESE CANADIANS
TORONTO, ONT.

Mr. R.J. McMaster 15th November, 1947.

if you have made any progress in this direction.

I have not taken up with Mr. Hunter the question of the Commissioner appointing someone to do this work as I thought we should leave that until you have thoroughly explored the possibilities and perhaps we can discuss with you when I see you on the first of December.

Mr. Tamaki will be available only for a short period of two or three weeks but I have suggested to him that he should try to be in Vancouver during the first week in December so that we may consult him.

Yours truly,

fab/mt

THE CO-OPERATIVE COMMITTEE
ON
JAPANESE CANADIANS

TORONTO, ONT.

RECEIVED
NOV 17 1947.
CAMERON WELDON
& BREWIN

94 Homewood Ave.,
Toronto 5, Ont.,
November 15th, 1947.

Mr. F. A. Brewin,
c/o Cameron, Weldon & Brewin,
Sterling Tower,
Toronto 1, Ont.

Dear Mr. Brewin:

At long last I've managed to arrange a Co-operative Committee meeting for next Tuesday, November 18th, between 5.30 and 6.00 p.m. in Mr. Finlay's study! I've sent copies of Mr. Adams' proposal to those who are not familiar with it, so that our brief time may be spent in the presentation of Mr. McMaster's alternative suggestion, and discussion of the two propositions.

I'll be contacting you by 'phone on Monday to find out if this is a possible time for you, and, if not, make arrangements to secure the necessary information from you before the Committee meets.

Enclosed are receipts number 3, 4, and 5, covering payment of retaining fees re claims of Mr. Adachi, Mr. Shoji, and Mr. Nakano, for which cheques were forwarded with your letter of November 14th.

Yours very truly,

Margaret Boos

SECRETARY

MKB

Encls.

November 17, 1947

Messrs. Cherniack & Cherniack,
Barristers and Solicitors,
31-460 Main Street,
Winnipeg, Canada.

Re: Japanese Canadian Claims

Dear Sirs:

Thank you very much for your letter. The point of interpretation which you raised is a very interesting one, and I will certainly take it up with the other counsel involved and see whether they think we should press the point at the preliminary inquiry. I may say that although the argument is ingenious, it seems to me that the amount received from the sale refers to the actual proceeds of the sale received from the purchaser by the Custodian and that the question of accounting by the Custodian for what he received, and justifying any deduction, is not within the scope of the Commission. However, I can assure you that we will give very careful consideration to the point you have raised, and I will particularly take it up with our legal adviser in British Columbia.

In regard to the estimates on the Custodian's files, I think we should endeavour to make an arrangement to have them made available to counsel before the oral hearings. It is quite obvious that knowledge of their contents would be very helpful in considering what points to discuss with the claimants.

In regard to the description of the chattels, I think where it is possible, it is advisable to have a list of them attached to the claim, even if it is only pasted in, or attached as a schedule to the claims, but I certainly think that under the circumstances the Custodian would hardly refuse to consider claims because the chattels were not listed.

I would suggest, however, that where you have put the thing in in general terms, you should endeavour

Messrs. Cherniack & Cherniack November 17, 1947.

to get a list to send on to the Commissioner after the deadline as supplementary material. In regard to an interpreter I do not believe that the Commissioner will refuse to accept interpreters supplied by us, but I think it will be better probably to use the same interpreter throughout. We will discuss this point with the Commissioner. In regard to the last point that you raise, I am afraid that unless there is some form of assignment, no claim can be made under the terms of reference. However, if there is any doubt, in other words, if there is some equitable assignment or agreement to sign, even though it is not yet registered, I would put it in the claim, and I would be inclined to describe the people not as next of kin or personal representatives of somebody out of Canada, which implies that the person is dead, and would seem to be on the face of it, to be excluded by the Commission, but some such title as assignee. You are certainly doing well with 55 forms completed already. We have at least 200 claims, and so far between Mr. Best and myself we probably have about 20 completed.

Yours very truly,

CAMERON, WELDON & BREWIN

per: [illegible]

FAB:HC

COPY FOR MR. BREWIN

94 Homewood Ave.,
Toronto 5, Ontario,
November 19th, 1947.

Mr. M. C. Shumiatcher,
c/o Shumiatcher & Shumiatcher,
2060 Rae St.,
Regina, Saskatchewan.

Dear Mr. Shumiatcher:

This will acknowledge receipt of your letter dated November 14th advising that you have accepted the appointment of the Cooperative Committee on Japanese Canadians. Your cooperation is appreciated.

With regard to the points you raised on procedure, our legal counsel, Mr. F. A. Brewin, has been giving considerable thought to these matters, and I am, therefore, forwarding a copy of your letter to him with the suggestion that he contact you directly in connection with these questions. His attention will also be drawn to your generous offer to appear before the Commission for the purpose of securing a statement of procedure, although I understand that his present plan is to be present at the opening session in person.

Yours very truly

SECRETARY

MKB

cc-M.C.Shumiatcher
Mr.Mandzuk Mr.Quinet
Mr.Sylvester Mr.Best
Mr.McGillivray

FAB:HC

FORM 6122

November 19, 1947.

Messrs. Cherniack & Cherniack,
Barristers, Solicitors,
31-460 Main Street,
Winnipeg, Manitoba.

Re: Japanese Claims

Dear Sirs:

As you have heard the Commissioner plans to have preliminary hearings on the 3rd of December in Vancouver, and the writer plans to be there for these preliminary hearings. We would suggest that if you are not one of those who can attend in Vancouver at this time, that you should let the writer know of any points in regard to procedure or otherwise, that you particularly wish to have taken up with the Commissioner at the preliminary hearings. May I also suggest that you ask the association with which you are working, to send to the writer c/o Georgia Hotel, Vancouver, B.C., to arrive not later than December 1st, a summary of the number of claims which have been filed, and in respect to which the Co-operative Committee through yourself is representing the claimant.

Would you also send any statement that may be relevant to the extension of time for filing claims, e.g. the number of claims of which you have heard, but which for one reason or other have not been able to be completed. It also appears clear that it may be necessary to ask for an extension of time for filing claims.

One subject to which we shall have to give careful attention when at Vancouver is the question of expert evidence as to valuations. We would be glad to have any comments or suggestions from you on this problem.

Yours very truly,
CAMERON, WELDON & BREWIN
per:

FAB:HC

cc-M.C.Shumiatcher
Mr.Huckvale
Mr.McMaster
Mr.MacLennan
Mr.Quimet
Mr.Best

November 20, 1947.

Roger Ouimet Esq.,K.C.,
152 Notre Dame, East,
Montreal, P.Q.

Re: Japanese Claims

Dear Sirs:

As you have heard the Commission plans to have preliminary hearings on the 3rd of December in Vancouver, and the writer plans to be there for these preliminary hearings. We would suggest that if you are not one of those who can attend in Vancouver at this time, that you should let the writer know of any points in regard to procedure or otherwise, that you particularly wish to have taken up with the Commissioner at the preliminary hearings. May I also suggest that you ask the association with which you are working, to send to the writer c/o Georgia Hotel, Vancouver, B.C., to arrive not later than December 1st, a summary of the number of claims which have been filed, and in respect to which the Co-operative Committee through yourself is representing the claimant.

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cc-M.C.Shumiatcher
Mr.Huckvale
Mr.McMaster
Mr.MacLennan
Mr.Best
Cherniack & Cherniack.

Yours very truly,
CAMERON,WELDON & BREWIN
per:
B. A. Brewin
per HG.

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

November 20, 1947.

M. C. Shumiatcher Esq.,
Premier's Office,
Regina, Saskatchewan.

Re: Japanese Claims

Dear Morris:

As you have heard the Commission plans to have preliminary hearings on the 3rd of December in Vancouver, and the writer plans to be there for these preliminary hearings. We would suggest that if you are not one of those who can attend in Vancouver at this time, that you should let the writer know of any points in regard to procedure or otherwise, that you particularly wish to have taken up with the Commissioner at the preliminary hearings. May I also suggest that you ask the association with which you are working, to send to the writer c/o Georgia Hotel, Vancouver, B.C., to arrive not later than December 1st, a summary of the number of claims which have been filed, and in respect to which the Co-operative Committee through yourself is representing the claimants.

Would you also send any statement that may be relevant to the extension of time for filing claims, e.g. the number of claims of which you have heard, but which for one reason or other have not been able to be completed. It appears clear that it may be necessary to ask for an extension of time for filing claims.

One subject to which we shall have to give careful attention when at Vancouver is the question of expert evidence as to valuations. We would be glad to have any comments or suggestions from you on this problem.

Yours very truly,

F. A. Brewin

per HG

FAB:HC
cc-Mr. Best
Mr. Ouimet
Cherniack & Cherniack.
Ritchie & Huckvale.
Norris & MacLennan.
Mr. McMaster.

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

November 20, 1947.

Messrs. Campbell,Brazier,Fisher & McMaster,
Barristers,
675 Hastings Street West,
Vancouver, B.C.

Re: Japanese Claims

Attention Mr. R. J. McMaster

Dear Sirs:

As you have heard the Commission plans to have preliminary hearings on the 3rd of December in Vancouver, and the writer plans to be there for these preliminary hearings. We would suggest that if you are not one of those who can attend in Vancouver at this time, that you should let the writer know of any points in regard to procedure or otherwise, that you particularly wish to have taken up with the Commissioner at the preliminary hearings. May I also suggest that you ask the association with which you are working, to send to the writer c/o Georgia Hotel, Vancouver, B.C., to arrive not later than December 1st, a summary of the number of claims which have been filed, and in respect to which the Co-operative Committee through yourself is representing the claimants.

Would you also send any statement that may be relevant to the extension of time for filing claims,e.g. the number of claims of which you have heard, but which for one reason or other have not been able to be completed. It appears clear that it may be necessary to ask for an extension of time for filing claims.

One subject to which we shall have to give careful attention when at Vancouver is the question of expert evidence as to valuations. We would be glad to have any comments or suggestions from you on this problem.

F.A.B./HC
cc-M.C.Shumiatcher
Mr.Best,
Mr.Ouimet.
Cherniack & Cherniack
Ritchie & Huckvale
Norris & MacLennan.

Yours very truly,
CAMPRON,WELDON & BREWIN
per: D.A. Brewin

November 20, 1947.

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

Re: Japanese Claims

Dear Sirs:

As you have heard the Commission plans to have preliminary hearings on the 3rd of December in Vancouver, and the writer plans to be there for these preliminary hearings. We would suggest that if you are not one of those who can attend in Vancouver at this time, that you should let the writer know of any points in regard to procedure or otherwise, that you particularly wish to have taken up with the Commissioner at the preliminary hearings. May I also suggest that you ask the association with which you are working, to send to the writer c/o Georgia Hotel, Vancouver, B. C., to arrive not later than December 1st, a summary of the number of claims which have been filed, and in respect to which the Co-operative Committee through yourself is representing the claimants.

Would you also send any statement that may be relevant to the extension of time for filing claims, e.g. the number of claims of which you have heard, but which for one reason or other have not been able to be completed. It appears clear that it may be necessary to ask for an extension of time for filing claims.

One subject to which we shall have to give careful attention when at Vancouver is the question of expert evidence as to valuations. We would be glad to have any comments or suggestions from you on this problem.

Yours very truly,
CAMERON, WELDON & BREWIN
per:

F. G. Brewin

FAB/HC
cc-M.C.Shumiatcher
Mr.McMaster
Mr.Best
Mr.Ouimet
Cherniack & Cherniak
Ritchie & Huckvale

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE FORM 6122

7
8

November 20, 1947.

Messrs. Ritchie & Huckvale,
612 Third Avenue S.,
Lethbridge, Alberta.

Attention Mr. W. E. Huckvale

Re: Japanese Claims

Dear Sirs:

As you have heard the Commission plans to have preliminary hearings on the 3rd of December in Vancouver, and the writer plans to be there for these preliminary hearings. We would suggest that if you are not one of those who can attend in Vancouver at this time, that you should let the writer know of any points in regard to procedure or otherwise, that you particularly wish to have taken up with the Commissioner at the preliminary hearings. May I also suggest that you ask the association with which you are working, to send to the writer c/o Georgia Hotel, Vancouver, B.C., to arrive not later than December 1st, a summary of the number of claims which have been filed, and in respect to which the Co-operative Committee through yourself is representing the claimant.

Would you also send any statement that may be relevant to the extension of time for filing claims, e.g. the number of claims of which you have heard, but which for one reason or other have not been able to be completed. It appears clear that it may be necessary to ask for an extension of time for filing claims.

One subject to which we shall have to give careful attention when at Vancouver is the question of expert evidence as to valuations. We would be glad to have any comments or suggestions from you on this problem.

FAB/HC
cc-M.C.Shumiatcher
Mr.McMaster
Mr.MacLennan
Mr.Best
Mr.Ouimet
Cherniack & Cherniack.

Yours very truly,
CAMERON, WELDON & BREWIN
per:
F. A. Brewin
per HC

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

7
8

November 20, 1947.

Mr. R. A. Best,
Barrister,
15 Toronto Street,
Toronto, Ontario.

Re: Japanese Claims

Dear Mr. Best:

As you have heard, the Commission plans to have preliminary hearings on the 3rd of December in Vancouver, and the writer plans to be there for these preliminary hearings. We would suggest that if you are not one of those who can attend in Vancouver at this time, that you should let the writer know of any points in regard to procedure or otherwise, that you particularly wish to have taken up with the Commissioner at the preliminary hearings. May I also suggest that you ask the association with which you are working, to send to the writer c/o Georgia Hotel, Vancouver, B.C., to arrive not later than December 1st, a summary of the number of claims which have been filed, and in respect to which the Co-operative Committee through yourself is representing the claimant.

Would you also send any statement that may be relevant to the extension of time for filing claims, e.g. the number of claims of which you have heard, but which for one reason or other have not been able to be completed. It appears clear that it may be necessary to ask for an extension of time for filing claims.

One subject to which we shall have to give careful attention when at Vancouver is the question of expert evidence as to valuations. We would be glad to have any comments or suggestions from you on this problem.

FAB:HC
cc-M.C.Shumiatcher
Mr.McMaster
Mr.MacLennan
Mr. Ouimet
Cherniack & Cherniack
Ritchie & Huckvale.

Yours very truly,
CAMERON,WELDON & BREWIN
per: F. A. Brewin
per HC

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

A. GLADSTONE VIRTUE, K.C.
BARRISTER, SOLICITOR
NOTARY PUBLIC

McFARLAND BUILDING, OPPOSITE COURT HOUSE LETHBRIDGE, ALBERTA

PLEASE REFER TO FILE NO.

21st November, 1947

3201

MESSRS. NORRIS & MacLENNAN,
Barristers and Solicitors,
Bank of Nova Scotia Building,
602 Hastings Street West,
VANCOUVER, B.C.

Dear Sirs: RE: BIRD COMMISSION and
Japanese Canadian Claims.

We thank you for your letter of November 18th advising us that the Honourable Mr. Justice Bird will commence his Hearing in Vancouver on December 3rd, and that Hearing there will last three or four days.

It seems to me that the various counsel representing the various Japanese in the different Provinces might find it an advantage to meet together prior to the actual opening of the Hearing by Mr. Justice Bird.

In all probability we could then discuss the procedure which we think would be most advantageous to our clients, and agree on a number of points beforehand which we could then present unanimously through one counsel. Otherwise, if we appear without previous conference we may find ourselves in disagreement on some points, and naturally this would be to the disadvantage of our clients.

As far as I am concerned, I intend to arrive in Vancouver on Monday evening, December 1st, and will therefore be available all day Tuesday, December 2nd, and I now make the suggestion to all counsel concerned that we meet in the library of the Court House in Vancouver, let us say: at 10:00 a.m. Tuesday, December 2nd, with a view to a conference along the above lines.

I am sending a copy of this letter to those counsel who, as far as I know, will be in attendance in Vancouver, namely:

Your good selves,
Mr. Brewin of Toronto, Ontario,
Mr. R.J.McMaster, of Messrs. Campbell,
Brazier, Fisher & McMaster, Vancouver, and
Mr. Eric C. Adams, Barrister, Montreal, P.Q.

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE FORM 6122

A. GLADSTONE VIRTUE, K.C.
BARRISTER, SOLICITOR
NOTARY PUBLIC

McFARLAND BUILDING, OPPOSITE COURT HOUSE LETHBRIDGE, ALBERTA

PLEASE REFER TO FILE NO.

MESSRS. NORRIS & MacLENNAN,
Barristers and Solicitors,
VANCOUVER, B.C.

November 24, 1947.

Re: Bird Commission, and
Japanese Canadian Claims.

If you know of any other counsel who intend to be present I hope that you can forward this suggestion to them promptly, and that the meeting in question may be arranged.

I shall be pleased to hear from you in this regard by Airmail, if possible.

Yours truly,

VIRTUE & RUSSELL,

Per

V/L
AIRMAIL.

C.C. F.A.Brewin, Esq., Toronto

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE FORM 6122

November 24, 1947.

Eric G. Adams, Esq.,
411 Confederation Building,
Montreal 2, P.Q.

Dear Mr. Adams:

Re: Japanese Canadian Claims Commission.

I took up with the Co-operative Committee here, your two letters in regard to proposed appointment in connection with the above commission. The Committee considered the matter carefully and passed a resolution in the following terms:

"The Committee unanimously agreed that it is not in a position to make an appointment in connection with evaluation at this time, since the extent of such requirements is not yet known, nor is it yet certain just what funds will be available to defray the expense involved. However, we should add that if and when such an appointment is made, we are of the opinion that every effort should be made to secure an evaluator residing in British Columbia."

We are expecting to have some idea shortly as to the number of claims that are likely to be filed, the amount of funds available, and also I shall personally be in British Columbia where I will consult with the other counsel involved in regard to the problem of securing evidence of valuations for the Commission.

As you will note it was the opinion of the Committee that if it were at all possible we should obtain witnesses as to values from British Columbia itself, both on the ground of lessening the expense, and secondly on the ground of the advisability of having witnesses familiar with local conditions. I will, of course, advise you if at a later date the Committee decide that they can take advantage of your offer.

Yours very truly,

FAB:HC

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

HONOURABLE MR. JUSTICE H. I. BIRD
COMMISSIONER

A. WATSON
SECRETARY

877
878

JAPANESE PROPERTY CLAIMS COMMISSION

COURT HOUSE
VANCOUVER, B.C.

RECEIVED
NOV 26 1947
CAMERON WELDON
& BREWIN

November 24th 1947.

C.D. 1R

CANADIAN PACIFIC TELEGRAPHS

World Wide Communications

STANDARD TIME

W.D.NEIL, GENERAL MANAGER, MONTREAL

RECEIVED
NOV 25 1947
CAMERON WELDON
& BREWIN

VRB359 49/48 NL

VANCOUVER BC 24

1947 NOV 24 PM 7 00

ANDREW BREWIN

1232

BARRISTER AND SOLICITOR STERLING TOWER TORONTO

MR JUSTICE BIRD ADVISES WILL HEAR REPRESENTATIONS WEDNESDAY MORNING TEN THIRTY RE EXTENSION OF TIME FOR FILING CLAIMS STOP WE WILL APPEAR THEREON STOP HAVE YOU ANY INSTRUCTIONS AS TO LENGTH OF TIME REQUIRED STOP RECEIVED EIGHTY INSTRUCTION FORMS TODAY FROM BRITISH COLUMBIA UNDERSTAND MORE IN THE MAIL

R J MCMASTER

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE
FORM 6122

HONOURABLE MR. JUSTICE H. I. BIRD
COMMISSIONER

A. WATSON
SECRETARY

JAPANESE PROPERTY CLAIMS COMMISSION

COURT HOUSE
VANCOUVER, B.C.

RECEIVED
NOV 26 1947
CAMERON WELDON
& BREWIN

November 24th 1947.

A. F. Brewin, Esq.,
Stirling Tower,
Toronto 1, Canada.

Dear Sir,

I am directed by the Commissioner to advise you that the opening session of the Commission will be held at the Court House, Georgia Street West, Vancouver, B.C., on Wednesday, December 3rd, at 10:30 a.m.

Argument may then be presented by claimants or their Counsel on matters of procedure relating to the conduct of the Commission and its future sessions.

Due notice will be given later to each claimant of the time and place fixed for the hearing of evidence in support of his claim.

Yours truly,

A. Watson

Secretary of the Commission.

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE
FORM 6122

SHUMIATCHER AND SHUMIATCHER
BARRISTERS & SOLICITORS

A. I. SHUMIATCHER, K.C.,
M. C. SHUMIATCHER, B.A., LL.B., LL.M., DOC, JUR.,
ALSO OF THE BRITISH COLUMBIA
AND SASKATCHEWAN BARS

RECEIVED
NOV 26 1947
CAMERON WELDON
& BREWIN

CABLE ADDRESS "JURIST"
TELEPHONE M1717

~~GRAIN EXCHANGE BUILDING,~~
~~CALGARY, ALBERTA,~~
CANADA
Drawer no. 285,
Regina, Saskatchewan,
November 24th 1947.

F. A. Brewin, Esquire,
Messrs. Cameron, Weldon & Brewin,
Barristers and Solicitors,
Sterling Tower,
Toronto 1, Canada.

Dear Andy: Re: Japanese claims; my file no. 2428.

This will acknowledge with thanks, receipt of yours of the 20th instant respecting rhe above.

I enclose herewith a copy of my letter of the 14th instant sent to Miss Margaret Boos respecting the procedure which the Commission proposes to follow in dealing with these claims, and I understand that she has passed this communication on to you. No doubt, consideration has been given to all of the points raised in this letter.

George Tamaki and I have discussed at length, the question of appraisals which is probably the key to the whole question, and we are of opinion that it is highly desirable, for the purpose of controlling expenditures, to retain appraisers collectively and, if possible, exclusively for the purposes of the claimants. The Department of Natural Resources has had some experience with appraisal firms in Vancouver in the Prince Albert Box Factory expropriation, and I am asking that reports on the relative merits of these firms be submitted to me in order that this information may be made available to you.

One objection which I feel should be taken at the outset is the office of the secretary of the Commission which, you will note, coincides with the offices occupied by the Custodian. It appears to me to be too much to expect claimants to believe that the Commission will give a fair and impartial award if all claims are filed initially with the secretary, who carries on his work under the aegis of the Custodian. The old maxim: Not only should justice be done, but it should be manifest to all that justice has been done, has some application here, I believe, and I would suggest that this matter be discussed in the opening session of the Commission.

Incidentally, I should very much like to attend at Vancouver at that time, and I am endeavoring to arrange my work in such a way as to make this possible; at this stage, however, it is difficult to know if that will materialize. If I am unable to attend, you shall have the information you request not later than December first.

Yours very truly,

Morris C. Shumiatcher.

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE
FORM 6122

Cherniack & Cherniack
BARRISTERS AND SOLICITORS

J. A. CHERNIACK, B.A., LL.B.
S. M. CHERNIACK, LL.B.

Phones { 22 877 / 22 878

PLEASE REFER
TO FILE No.

31-460 Main Street
Winnipeg,
Canada

November 25th, 1947.

The Honorable.
Mr. Justice H I. Bird,
Commissioner,
c/o Office of the Custodian,
Royal Bank Bldg.
Hastings & Granville,
VANCOUVER, B.C.

Dear Sir:

I enclose herewith 110 claims in duplicate of the persons in Manitoba enumerated in the attached list.

I also enclose 21 claims in duplicate of persons in the Fort William area enumerated in a separate list.

These Fort William people together with five to ten additional persons, who have already mailed forms direct to you or are about to do so, find that if it were necessary to come to Winnipeg for the Hearing, it would involve an expenditure for travelling and hotel expenses of a minimum of $50.00 per person plus loss of earnings whilst away from Fort William. The train fare alone from Fort William to Winnipeg return is about $30.00. Should no sittings be held in Fort William, these people will either be put to a great expense, or on the other hand will be unable to press their claims because of lack of funds, preventing them from coming to Winnipeg. In view of the fact that there will be a minimum of 25 claims and a probability of 30 claims in the Fort William area, I request that you decide to hold Hearings in Fort William for these people.

You will note that in most cases the claimants will require interpretors and should you deem it advisable, I can submit to you the names of a few Winnipeg Nisei veterans who served with the Canadian Intelligence Corps as Japanese Language interpretors, and of a competent Nisei interpretor in Fort William.

Arrangements have apparently been made between Mr. Brewin and Mr. Hunter to provide photostatic copies of the valuations and appraisals made for the Custodian. I am, therefore, requesting the Custodian through you to let me have same at his earliest convenience in order that I may familiarize myself with them prior to appearing before you.

- over -

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

The Honorable Mr. Justice H.I. Bird, Commissioner:-

As these forms were prepared under great pressure of time, it may be that in certain cases they are a little more general than I would have preferred them to be. I trust, however, you will take into consideration the difficulties I have had, because of limited time and personnel.

Yours truly,

SMC/y
encl.

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

Cherniack & Cherniack

BARRISTERS AND SOLICITORS

J. A. CHERNIACK, B.A., LL.B.
S. M. CHERNIACK, LL.B.

Phones { 22 877
22 878

31-460 Main Street
Winnipeg,
Canada

RECEIVED
NOV 28 1947
CAMERON WELDON
& BREWIN

PLEASE REFER
TO FILE No.

November 25th, 1947.

Messrs. Cameron, Weldon & Brewin,
Barristers, etc.,
Sterling Tower,
TORONTO1, Ontario.

Dear Mr. Brewin:

I acknowledge with thanks receipt of your letter of the 19th instant and I enclose herewith copy of a letter which I am today sending to the Commissioner, along with a total of 131 claims.

In addition I have a record of 5 claims from Geraldton, Ontario, which were sent direct to the Commissioner.

The hardship placed on the Fort William area people, should they be compelled to come to Winnipeg is very obvious and I would ask you to make every effort to convince the Commissioner to sit in Fort William. I believe that there ought to be no difficulties in this connection.

In addition to the forms which I am now forwarding, I know of about 5 more from the Fort William area and at least 12 in the Winnipeg area which are yet to come and which have been held up due to the impossibility of certain people to get to a Commissioner or to someone who can help them complete their forms, and in some cases, people have been waiting to hear from members of the family as to what was being claimed by them in relation to properties owned jointly.

I hope that within the next week I will have completed all claims of which I am now aware.

It seems to me that it would be a good idea to obtain opinions from reliable real estate people as to the comparison between market value and assessed value in the various localities as in many cases we have no information about the value other than assessment notices.

Other than the above, and the questions of interpretors, costs of sales and claims for sales by the Fishing Vessels Disposal Committee referred to in previous letters, I have no other suggestions to make as to the matters for discussion at the Preliminary Hearings.

Yours very truly,

S. M. Cherniack

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

CANADIAN NATIONAL

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6102

CANADIAN NATIONAL TELEGRAPHS

W. M. ARMSTRONG, GENERAL MANAGER
TORONTO

CLASS OF SERVICE DESIRED	
FULL RATE MESSAGE	
DAY LETTER	
NIGHT MESSAGE	
NIGHT LETTER	
EVENING & SUNDAY	

PLACE X OPPOSITE SERVICE DESIRED

CHECK	RECEIVERS NO.	TIME FILED	CHARGE TO DEPT. OR ADDRESS

Send the following message, subject to the terms on back hereof, which are hereby agreed to

TORONTO, ONTARIO
November 25, 1947.

MR. R. J. McMASTER
BARRISTER,
675 WEST HASTINGS STREET,
VANCOUVER, B.C.

SUGGEST EXTENSION ONE MONTH OR SIX WEEKS WITH ESCAPE CLAUSE IN SPECIAL CASES STOP HAVE SENT ABOUT EIGHTY CLAIM FORMS LAST TEN DAYS FROM ONTARIO WORKING UNDER PRESSURE STOP FIND FORMS SENT IN BY MAIL NEED CORRECTION STOP ANTICIPATE ANOTHER FIFTY OR SIXTY AT LEAST STOP GREAT DIFFICULTY EXPERIENCED BY THOSE IN REMOTE FARMS AND CAMPS WHO CANNOT GET AWAY FROM WORK TO COMPLETE FORMS

ANDREW BREWIN

Charge: Cameron, Weldon & Brewin,
372 Bay Street,
Toronto, Ontario.

With kindest regards.

Yours sincerely,

FAB:HC

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

CANADIAN NATIONAL

November 26, 1947.

Messrs. Shumiatcher & Shumiatcher,
Barristers,
2060 Rae Street,
Regina, Saskatchewan.

Attention Mr. Morris Shumiatcher

Dear Morris:

Re: Japanese Claims

Thank you for sending your letter of November 24th with a copy of your letter to Miss Boos which she had already shown me.

I am very glad to hear that you may possibly be able to be in Vancouver next week.

As you will have heard, the Commission is sitting on the 3rd, but it would be very satisfactory if you could be there on the 1st or 2nd, preferably the 1st, in order that we may confer before the hearings.

I think that most of the points raised in your letters can be dealt with at that time, and I will, of course, discuss the points which you raise, with Mr. McMaster, and Messrs. Norris & MacLennan, and other counsel available, if by any chance you cannot be there.

With kindest regards.

Yours sincerely,

FAB:HC

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

CANADIAN NATIONAL

/

Norris & MacLennan

BARRISTERS AT LAW, SOLICITORS
NOTARIES PUBLIC

T. G. NORRIS, K.C. – J. A. MacLENNAN, LL.B.

BANK OF NOVA SCOTIA BUILDING
602 HASTINGS STREET WEST

Vancouver, B.C.

TELEPHONE PACIFIC 5254

CABLE ADDRESS: "NORRIS"
VANCOUVER, CANADA

RECEIVED
NOV 28 19 7
CAMERON & WELDON & BREWIN

AIRMAIL

C.D. 1R

CANADIAN PACIFIC TELEGRAPHS

World Wide Communications

STANDARD TIME

W.D. NEIL, GENERAL MANAGER, MONTREAL

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CAMERON & WELDON & BREWIN

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1947 NOV 26 PM 5 31

ANDREW BREWIN 932

BARRISTER AND SOLICITOR STERLING TOWER TORONTO

COMMISSIONER EXTENDED TIME FILING CLAIMS TO DECEMBER THIRTY-FIRST FOR BRITISH COLUMBIA AND JANUARY FIFTEENTH OTHER PROVINCES STOP WILL NOT LOOK WITH FAVOUR ON SPECIAL REQUEST FOR EXTENSION BEYOND THAT DATE STOP COMMISSIONER INSISTS UPON COMMENCING HEARINGS DECEMBER EIGHTH AT KAMLOOPS FOR ONE WEEK ON ABOUT THIRTY CLAIMS NOW FILED HEARINGS THEN TO BE ADJOURNED TO JANUARY

R J MCMASTER

K14274

You are coming to Vancouver shortly, however, and we can discuss the matter with you more fully. You will appreciate that this is going to take a great deal of time and effort and arrangements should be made whereby at least a portion of the fees will be remitted from time to time and certainly a fund should be available

Quebec 30 days. Alberta 50 from

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

CANADIAN NATIONAL

CANADIAN NATIONAL

/

Norris & MacLennan

BARRISTERS AT LAW, SOLICITORS
NOTARIES PUBLIC

T. G. NORRIS, K.C. – J. A. MacLENNAN, LL.B.

RECEIVED
NOV 28 19[illegible]
CAMERON WELDON & BREWIN
Vancouver, B.C.

TELEPHONE PACIFIC 5254

CABLE ADDRESS: "NORRIS"
VANCOUVER, CANADA

BANK OF NOVA SCOTIA BUILDING
602 HASTINGS STREET WEST

AIRMAIL

OUR FILE 1671.

November 26th, 1947.

Messrs. Cameron, Weldon & Brewin,
Barristers & Solicitors,
Sterling Tower,
Toronto 1, Canada.

Attention Mr. Brewin

Re: Japanese Claims

Dear Sirs:

Further to correspondence we have had with your office in this connection, it appears to us that the arrangements relating to this Commission and to the position of Counsel, insofar as we are concerned at any rate, is not very clear.

Originally we advised that we would be prepared to act in conjunction with the Co-operative Committee on certain conditions and the next information we had was through "The New Canadian Newspaper" that we were acting as one of the Firms of Solicitors representing the Committee. Subsequently we endeavoured to co-operate as much as we could and have assisted numerous claimants completing their forms and advising generally.

It now appears, however, that this is as far as we can go at the present time.

You are coming to Vancouver shortly, however, and we can discuss the matter with you more fully. You will appreciate that this is going to take a great deal of time and effort and arrangements should be made whereby at least a portion of the fees will be remitted from time to time and certainly a fund should be available

Quebec 30 days. Alberta 50 days

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

CANADIAN NATIONAL

in the hands of Counsel involved for the payment of any necessary disbursements. Possibly by now you have some indication of what funds are going to be available.

It also occurs to us that it will certainly not be necessary for us to be on hand at the Hearings on December 3rd on behalf of the Committee. Undoubtedly the Commissioner will not even hear more than one Counsel or two at the outside representing the Committee. We are anxious to save unnecessary expenses to the claimants and quite frankly we do not see the necessity for Counsel coming from Eastern Canada for the three-day Hearing, but in any event since that is being done there does not appear to be any point in any local Counsel appearing in the same capacity.

In the meantime we shall continue our assistance to claimants who call upon us and have tentatively agreed with Mr. McMaster, subject to suitable arrangements being made, that the writer will proceed with him to Kamloops for Hearings set for December 8th to 13th.

Yours very truly,

NORRIS & MacLENNAN,

Per:

JAM/B.

Ugl
$6000

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE
FORM 6122
CANADIAN NATIONAL

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

BANK OF NOVA SCOTIA BUILDING
602 HASTINGS STREET WEST

Vancouver, B.C.

AIRMAIL

OUR FILE 1671.

November 26th, 1947.

Messrs. Cameron, Weldon & Brewin,
Barristers & Solicitors,
Sterling Tower,
Toronto 1, Canada.

Attention Mr. Brewin

Re: Japanese Claims

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EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

CANADIAN NATIONAL

Norris & MacLennan

Messrs. Cameron, Weldon & Brewin. 26/11/47.

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In the meantime we shall continue our assistance to claimants who call upon us and have tentatively agreed with Mr. McMaster, subject to suitable arrangements being made, that the writer will proceed with him to Kamloops for Hearings set for December 8th to 13th.

Yours very truly,

NORRIS & MacLENNAN,

Per:

JAM/B.

Copy sent to: A. F. Brewin, Esq.,
c/o Georgia Hotel,
Vancouver, B. C.

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

CANADIAN NATIONAL

CANADIAN NATIONAL TELEGRAPHS

W. M. ARMSTRONG, GENERAL MANAGER

Ritchie & Huckvale

BARRISTERS, SOLICITORS, NOTARIES &C

STUDENT CHRISTIAN MOVEMENT
UNIVERSITY OF TORONTO

RECEIVED
NOV 28 1947
CAMERON, WELDON & BREWIN

HART HOUSE
TORONTO, 5.

Nov 27.

Cameron, Weldon & Brewin

Sirs:

Herewith cheque in payment of your account dated Sept 29.

I have re-issued the cheque which was returned, and apologize for the inconvenience which resulted from transferring of accounts between banks at that time.

Yours truly,
E. M. Nichols

Cooperative Committee on Japanese Canadians.

FORM 6122

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

CANADIAN NATIONAL

CANADIAN NATIONAL TELEGRAPHS

W. M. ARMSTRONG, GENERAL MANAGER

6

Ritchie & Huckvale

BARRISTERS, SOLICITORS, NOTARIES, &C.

J. NORMAN RITCHIE, K.C.
W. E. HUCKVALE

OFFICES: ACADIA BUILDING
612 THIRD AVENUE S.

Lethbridge, Alberta, CANADA

27th November, 1947.

F. A. Brewin, Esq.,
c/o Georgia Hotel,
Vancouver, B. C.

Dear Sir:

The writer has for acknowledgment receipt of your letter of November 20th.

Some claims are still coming in, but we believe the great rush of the past two weeks is over.

Due to an exceedingly late beet harvest the claims in Alberta handled through the local sub-committee have been coming in so thick and fast that it has been almost impossible to keep track of them all. The result has been that we have had to tell claimants to do their own mailing and to obtain their own money orders for the retaining fee.

I am sending you herewith a list of the claimants of whom I have a record at the present time. This list sets out the amount of the claim and the nature of same.

I have also had a letter from the Secretary to the Commissioner advising of the opening hearings. I have replied stating that it would be impossible for me to attend, but that you would be speaking on behalf of the Lethbridge Legal sub-committee for all the claimants on this list.

Certain difficulties have arisen which can be listed as follows:-

1. Claims re fishing vessels disposed of by or through the Japanese Fishing Vessels Disposing Committee. We are anxious to know whether these can be brought within the terms of reference.

2. Cases where R.C.N. requisitioned or confiscated vessels. In this case as in 1. above, claimants allege that vessels were damaged and looted while lying in a pool of vessels. I am not clear whether or not these losses can come within the terms.

FORM 6122

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

CANADIAN NATIONAL TELEGRAPHS

W. M. ARMSTRONG, GENERAL MANAGER

3. Cases of owners of both land and chattels who have died either testate or intestate. In some cases it appears that the Official Administrator for British Columbia was appointed to act for the estate and dealt direct with the Custodian. I am anxious to know if in these instances the beneficiaries are bound by the acts of the Official Administrator.

4. There are several claims by beneficiaries entitled to share in the estate of a deceased claimant. Can you tell me what proof of death etc. the Commissioner will require.

5. Cases involving loss of business goodwill through evacuation. This sometimes involves loss of fish buyers licenses etc.

6. There are cases of homes which were built on property belonging to a corporation. When evacuation took place the corporation recognized no equity in anyone. Apparently no action was taken by the Custodian.

7. We are anxious to know if we can find out in the cases of joint ownership what the other joint owner is claiming. As you are aware, one joint owner may be filing a claim here and the other, say in Ontario.

8. One case has arisen involving shares in Cameron Lake Logging Co. Ltd. The shares and two pay cheques were evidently seized by the Custodian, but the claimant has no record whatsoever of what happened thereafter. He presums that the assets of the Company were sold. He states that there were debits and credits involving other Companies. It would appear necessary to obtain the books not only of Cameron Lake Logging Company Ltd., but of other Companies to whom they owed money or by whom money was owed to them.

9. There are claims for shares in co-operative enterprises, e.g., Pacific Co-operative Union. Will it be possible to get the books of these various co-operative enterprises?

10. A great many claimants have placed values on such things as fruit trees, strawberry plants, german rhubarb plants etc. These claims are so numerous that it would appear desirable to get a standard way of treating them.

11. There are cases of claimants who are too ill to attend any hearings and also absentee claimants who will probably be unable to attend. In these cases will it be possible for a wife or child to prove ownership and values?

12. We are extremely anxious to know when we can get photostatic copies of the valuations on which the Custodian acted.

13. We are extremely anxious to know if the Commissioner will allocate times to various Solicitors appearing.

14. With reference to valuations, we feel that if it is possible to get the services of qualified Japanese Canadians it would be advisable. Further we feel that it is essential that experts be employed who are perfectly familiar with farming operations in different areas of British Columbia and others who are familiar with logging, fishing etc.

15. Are we correct that interpreters will be employed by the Custodian? 16. Cases have occurred where claimants hold lease-hold interests and the lease provided that any buildings could be removed at the termination period of the lease. In these cases apparently the Custodian has done nothing.

As stated above, it has been physically impossible to date to give proper attention to the various claims which have been filed. The writer feels, therefore, that an extension of time should be granted before the filing of claims.

We would appreciate hearing from you after the first sitting of the Commission.

Yours truly,

W E Hackwale

WEH/JT.

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

CANADIAN NATIONAL TELEGRAPHS

W. M. ARMSTRONG, GENERAL MANAGER
TORONTO

47 NOV 29 AM 3 41

STANDARD TIME

YA15 41/40 NL=FD REGINA SASK 28

F A BREWIN=

814 CAMERON WELDON AND BREWIN STERLING TOWER TOR=

PLEASE ADVISE WHETHER YOU EXPECT ME TO ATTEND COMMISSION HEARINGS ON DEC 3RD STOP HAVE MADE NO ARRANGEMENTS TO ATTEND BUT IF REQUESTED TO DO SO I MUST ASK RE-EMBURSEMENT FOR EXPENSES AND POSSIBLE LOSS OF PAY DURING MY ABSENCE=

GEORGE TAMAKI.

3 TAMAKI.

UNDERSTAND TANAKA WIRED'RE EX PENES

STOP If possible be in Vancouver

Reunker 2nd. ~~UN~~

BROWN

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6102

CANADIAN NATIONAL TELEGRAPHS

W. M. ARMSTRONG, GENERAL MANAGER
TORONTO

CLASS OF SERVICE DESIRED
FULL RATE MESSAGE
DAY LETTER
NIGHT MESSAGE
NIGHT LETTER
EVENING & SUNDAY
PLACE X OPPOSITE SERVICE DESIRED

CHECK	RECEIVERS NO.	TIME FILED	CHARGE TO DEPT. OR ADDRESS

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Toronto, Ont.
November 29, 1947.

MR. GEORGE TAMAKI
OFFICE OF THE CHIEF INDUSTRIAL EXECUTIVE
LEGISLATIVE BUILDING,
REGINA, SASKATCHEWAN.

UNDERSTAND TANAKA WIRED RE EXPENSES STOP IF POSSIBLE BE IN VANCOUVER DECEMBER SECOND

BREWIN

Charge: Cameron, Weldon & Brewin,
372 Bay Street,
Toronto, Ontario.