

Corr. - nd. Mar - July

1947

1-10

- SUB-TABULATION "C" -

CONTENTS:

- VEHICLES (INCLUDING MOTORCYCLES)
- RADIOS
- CAMERAS
- FIREARMS
- MACHINERY
- TOOLS

NOTE: SUMMARY

PROPERTY

NOTE: SUMMARY

VEHICLES	RADIOS	CAMERAS	FIREARMS	MACHINERY	TOOLS
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SKEENA RIVER DISTRICTPrince Rupert

M-74
O-1

O-1

K-132
M-27

O-1
H-80

Skeena River

S-83

D-2
S-83

Port EssingtonVANCOUVER ISLAND AND COASTAL AREA

Bowser
Powell Lake

K-46

Cordova Bay

K-10

Paldi
I-22

I-22
U-13

I-22

Union Bay
H-44

ALBERNI DISTRICT

Port Alberni
K-81

M-64
N-71
T-19

CLAYOQUET DISTRICTTofino

K-65

K-65

K-65
M-94

N-20

N-21

QUAMICHAN DISTRICTDuncan

K-76
K-79

K-76

K-79

K-79

Nanimo

Y-60

COMOX and/or NELSON DISTRICT (10)Cumberland

W-6

A-5
I-52
I-53

I-52

I-53

Chemainus

H-79

PROPERTYNOTE: SUMMARY

<u>VEHICLES</u>	<u>RADIOS</u>	<u>CAMERAS</u>	<u>FIREARMS</u>	<u>MACHINERY</u>	<u>TOOLS</u>
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VANCOUVER ISLAND AND COASTAL AREAVictoria

T-8

Esquimalt

T-26

COWICHAN DISTRICTSalt Spring Island - GangesMayne Island

N-12

T-68

N-12

T-68

NEW WESTMINSTER DISTRICTVancouver

A-10

A-10

A-11

A-11

A-14

A-25

H-16

H-19

H-24

H-33

H-34

H-43

H-46

H-55

H-72

H-83

I-5

I-51

K-19

K-22

K-24

K-28

K-59

K-59

K-69

K-82

K-86

K-88

K-93

K-122

M-9

M-25

M-40

M-40

M-52

M-82

N-30

N-30

N-52

N-16

N-30

N-43

N-52

N-64

N-69

N-78A

N-87

PROPERTY

NOTE: SUMMARY

<u>VEHICLES</u>	<u>RADIOS</u>	<u>CAMERAS</u>	<u>FIREARMS</u>	<u>MACHINERY</u>	<u>TOOLS</u>
<u>NEW WESTMINSTER DISTRICT</u>					
<u>Vancouver (Continued)</u>					
	N-88	N-88			
N-90					
	N-91				N-91
N-95					
	O-57				
	O-61				O-61
O-69	O-69				
					O-73
					S-15
					S-53
S-58					
					S-76
	S-86				S-86
					S-93
	S-95				S-95
T-3					
T-44					
T-51					
	T-59				T-59
T-67					
T-87					
U-18					
					U-23
	Y-9				
Y-26	Y-26				Y-26
					Y-41
Y-43					
Y-46	Y-46				
<u>New Westminister</u>					
F-3					
F-9					
H-18	H-18	H-18			
H-20					
H-38					
H-70					
I-3					
					I-10
I-13					
		I-37	I-37		
					K-14
					K-43
N-28					
N-31					
	O-26				
O-83					
S-33					S-44
		S-92			
Y-50					S-109
Y-57					

PROPERTYNOTE: SUMMARY

<u>VEHICLES</u>	<u>RADIOS</u>	<u>CAMERAS</u>	<u>FIREARMS</u>	<u>MACHINERY</u>	<u>TOOLS</u>
<u>NEW WESTMINSTER DISTRICT</u>					
<u>Steveston</u> (Municipality of Delta)					
A-27					
H-48					
H-49					
	K-23				I-40
K-55					K-23
					K-57
					K-87
				K-98	
M-78	M-78				
N-18					
N-22	N-22				
N-74					
O-78					O-78
O-81	O-80				
		O-86			
S-1					
S-46					
	S-84				S-57
					S-112
	T-47				
T-72					
					T-81
U-16					
U-20				U-20	
					Y-49
					Y-64
<u>Delta</u> (Municipality)					
I-17					
					O-71
<u>Ladner</u> (Mun. of Delta)					
	I-1				
S-114					
<u>Richmond</u> (Mun. of Delta)					
S-39			K-115		
<u>Eburne</u> (Mun. of Delta)					
					E-4
					M-49
M-51					
<u>Sunbury</u>					
					T-39
<u>Milner</u>					
F-8			F-8		
<u>Surrey</u>					
K-104					
T-89					
<u>Langley</u> (Langley Prairie)					
S-22					
T-28					
<u>Matsqui</u>					
					O-44

PROPERTY NOTE: SUMMARY

VEHICLES	RADIOS	CAMERAS	FIREARMS	MACHINERY	TOOLS
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NEW WESTMINSTER DISTRICT.

Matsqui (continued)
S-96

Port Coquitlam.

M-56

Pitt Meadows.

H-74

K-5

K-6

K-39

K-111

M-46

N-3

N-3

S-5

S-113

Port Hammond.

O-66

S-20

T-23

W-2

Haney.

H-31

H-64

H-67

K-49

N-9

O-30

O-58

O-77

R-1

S-52

T-20

Y-59

Whonnoek.

A-22

S-77

N-33

Ruskin.

I-23

T-4

Mission.

A-12

E-10

F-16

K-31

K-112

M-27A

M-59

M-84

O-25

S-72

U-11

PROPERTY NOTE: SUMMARY

<u>VEHICLES</u>	<u>RADIOS</u>	<u>CAMERAS</u>	<u>FIREARMS</u>	<u>MACHINERY</u>	<u>TOOLS</u>
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Cranbrook

M-4

S-23

Additions

Ucluelet (Clayoquet District)

S-71

Courtenay (Comox District)

K-72B

No. 1. Restaurant Fishermen
2500
1940

Certain amount allocating

60% of Fishermen
obligation.

Learned for \$500

Mr Tanaka
Salt Lake

Queen Charlotte Parking Co.

Francis Tuller \$500

National Parking

x x

420. members 60-70

320 long & curbs

Another report June 20, 1942

renovated 5 years ago in per under

30 years in fishy business

Queen Charlotte Fishermen Ltd

2500
2100

2500

No - 1 Distort Fisherman
Association

This seems to be question of ~~rental~~
in which the rental ^{is over a year} might
justify a higher value.
consent to sale is difficult.

Care heard Dec 1 1948.

Purchase.

VANCOUVER CONSULTATIVE COUNCIL

EXECUTIVE COMMITTEE:

NORMAN F. BLACK, M.A., D. PAED., *President*
W. H. H. NORMAN, B.A., S.T.M., *Vice-President*
A. J. MACLACHLAN, B.A., B.D., *Secretary*
VICTOR H. OSTERHAUT, B.A., *Treasurer*
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HUGH DOBSON, B.A., D.D.
MRS. WALTER FAHRNI, B.A.
ALEX. GRANT, M.A.
GRACE MCINNES, B.A.
HUGH M. RAE, M.A., B.D.

1605 West Twelfth Avenue
VANCOUVER, B.C.

March 25th/47.

Re Discriminatory Legislation

Vancouver Consultative Council requests your patient consideration of a communication which in the circumstances must inevitably be of somewhat unwieldy length.

Some years ago, at a conference of representatives of some twenty five educational, philanthropic, religious and cultural organizations, Vancouver Consultative Council was set up for the study of problems of citizenship, particularly those arising from or influenced by war-time conditions. The Council devotes itself to the study and publicising of factual data relevant to problems of citizenship and, in general, to the protection of the elementary civil and human rights of under-privileged residents of this Dominion.

Accordingly, Vancouver Consultative Council is committed to opposition to all public policies and social tendencies based upon racial antipathies. The immediate purpose of this communication is to bespeak your support in connection with matters dealt with in the letter reproduced below and written under date of February 7th, 1947:

The Right Honourable W.L. Mackenzie King,
Prime Minister,
Ottawa, Canada.

Sir:

Re Canadian Policies relevant to Orientals

I am instructed to express the gratitude of Vancouver Consultative Council for your pronouncement of January 24 relative to aspects of the Canadian Japanese problem regarding which we have made representations to you and your Government from time to time, ever since the evacuation of the Japanese from this area. We felt that grave injustices had been perpetrated in the name of Canada but always were convinced that your own decisive influence would be cast in favour of policies consonant with Christian ethics. Consequently it was with great pleasure that

we read that "to ensure the fair treatment promised in 1944, the Government is prepared, in cases where it can be shown that a sale (of Japanese property) was made at less than a fair market value, to remedy the injustice."

We have reason to believe -- and indeed to know -- that such cases were numerous and we are unhappy over the prolonged delay in the announcement of machinery and procedure through which the facts may be established and hardships remedied. The case is complicated by the fact that property owners of Japanese extraction are scattered far from their former homes and that many of them are people whose helplessness is increased by ignorance of legal procedures. Very few of these people have any desire or intention to return to their former places of residence; but they are sorely in need of funds satisfactorily to establish themselves in those parts of Canada where they are now seeking to secure permanent homes and means of livelihood. Accordingly, with deep respect but great earnestness, we urge upon you an early and official clarification of a situation which we feel reflects upon the honour of Canada.

This Council, after careful consideration of the problems involved vigorously approves the repeal of the Chinese Immigration Act of 1923, a law which it looks upon as morally indefensible and injurious to Canadian interests and to healthy international relationships. We strongly disapprove of any law, order-in-council or official regulation that discriminates, or authorises discrimination, against Canadian citizens of Chinese ancestry or against Chinese nationals legally resident in Canada. Present legislation unfavourable to the establishment or maintenance of normal family life on the part of Chinese residents we look upon as contrary to the basic principles of morality.

In this and other connections we look to the Government of Canada for such action as will implement our obligations under the Charter of the United Nations to avoid racial discrimination in any form.

I have the honour to be,

Sir,

Your obedient servant,

NORMAN F. BLACK, President,

Vancouver Consultative Council.

This letter was acknowledged under date of March 5, when we were advised that our letter was being brought to the attention of Colonel Gibson, Secretary of State, with request that further information be sent us when decisions have been reached. We were also duly informed that our views regarding the removal of discrimination from legislation concerning immigration had been noted.

For very obvious reasons, the attitude taken and the opinions expressed during the next few days, by members of the House of Commons and Senate and other good citizens, relative to policies and legislation reflecting racial discrimination and animosities, will be of crucial importance.

At the moment we are pressing especially for the remedy of notorious economic injustices incidental to the evacuation, for military reasons, of persons not guilty of any misconduct; however, it is to be remembered that the Consultative

Council and those many other organizations and individuals sharing its views are equally concerned regarding regulations restricting the movements and means of livelihood of law-abiding citizens and residents of Canada, whatever their racial stock, and regarding such limitation of the franchise as reflects racial discrimination.

Accordingly, it is our hope that members of the House of Commons and of the Senate will unite, irrespective of party affiliations, for the remedy of the manifold injustices against which we protest.

We are indignant that an impression has been spread that the citizen body of British Columbia is with substantial unanimity favourable to the perpetuation of such discriminatory measures. His Grace Archbishop Duke of this city selected a Catholic clergyman to act on the Executive Committee of this Council and to serve as a member of a delegation which waited upon the Premier of British Columbia to protest against racial discrimination. Innumerable private members and the responsible courts of the Anglican, Baptist, United Church, Presbyterian, Unitarian, Salvation Army and other communions have taken a stand essentially identical with that to which this Council adheres. All members of one of the three major political parties are pledged to combat discriminatory legislation at any political cost; and it is grossly unfair and in conflict with obvious facts to assume that thoughtful and well informed members of other political groups are not likewise disturbed by conditions and policies that contravene basic traditional principles of equity and equality before the law. The mere fact that hundreds of citizens of British Columbia, without regard to their various religious and political affiliations, have together made financially possible the work of this Consultative Council is itself evidence that the section of British Columbians sharing the views reflected in this letter is far from negligible.

Some reference is necessary to legislation restricting the freedom and the social and economic welfare of the aboriginal peoples of Canada. In a brief addressed to the Prime Minister the Consultative Council spoke in part as follows, when discussing the Indian situation, October 18th, 1945:

We think that you will agree with us that the status of our aboriginal tribes and Canadian policy with reference to these "original Canadians" constitute an intolerable sociological anachronism. For their own protection, and in the interests of this Dominion, some of our Indians and Eskimos must, for the time, continue to be wards of the Government; but, as rapidly as their welfare permits, they should be assuming the full rights and responsibilities of citizenship. To that end they must be provided with educational and other social services incomparably better than hitherto have been made available.

In addition to its other requests Vancouver Consultative Council appeals to you for cooperation in securing the admission, on a fair basis, of Indian children to schools available for children of other ancestral stocks, and in the promotion of policies that will respect the Indian's just demands for the exercise of the franchise without necessarily involving him in the forfeiture of existing Indian rights and of whatever social or economic advantage he at present derives from his tribal relationships.

Sincerely yours,

Korman *J. Black*

POINTS OF CRITICISM RAISED BY THE JCCD CONCERNING ROUGH DRAFT OF TERMS
CONCERNING PROPERTY.

March 30, 1947.

The Property Committee of the JCCD discussed the rough draft of the terms concerning ~~our~~ property, and ~~we~~ came to a few conclusions which ~~we express on the basis of~~ are noted below. ~~with the hope that you will find them useful. I shall take the terms by number.~~

1. We urge the Co-operative Committee to recommend one member of the proposed three-man ~~committee~~ Commission, a member of whom the Committee approves. *Wen*
2. In this paragraph, we wish to know just which of the legal terminology refers to the losses sustained by the sale of property at less than a fair market price; and if a proper differentiation is made between the American and the Canadian losses, the former being 'damages', and the latter being 'restitution'.
3. (a). O.K.
 - (b) 1. We feel that this section needs clarification; that the word 'internment' in no way rejects claims rising out of property loss; that the word 'internment' refers only to the actual time of internment, and losses incurred during that time.
 - ~~(b) 1.~~
(b) 2. We suggest that the words 'death or personal injury' be deleted; if that is not possible, then we question its wholesale application. Also the bracketed words 'or loss of occupation or employment' are inconsistent with the survey forms in which loss of income is listed as part of the claim.
 - (b) 3. O.K.
4. O.K.
5. We need a clarification of the word 'monies' in the second paragraph. Is the onus of all costs on the government alone, or are the claimants involved?
6. O.K.

PLEASE BRING THIS AGENDA TO MEETING

EXECUTIVE COMMITTEE AGENDA

THURSDAY, MAY 22nd, 1947, at 2.30 P.M.

- ✓ 1. MINUTES OF MEETING HELD ON MAY 1st, 1947, for confirmation. ✓
- ✓ 2. ANNOUNCEMENTS.
- ✓ 3. BUSINESS ARISING OUT OF MINUTES.
 - (a) Report of Committee on Outstanding Reports. ✓
Rev. R. J. Shires.
4. REPORT OF SUB COMMITTEES.
 - ✓ (a) Trusts Committee -- Chancellor D. T. Symons.
 - ✓ (b) Finance Committee -- Mr. C. L. Foster.
 - ✓ (c) Property Committee -- Mr. W. R. Worthington.
5. REPORT OF SPECIAL COMMITTEES
 - (a) Report re Times Allocated for Quarterly Meetings. ✓
Mr. H. G. Soward.
 - (b) Report on Resolution of Synod re Grants from Anglican Advance Appeal Returns -- Mr. H.G. Keen.
6. RECOMMENDATIONS FROM STANDING COMMITTEES.
 - (a) ✓ Pensions Committee re Reciprocity -- Mr. C.L. Foster.
 - (b) ✓ Audit Committee -- Secretary-Treasurer.
7. NOTICES OF MOTION.
8. CORRESPONDENCE AND NEW BUSINESS.
 - (a) Letter from Mrs. D. T. Owen - Secretary-Treasurer.
 - (b) Request from D.C.S.S. re Ingles House.
Rev. E. J. Tucker.

2 E. Salaries
be omitted
Convening circular

May 26, 1947.

EVACUEE's STATEMENT of N. KISHIMOTO & KO. KISHIMOTO

Received notice to evacuate by B. C. Police on or about March 14¹⁵ 1942. Date of departure on March 21, 1942. *1 week*

Estimated stock on hand \$3,100.00

Decided to have sale of stock for three days: \$1,500.00 goods sold but only \$750.00 cash received i.e. 50% discount. Remaining stock of \$1,600.00 had to be sold so therefore sold to a wholesaler from Prince Rupert for \$580.00. Had no alternative but to sell at that price as there was only a day left to evacuate. Total loss in stock \$1,720.00.

Being a fishing town credit accounts were paid seasonally i.e. in the fall. Therefore we were not able to collect such accounts. The Custodian has in hand the credit ledger which they undertook to collect. Have had no information regarding same to this date.

Local policeman was kind enough to offer to look after store and house so hurriedly boarded up the doors and windows and left all furnishings and store equipment. These were auctioned off by Custodian later.

The above loss is only for store merchandise. Store equipment etc. were auctioned off by Custodian at a later date. Recently we have received notice from Custodian that store and house were sold for \$750.00. Estimated value of store, a house and property \$2,625.00.

P. S. With reference to Paragraph 2

Reason that stock was disposed of in such a manner is because of the short notice to evacuate, confusion, no Custodian at that time to advise.

PORT ESSINGTON, B. C.

SIGNED

N. Kishimoto

Ko. Kishimoto.
502 Clinton St.

DRAFT

June 9, 1947.

Mr. W. S. Wallace,
Box 629,
Lethbridge, Alberta.

Dear Mr. Wallace:

In view of your letter of June 6th, I have thought it advisable after consultation with Mr. Brewin to describe in full to you the situation in regard to the Japanese Canadian property Claims for your information, and to assist you in coming to a decision about any future steps.

As soon as the Prime Minister made his announcement which implied that some sort of commission would be set up to determine the property losses, we informed the Japanese Canadian groups here that we would be glad to assist in the presentation of their claims. At the time we organized a sub committee for lawyers here to advise us about legal matters. This committee drafted a rough order-in-council for the setting up of a commission, and the determination of claims based upon an Act of the U. S. Congress. Mr. Brewin then discussed this matter with the Secretary of State and we have recently attended as you probably know before the Public Accounts Committee to urge the setting up of a commission with wide terms of reference. In the meantime the Japanese Canadian Committee for Democracy have sent out forms of the economic loss survey all over the country, to those who might be affected, and with the exception of Alberta, have received co-operation from all the other Japanese Canadian groups across the country. This form is not in any way official. It was intended to secure a summary of the claims for presentation to the Government, and also so that the Committee itself could estimate the scope of the claims that might be expected to be presented to a commission. The form has, of course, no official government sponsorship, and when the commission is set up it will presumably work out its own method of having claims filed and presented. The economic loss surveys will be of great value, however to those representing the Japanese Canadians as a sort of brief of what is involved.

Our legal committee have not yet made any recommendations in regard to the representation of claimants before the commission. However, they propose as soon as the commission is appointed, to meet and make recommendations. What they have in mind is to suggest that solicitors recommended by them be available to look after all the Ontario claims. The claimants will, of course, be entirely free to employ their own legal counsel if they prefer to do so. The suggestion is that some very minimum charge be made to all claimants who are employed or have some funds. Those who are destitute would be represented without charge,

Then a further payment, probably based on a percentage of claims allowed, could be agreed on.

We thought it advisable to have the recommendation of several lawyers here who are well known so as to avoid any possible exploitation of the Japanese Canadians, and at the same time provide for a fair reasonable remuneration for those who are doing the job.

Of course our legal representatives in Toronto would not be able to look after the presentation of claims in other provinces, and we have accordingly been in touch through the consultative committee with a group of lawyers in British Columbia and in Winnipeg who will undertake to co-operate with the legal committee here and to whom a similar basis of remuneration would be suggested. It is, of course particularly important that there be co-operation with British Columbia as part of the evidence in all the cases will presumably have to be taken there. As I mentioned to you in an earlier letter, the first that we heard of Mr. Virtue was very shortly before he went to Ottawa when he saw Mr. Brewin on his way to Ottawa.

Of course we cannot advise whether the Japanese Canadians in Alberta would be well advised to have him represent them. Mr. Virtue when he was here, did say that he represented all of the Japanese Canadians in Alberta. If the Japanese Canadians themselves or your committee feel that some of the Japanese Canadians should be represented by someone other than Mr. Virtue, we would suggest that they consider and let us know who should act for them, and we can work in close co-operation with them.

We intend, of course not to co-operate with Mr. Virtue so far as he desires us to in a matter of this sort, and assuming that a commission is set up, it would obviously be of great value that in each province those representing the Japanese Canadians should know how the commission is proceeding and what sort of evidence it requires in its view of the various matters that come up.

Our committee here propose to make it quite clear to the Japanese Canadians that in offering legal services they are not in any way seeking to prevent claimants from having their own legal advisers if they prefer to do so. It is quite obvious however that if a substantial number of them accept the proposals we make that it will save them a lot of money and provide for the claims being presented expeditiously.

What we suggest therefore is that you in consultation with any of the Japanese Canadian groups who are uneasy about being represented by Mr. Virtue, should consider whether or not separate representations should be sought. You should then decide upon some legal representative in whom you have confidence, and we will then undertake to co-operate with them by advising them first of the terms under which the various legal representatives who are co-operating with the committee in the various provinces are proposing to act. Secondly, the selected legal representative of the terms of the commission and keeping them in close touch with the proceedings as they go along. It is also possible that whoever acts here may be in a position at least to visit the different provinces during the course of the proceedings and give direct advice and assistance based upon experience here. It would not, however, be possible for such a person to look after the detailed presentation of the claims from another province or to undertake the preparation of the claims ~~which would have to~~ which would have to be done locally.

I hope that this letter, although somewhat lengthy will give you a clear picture of the condition as we see it.

If it is decided that someone other than Mr. Virtue will represent some of the claimants then it would obviously be useful to have the economic loss survey forms completed by those who are to be separately represented as instruction to the new legal representative.

THE CO-OPERATIVE COMMITTEE ON JAPANESE CANADIANS
FINANCIAL STATEMENT

Audited Statement, May 1st, 1946, to June 30th, 1947:

RECEIPTS

Cash on hand, May 1st, 1946	\$ 3,204.17	
Individual Contributions	382.31	
Organizational Contributions	5,189.01	
Literature Sales	36.46	
Refund from Privy Council Appeal	1,085.09	
Sask. Govt. re Privy Council Appeal	<u>1,000.00</u>	\$ 10,897.04

DISBURSEMENTS

Secretarial Expenses:		
Salaries & Bonus	\$ 2,458.45	
Postage	87.24	
Travelling Expenses	65.90	
Stenographer	50.00	
Office Supplies		
& Expenses	40.94	
Telephone & Telegraph	13.46	
Subscriptions &		
Miscellaneous	<u>16.67</u>	2,732.66
Legal Counsel	4,384.83	
Printing & literature	380.97	
Public Meetings	<u>27.90</u>	7,526.36
Cash on hand and in bank June 30, 1947:		<u>3,370.68</u>
		<u>\$ 10,897.04</u>

Of this amount, \$ 2,000.00 has been earmarked by contributors and the Co-operative Committee for publication of the story and history of the evacuation and subsequent struggle for civil liberties. Thus a real balance of approximately \$ 1,300.00 remains for the ongoing work of the Committee.

1947 - 1948 BUDGET

Plans are now ready for the presentation of claims by Japanese Canadians to a Royal Commission. Expenses involved are expected to reach \$ 10,000.00 which will be borne by the claimants. The Committee feels, however, it is essential that its counsel watch proceedings closely while the Commission is sitting, in addition to taking responsibility for the preliminary legal expenses. The following budget is suggested:

Salaries, delegations, etc. to Sept. 20th	\$ 781.60	
Legal Work now in progress	1,000.00	
Contingency Fund	<u>1,000.00</u>	\$ 2,781.60

Therefore, the Committee estimates that it will need an additional \$1,500.00 to complete the work which it foresees. The co-operation of local committees and of individuals in securing this final amount will be greatly appreciated.

THE CO-OPERATIVE COMMITTEE
ON
JAPANESE CANADIANS

TORONTO, ONT.

126 Eastbourne Ave.
July 7, 1947.

Dear Mr. Brewin:

At our meeting a week ago the committee discussed what action might be taken to get some information from the government about the commission on property losses.

We agreed to write Angus MacInnis and ask him to raise the question in the house. I have already received an answer from him saying he would bring the question up soon.

It was also agreed that I should write you and ask that you write Mr. Gibson for information on the commission. I am a bit late in getting this letter off to you as we took a few days holiday last week and I forgot all my duties.

I trust that you are having a good holiday with your family.

I will expect a call from you when you return to the city next week.

Yours sincerely,

Donald MacMillan

July 14, 1947.

Col. Colin Gibson,
Secretary of State,
Ottawa, Canada.

Re: Japanese Canadian
Property Claims

Dear Colonel Gibson:

I have been requested to write to you once again in connection with this matter. Our Committee have observed with interest your statement that a Commission is likely to be appointed in the near future and ^{when} arrangements to secure the commissioner have been completed.

We are naturally anxious to learn as soon as possible when the Commissioner is appointed.

The Committee have also asked me to comment on the report of the Public Accounts Committee which has recommended that a commission be appointed to inquire into property losses sustained by Japanese Canadians in order that more information may be obtained as to desirability of adjusting any apparent discrepancy or loss which may have resulted from the taking over or sale of property at any time. We presume that the Public Accounts Committee was not seeking to give attention to the detailed wording of the terms of reference of the proposed commission. We would, however, wish to put it on record once again and I think it has already been made clear through you to the Government that we believe that the terms of reference should be broader than the phraseology of the report of the Public Account Committee seems to contemplate.

You will recall that we pointed out that the similar legislation before the Congress of the United States proposes to allow compensation on the basis of losses naturally arising out of the evacuation orders with certain specific exceptions.

We are anxious to make it clear that only similar terms broad enough to include losses arising before any action was taken by the Custodian or any other Government agency, could

Col. Colin Gibson

July 14, 1947.

secure full justice to those concerned.

We feel that this aspect of the situation may have been somewhat obscured by the fact that attention has been directed by some people and some sections of the press to alleged misfeasance on the part of the Custodian in making sales, or the Department of Veterans Affairs.

We would like to reiterate once again that the case which we have put forward on behalf of our clients is not based in any way upon any such claim or suggestion but is based solely upon the fact that the evacuation orders inevitably resulted in appreciable property loss for which compensation should be made upon adequate proof of the loss before the commission.

Yours very truly,

CAMERON, WELDON & BREWIN

per: 

FAB:HC

July 15, 1947.

Mr. George Tanaka,
President,
Japanese Canadian Committee for Democracy,
84 Gerrard Street East,
Toronto, Ontario.

Dear George:

I have been away for some time and have only just read the editorial in the New Canadian of July 5th about the inquiry into property losses.

This editorial seems to suggest that the local Japanese Canadian organizations are now marking time through the lack of direction "from better informed quarters". Questions are asked as to the necessity of acquiring the services of a legal advisor and preparing briefs of local claimants, and what sort of information would be required as proof of loss and so on.

It seems to me that you or someone should write to the New Canadian and explain the situation which I understand is something as follows:

It is impossible to make definite plans as to the presentations of claims before the Commissioner is appointed, and the terms of reference published. The nature of the claims and proof required depend so completely on fitting in in some way or other to the actual terms of reference. However, the Co-operative Committee have made plans in Ontario, Manitoba and British Columbia to have a legal committee advise Japanese Canadians in respect to these matters just as soon as possible. It is proposed also that in each of the main centres, some arrangement in regard to presentation of briefs and legal advice should be made available to all claimants who wish to use these services in presenting their claim.

Details as to how this will be done also await the publication of the terms of reference and possibly some discussion with the proposed Commissioner as to his methods of operation, itineraries, etc.

Mr. George Tanaka

July 15, 1947.

In the meantime the completion of forms setting out the information of economic losses should be completed by all who wish to make claims, as these forms can be used to instruct whoever will be responsible in the various centres in regard to the matter.

With kindest regards.

Yours sincerely,

FAB:HC

TN

STATEMENT FOR THE PRESS
ISSUED BY THE
CO-OPERATIVE COMMITTEE ON JAPANESE CANADIANS

July 24, 1947.

The terms of the Order-in-Council appointing the Commission to investigate Japanese Canadian property claims are so restricted as to be worse than inadequate, and in fact to be practically useless. It will be necessary to consider seriously whether it will be worth while for the Japanese Canadian claimants to have anything to do with the Commission unless the terms of reference are broadened to enable a full and fair inquiry to be made.

The terms of the Order-in-Council impose an impossible burden on claimants. Before the Commissioner can recommend a cent of compensation, he must be satisfied that the Custodian has failed to use reasonable care in disposing of the properties.

The claimants have never based their case for compensation on the lack of care by the Custodian who in most if not in all cases may be presumed to have done the best possible in the circumstances. However, in these circumstances of wholesale evacuation, it was inevitable that market values should be abnormally low and the major losses sustained were caused by the Government's policy of enforced evacuation rather than by any lack of care by the Custodian.

Many hundreds of claims cannot even be considered by the Commissioner, for the properties were lost or disposed of or had seriously depreciated before the Custodian was able to take charge. These losses arise no less out of the evacuation orders and Government policy of which, however necessary it may have been, the Japanese Canadians were the innocent victims.

The Co-operative Committee has repeatedly pointed out that justice could not be done unless the terms of the inquiry were as broad as those contained in the Bill proposed to Congress by the American Government which provides for compensation for Japanese Americans for all losses naturally and reasonably flowing from the evacuation orders. In this instance the Canadian Government in contrast to the American Government is doing less than justice. Nor do the proposed terms of reference implement the promises made by the Prime Minister himself when on January 24th, 1947 he stated that, "to ensure the fair treatment promised in 1944 the Government is prepared in cases where it can be shown that a sale was made at less than a fair market value to remedy the injustice." The terms of the Commission will deprive those whose property was sold at less than the fair market value of compensation unless they can show that the Custodian acted carelessly. The injustice referred to by the Prime Minister will not be remedied unless the order is amended.

Nor do the terms of the reference comply with the recommendation of the Public Accounts Committee which was approved by Parliament. This Committee recommended that a Commission be appointed to inquire into claims for losses which resulted from the amount being received by claimants being less than the fair market value of ~~their~~ property at the time of sale or loss.

Under the present order if the Custodian shows to the Commissioner that he made reasonable inquiries and did the best that he could in the circumstances, the Commissioner can allow no compensation, although the sales are far below the fair market value.

It is still not too late for the Government to change its mind. We are writing to the Prime Minister urging that his former promise of remedying the injustice be fully implemented.

The Committee cannot rest nor should the people of Canada be satisfied until the Government of Canada have reversed its policy, and done full justice.



RECEIVED

JUL 24 1947

THE SECRETARY OF STATE OF CANADA

CAMERON WELDON
& BREWIN

Ottawa, July 23rd, 1947.

A. F. Brewin, Esq.,
c/o Cameron, Weldon & Brewin,
Barristers, etc.,
Sterling Tower,
Toronto, 1, Ontario.

Dear Mr. Brewin,

Re: Japanese Canadian Property
Claims

I have just received a copy of the Order in Council appointing Mr. Justice H.I. Bird as Commissioner to investigate the claims of Japanese Canadians, and am attaching a copy hereto as requested.

Yours very truly,

h

Col. Colin Gibson,
Secretary of State,
Ottawa, Canada.

Dear Colonel Gibson:

Re: Japanese Canadian Property
Claims

Thank you for sending us a copy of the Order-in-Council appointing Mr. Justice Bird as Commissioner to investigate these claims.

Our views on the Order-in-Council have been communicated to the Prime Minister, who as you know has taken an interest in the problems of the Japanese Canadians from time to time.

Yours very truly,

FAB:HC

FM

July 25, 1947.

The Right Honourable W. L. Mackenzie King,
Parliament Buildings,
Ottawa, Canada.

Dear Mr. Prime Minister:

I am writing for the Co-operative Committee on Japanese Canadians who as you know comprise a very wide cross section of people from all political parties and all sections of opinion throughout Canada.

We very much appreciate the consideration and co-operation you have shown to the Committee in sparing some of your time notwithstanding the great pressure of other events. On our part we have endeavoured to present our claims in a fair and uncontroversial manner, and we have not in any way been responsible for the attacks that have been made upon the Government in connection with this matter.

We are deeply disappointed by the terms of reference announced by the Secretary of State in regard to the property losses of the Japanese Canadians. In your statement of January 24th which we welcomed, you said "To ensure further the fair treatment promised in 1944 the Government is prepared in cases where it can be shown that a sale was made at less than a fair market value, to remedy the injustice."

The terms of reference, however, in the Order-in-Council announced by the Secretary of State limit the Commissioner to allowing compensation where it can be shown that the Custodian acted without reasonable care in the disposition of the property vested in him. It will be practically impossible to show any such thing, and indeed we have made it clear in all our representations on this matter that we have based no claim on any lack of care of the Custodian, but rather upon the inevitable losses arising out of the policy of evacuation.

We have made it clear on a number of occasions, however, that neither we nor the very considerable body of opinion for which we believe we can speak could be satisfied if the terms of reference of the proposed Commission were more restricted in their scope than those proposed by the American Government to

The Right Honourable W. L. Mackenzie King

July 25, 1947.

Congress, in regard to claims of Japanese Americans. You have yourself stated that Canadian and American policy in respect to persons of the Japanese Race should be continental and similar.

You will no doubt recall that in this Act the Japanese Americans were to receive compensation for all losses naturally and reasonably flowing from the evacuation order.

The American Government in a strong message from the Secretary of the Interior pointed out to Congress how it would be impossible for justice to be done unless compensation were made for losses arising before the Government appointed a custodian of the property and how difficult and impossible it was in the circumstances for a custodian to prevent loss.

We must therefore urge that the Order-in-Council be revised so as to enable a Commissioner to inquire into losses arising reasonably and naturally out of the making of the various orders for evacuation of the coastal areas.

So seriously do we regard this matter that we are considering whether or not we have a responsibility to advise the Japanese Canadians to have nothing to do with the Commission. In any event if the terms of the Commission are as narrow and unsatisfactory as we believe them to be at the present time, no one will be satisfied with the report that the Commission makes, and the matter will remain one of public agitation probably for many years to come.

We would very much appreciate the opportunity of reinforcing these observations with a small delegation that could discuss the matter with you.

We feel certain that it is your desire to carry out fully, the promises of fair treatment which you have made on more than one occasion. We feel, however, obliged to say that we most emphatically do not feel that what is being done in the present Order-in-Council does have that effect.

Respectfully yours.

FAB:HC

July 25, 1947.

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

Attention Mr. R. J. McMaster

Re: Japanese Canadian Property Claims

Dear Sirs:

I am enclosing a copy of the Order-in-Council appointing Mr. Justice Bird Commissioner. Perhaps you already have this.

We are naturally extremely disappointed in the terms of reference and are arranging for a public protest, and we are writing in strong terms to the Prime Minister and seeking an interview with him.

I expect that it would be too optimistic to expect that at this date a change would be made.

We have a legal committee here and will be meeting shortly and formulating proposals for representation of the Japanese Canadians. I would be glad to have any suggestions that you have as to how this should be done and particularly in regard to what you think would be reasonable arrangements to be made in regard to fees.

We had in mind that the Co-operative Committee would offer to supply legal advice upon payments of a small percentage of the amounts claimed, by all claimants who are in funds, or employed, together with a larger commission to be paid out of any moneys recovered. It seems somewhat problematic whether under the limited terms of reference, any substantial moneys will be recovered at all. It is clear that we shall have to concentrate in the first instance on showing that the Custodian did not exercise reasonable care not so much in individual cases but as a general treatment of all these claims. We will be going through the evidence before the Public Accounts Committee carefully in this regard. In the meantime it would be very helpful for us if you could get

Messrs. Campbell, Brazier, Fisher & McMaster

July 25/47.

in touch with Mr. Justice Bird and tell him that it is probable that the counsel representing the Co-operative Committee will be acting for a large number of claimants and that you or whoever you suggest in Vancouver will be acting as local agent for all those who make claims through the Co-operative Committee. You might then find out from him when he proposes to start hearings, whether as we presume, he will have some hearings in the east and then proceed across the country to the west. Under the present terms it seems obvious that the cross-examination of Government witnesses as to what steps they did actually take will be of major importance so that we can get over the hurdle that it is necessary to show that the Custodian did not use reasonable care.

I would be glad to have your comments on the Order and any suggestions and information you have in regard to how we should proceed.

With kindest regards,

Yours sincerely,

FAB:HC

FM

Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

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

C. G. ROBSON

RECEIVED

JUL 31 1947

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

July 29, 1947.

OUR FILE NO.

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

Att'n: Mr. Brewin.

Dear Sirs: Re: Japanese Canadian Property Claims.

We have for acknowledgment receipt of your letter of the 25th instant and have noted the contents. The writer just returned to the office today from holidays and has not had an opportunity to consider the matters referred to in your letter, as fully as he would like, but we thought that you would like to receive an acknowledgment.

We must agree with you that the terms of the reference are disappointing and certainly we think that anything which your Committee can do to persuade the Government to broaden them would be well advised. We will seek, at the earliest possible date, to communicate with Mr. Justice Bird and advise him, as suggested by you, that it is probable that the Counsel representing the Co-operative Committee will be acting for a large number of claims and that this firm, or whomever your Committee sees fit to appoint, will be acting as local agent for those persons who made claims through the Co-operative Committee. We will also endeavour to find out from him when he proposes to start hearings and whether he proposes starting in the East and then proceeding West. We presume that you might like us to urge upon him, if we are able to do so at all, that the hearings be delayed a reasonable period of time to permit preparation of the claims.

With respect to the financial basis of

Messrs. Cameron, Weldon & Brewin

July 29, 1947.

of Counsel acting as agent for your Committee, we would think, along the lines of the discussion that we had in Toronto, that possibly the Committee might undertake, say, \$35.00 a day for each day necessarily engaged in the matter, and a proportionate amount for each portion of a day, that the claimants be required to agree to pay a reasonable proportion of anything which they recover and that the amount which is collected in this manner would be used to bring up the amount paid by the Committee to \$50.00 a day. If the amount paid by the Committee plus the amount paid by the claimant brought the fee up in excess of \$50.00 a day, then we would suggest that the Committee's obligation would be reduced so that Counsel would not, in other words, receive more than \$50.00 a day. Subject to clarification, we would be prepared to act in the matter upon that basis, if the Committee saw fit to request us to do so.

At the moment, the writer is embroiled in a rather complicated labour dispute, but as soon as he gets some free time, he will forward any suggestions he has as to proposals for representations.

Yours truly,

CAMPBELL, BRAZIER, FISHER & McMASTER

Per. *R. J. McMaster*

RJM:CW

July 30, 1947.

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

Attention Mr. R. J. McMaster.

Re: Japanese Canadian Property
Claims

Dear Sirs:

The Japanese Canadian organization are meeting here towards the end of August. I expect to be out of the city from the 10th of August. I am extremely anxious to present to them a workable scheme by which they might raise money for necessary legal expenses before a Commission.

I presume that there will be in Ontario, some 500 or 600 claimants most if not all of whom will desire to be represented by counsel for the Co-operative Committee.

My idea is that if you are available you should act as local agent for these claimants in Vancouver and that I myself with the assistance of some other lawyers here will act for them here.

It has been suggested that the best way of raising funds would be to ask the claimants to put up a percentage of their claims to cover the minimum costs of representation and that a further agreement should be made that they would pay a higher proportion in addition, out of any moneys actually recovered.

I do not think there is any objection to such arrangement. It would obviously be the fairest and easiest so far as the Japanese Canadians are concerned.

It will be necessary for me to present to them at least in outline, some estimate of what the costs may be.

Messrs. Campbell, Brazier, Fisher & McMaster

July 30/47.

I wish you would give consideration on what basis you might be willing to act, and although I know it is extremely difficult to do so, any suggestions that you may have as to what additional expenses for valuations, etc. would be required.

It is my thought that I might be able to come to Vancouver to discuss the whole matter with you, and also that ~~a number of counsel~~ ^{for Ontario, Alberta, and British Columbia} should be available in Vancouver when crucial questions such as the cross examination of Government witnesses takes place.

I was wondering if Mr. Justice Bird would be in the east before the Commission opens so that if he was we could arrange an interview with him.

I would much appreciate as early a reply as possible from you with your thoughts on this subject.

Yours very truly,

Edw. Brew

FAB:HC

July 31, 1947.

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

Attention Mr. R. J. McMaster

Dear Sirs:

Thank you for your letter of July
29th which crossed a letter which I wrote to you yes-
terday.

I have had a letter from the Prime
Minister in which he at least keeps open the possib-
ility of changing the terms of the Order-in-Council,
and I am hoping to be able to see various members of
the Government next week.

The proposal in your letter as to fees
sounds to me quite reasonable. I was wondering if you
had any sort of idea as to how many days might be nec-
essary. Do you think that for example, 100 full days
might reasonably cover what would be required in Van-
couver by yourself. I have in mind that as far as we
are concerned here, I may be able to limit my work on
it to about 30 days.

Yours very truly,

FAB:HC

Wm

July 31, 1947.

Right Honourable J. L. Ilesley,
Minister of Justice,
Justice Department,
Ottawa, Canada.

Dear Mr. Ilesley:

I wrote on the 25th of July to the Prime Minister on behalf of the Co-operative Committee on Japanese Canadians in regard to the terms of reference established for the Commissioner to inquire into losses resulting from the sale of property of persons of Japanese origin in Canada.

The Prime Minister replied to me by letter of July 29th in which he says "You might feel that it would be desirable to discuss the matter with the Secretary of State and with the Minister of Justice. I am having copies of your letter referred to them for their attention and you might perhaps wish to discuss the matter with them in the first instance."

As a result of the Prime Minister's suggestion, I am writing to you and to the Secretary of State to say that I will be very glad indeed if such an interview could be arranged, and I am suggesting to the Secretary of State that if at all possible (and I understand the difficulties at this time of year) I would be very glad if the proposed interview could take place some time next week.

I do not believe that more than one hour would be necessary to discuss the matter thoroughly.

I am also writing to the Prime Minister suggesting that if it be at all possible, perhaps he himself could be present at the discussion.

Yours very truly,

FAB:HC

FAB

July 31, 1947.

The Right Honourable W. L. Mackenzie King,
Parliament Buildings,
Ottawa, Canada.

Dear Mr. Prime Minister:

I wish to thank you on behalf of the
Co-operative Committee on Japanese Canadians for
your letter of July 29th.

We appreciate the attention you have
given to our letter.

In accordance with the suggestion that
you have made, I have written to the Secretary of
State and Minister of Justice asking for an oppor-
tunity to discuss with them the limitation in the
terms of reference which in our view seriously re-
duces the value of the proposed Commission.

As your letter suggests that I should dis-
cuss the matter with them "in the first instance" I
have ventured to suggest to them that if it were at
all possible it might be satisfactory that I should
discuss the matter with you and with them simultaneously.

I have suggested that subject to their con-
venience the proposed interview might take place some
time next week.

I do not think there is any reason why the
whole discussion should take longer than an hour at
the outside.

Respectfully yours,

FAB:HC

FAB

July 31, 1947.

Col. Colin Gibson,
Secretary of State,
Ottawa, Canada.

Dear Col Gibson:

As I wrote to you the other day, I was instructed to write to the Prime Minister on behalf of the Co-operative Committee on Japanese Canadians expressing their views in respect to the terms of reference established for the Commission.

I have now received a letter from the Prime Minister in which he says, "Before reaching any definite conclusions with regard to the effect of this phrase (reasonable care) you might feel that it would be desirable to discuss the matter with the Secretary of State and with the Minister of Justice. I am having copies of your letter referred to them for their attention and you might perhaps wish to discuss the matter with them in the first instance."

I have accordingly written to the Minister of Justice and am now writing to yourself saying that I would be very glad indeed to have the opportunity to discuss with both of you the views of the Committee in regard to the matter.

I am also writing to suggest to the Prime Minister that as his letter suggests that after discussion with you and the Minister of Justice "in the first instance" we might have some discussion with him, that it might possibly be most satisfactory if it can be arranged, that he should be present at the first discussion. In my view the proposed discussion need not take longer than an hour at the outside.

I know this is a very bad time of year to make any arrangements, but I am venturing to suggest that if it is at all possible the proposed discussion might

Col. Colin Gibson

July 31, 1947.

take place some time next week at the convenience of yourself and the Minister of Justice.

Yours sincerely,

FAB:HC

FAB