

Corr. : Jan- Mar 1950

2-10



WHEREAS during the war MATSUSAKI, HajimeReg. No. 01562

now residing at \_\_\_\_\_

(hereinafter called the Releasor) was evacuated from the Protected Area of British Columbia and by Order in Council P.C. 1665 of March 4, 1942, as amended, it was provided that his property should be vested in and subject to the control of the Custodian as defined in the Regulations Respecting Trading with the Enemy;

AND WHEREAS certain property belonging to the Releasor was disposed of by the Custodian and/or was lost, stolen or destroyed while in the care, custody or control of the Custodian and a claim was made that in respect of such disposal and/or loss, theft or destruction the Releasor suffered pecuniary loss;

AND WHEREAS the Commissioner appointed under Part I of the Inquiries Act has recommended that the Releasor be awarded the sum of \$21.89;

Twenty-one dollars and eighty-nine cents.

AND WHEREAS the Custodian has been duly authorized to carry out the recommendation of the Commissioner and to pay the aforementioned sum to the Releasor;

AND WHEREAS the Custodian has paid to the Releasor the said sum;

NOW THIS INDENTURE WITNESSETH that in consideration of the premises and of the sum so paid by the Custodian the Releasor hereby releases His Majesty The King in Right of Canada and the Custodian from all actions, claims and demands whatsoever in respect of real and personal estate of the Releasor and the rents, profits and income thereof respectively, or any part or parts thereof or in respect of any act, deed, matter or thing whatsoever done or omitted to be done by the Custodian in or about the administration, sale or disposal of the Releasor's property or in respect of any of the matters above recited.

IN WITNESS WHEREOF the Releasor has affixed his hand and seal this

\_\_\_\_\_ day of \_\_\_\_\_ 1950.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

)  
)  
)  
)  
)

AFFIDAVIT OF WITNESS

PROVINCE OF \_\_\_\_\_ ) IN THE MATTER of a claim of

TO WIT: \_\_\_\_\_ ) of \_\_\_\_\_

I, \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_

DO SOLEMNLY DECLARE:

1. That I was personally present and did see the within release duly signed, sealed and executed by the Releasor therein named.
2. That, of my personal knowledge, the said Releasor is of the full age of twenty-one years and is the person entitled to receive the compensation mentioned in the within release.
3. That I am a subscribing witness to the said release.

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 \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1950

\_\_\_\_\_  
A Commissioner etc.



*Japanese Canadian*

TELEPHONE: PLAZA 1253



**CITIZENS ASSOCIATION**

NATIONAL HEADQUARTERS:  
84 GERRARD ST. E., TORONTO 2, ONTARIO

January 11, 1950.

Mr. Andrew F. Brewin,  
Sterling Towers,  
372 Bay Street,  
TORONTO, Ontario.

Dear Andy:

Please forgive me for overlooking sending you

Mr. Ennis' address as I had promised. It is:

Mr. Edward J. Ennis,  
Attorney at Law,  
165 Broadway,  
NEW YORK, N. Y.,  
U. S. A.

(Phone - BARCLAY 7-6343.)

Yours sincerely,

GEORGE TANAKA,  
National Executive Secretary.

GT/nf

JAN 12 1950

CAMERON, WELDON, BREWIN, &  
McCALLUM.



**Brazier, Fisher, McMaster & Johnson**  
Barristers and Solicitors

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

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

OUR FILE NO.

January 13th, 1950.

Andrew Brewin, Esq., K.C.,  
Barrister, etc.,  
Sterling Tower,  
Toronto, 1, Ontario.

RECEIVED

JAN 16 1950

CAMERON, WELDON, BREWIN, &  
McCALLUM.

Dear Andy:

I wrote you several days ago requesting a statement which had been supplied to the Co-operative Committee by the J.C.C.A. relative to expenses attributable to Commission presentations, settlement etc.

I would very much appreciate it if you could let me have this by return mail as I hope soon to draw up a statement of disbursements, to discuss with the Commissioner.

The Commissioner has today fixed the general ratio applying to lost chattels at 46% in cases where there were no chattels sold at auction. We are rather pleased to have brought this up from 34.81%. The net ratio will also be up 6% or 7% but we have not yet got the figures finally determined.

There is a reasonable possibility the Commission will be through by the end of this month or the first week in February.

Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON,

Per:

Bob

McM:McC



Campbell, Brazier, Fisher, McMaster & Johnson  
Barristers and Solicitors

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

OUR FILE NO.

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

January 14th, 1950.

Andy Brewin, Esq., K.C.,  
Barrister, etc.,  
Sterling Tower,  
Toronto 1, Ontario.

Dear Andy:

A short time ago in discussing the matter of how the various solicitors were going to be paid you suggested that after having the bills taxed by an independent firm of solicitors you proposed that the Committee should arrive at the total fee and then work out the amount payable by each claimant.

If I recall, you then proposed to have this schedule audited by a firm of auditors with a view to presenting the same to the Government and asking them to deduct the respective amount from the amounts of each claim. It appears to us that if this plan is still in contemplation it will be necessary for you to have the retainer form for each case.

In B.C. the claims were filed in the main through the B. C. J.C.C.A. Whether they kept the retainer forms or sent them on to the Committee in Toronto, we do not know. In the case of the Toronto cases, we understood from you that the retainer forms are in the claims files. If this is the case, then we shall have to go through the Ontario cases and extract the same therefrom. Perhaps you would be good enough if these forms are required to undertake the necessary job of getting the retainer forms all collected and in the hands of the Committee. If the Ontario retainer forms are in the files, let us know and we will extract the same therefrom.

We might say that in a few cases in British Columbia where the retainer fees were paid into this office,



Mr. Brewin:

January 14th, 1950.

- 2 -

we have forwarded the retainers direct to the Toronto  
Committee.

Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON,

Per: *Rob*

McM:McC



Campbell, Brazier, Fisher, McMaster & Johnson

Barristers and Solicitors

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

OUR FILE NO.

THE ROYAL BANK BUILDING

675 WEST HASTINGS STREET

VANCOUVER, B.C.

January 23rd, 1950.

A I R M A I L

Andrew Brewin, Esq., K. C.,  
Barrister, etc.,  
Sterling Tower,  
Toronto 1, Ontario.

Dear Andy:

Re: Japanese Claims Commission.

Kindly advise at the earliest possible moment as to whether the Co-operative Committee has had any further disbursements other than the disbursements to this firm since the last statement of account which you provided me with.

We are struggling hard to get the Commission completed within the next ten days or at the outside two weeks.

Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON,

Per: *Bob.*

McM:McC

*Pt. Received statement from Geo. Danche.  
B.*



**Campbell, Brazier, Fisher, McMaster & Johnson**  
Barristers and Solicitors

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

OUR FILE NO.

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

January 25th, 1950.

Andrew Brewin, Esq., K.C.,  
Barrister, etc.,  
Sterling Tower,  
Toronto, Ontario.

Dear Andy:

Re: Mrs. Kikuna Nakai - Case 46.

*see P.S.* The above-named claimant made her claim before the Commission at Lytton very early in the proceedings. At that time she resided at Minto Mines B.C. I communicated with Mr. Iwasa at Minto Mines yesterday and he advised me that she is now residing in Toronto. He will endeavour to ascertain her address and advise me by wire, unless the wires are down, as to the same. Otherwise he will write me. Due to the tie-up in communications in B.C. at the present time, however, I am doubtful whether we will receive the information at an early date. If perchance the Committee have her Toronto address or can ascertain it, I would urge that they get in touch with her immediately and have her see you. I am sending a copy of this letter to George Tanaka in the hope that he will be good enough to search the records of the J.C.C.A. and possibly the New Canadian to locate the claimant's address in Toronto and will advise you.

This claimant operated a high class restaurant in Vancouver prior to evacuation, the same being situated under the Consulate Offices. We have evidence to the effect that it was a high-class restaurant and that the chinaware particularly used therein was of a very exclusive type. The claimant made a good impression upon the Judge and aroused his sympathy as this chinaware sold for a pittance at auction. We were able to call one of the Crown interpreters to establish the fact that she had that kind of chinaware and that her values were more or less reasonable in terms of cost price in any event and we had negotiated a very satisfactory settle-



Tokyo.  
Nasaka.

Vancouver 3-4  
? Nov. Japanese boat  
Onami. Tokyo. Yokohama.  
Hien Maru  
or Hi Rawu }

Mr. Brewin:

January 25th, 1950.

- 2 -

ment with the Crown subject to approval by the Commissioner much to the chagrin of the Custodian's staff.

In her evidence, transcript whereof is enclosed herewith, the claimant alleged at page 8 that certain of the articles, being mainly chinaware had been brought from Japan the year prior to evacuation by her husband. We draw your attention particularly to line 10 where she says, "Her husband bought them and was in Japan and brought them back"; Question: "Was that the year before evacuation?" Answer: "Yes".

The Custodian staff have gotten in touch with the Canadian Immigration and are advised by that Department that after searching their records they find that Yasuichiro Nakai (or Noda) had never returned to Japan at any time and that Mrs. Nakai went to Japan on November 11th, 1928, returning on May 18th, 1929 on the Empress of Canada, in both directions and that since that date neither Mr. or Mrs. Nakai have left Canada.

In view of this evidence uncovered by the Custodian it throws serious doubt on the integrity of the claimant in her statement and you will appreciate that a strong explanation will require to be forthcoming if her claim is to stand. We are afraid that if she has not been truthful in this respect it may jeopardize any reasonable settlement of her claim whatsoever.

As we are still hoping to complete the Commission by the 31st inst., it would be appreciated if you would make every possible attempt to locate this woman forthwith and to obtain from her whatever explanation she has of her statements under oath and communicate the same to us by airmail.

It will not be necessary to send back the transcript of the evidence as we have another copy on file.

Yours truly,

P.S. We have now received a wire from Iwasa giving the address of Mrs. Nakai as 164 Cambridge Ave., Toronto.

The recovery in this case if this matter is cleared up may be

McM:McC several thousand dollars  
encl. so this is important.

AIRMAIL

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON,

Per: *B. L.*



January 28, 1950

AIRMAIL

R. J. McMaster, Esq.,  
c/o Campbell, Brazier, Fisher, McMaster & Johnson,  
Barristers, etc.,  
675 West Hastings St.,  
Vancouver, B.C.

Dear Bob:

RE: MRS. KIKUNA NAKAI - Case 46

Your letter of January 25th was received and Mr. George Toonaka informed me that he had got in touch with Mrs. Nakai who is now living at 164 Cambridge Avenue, Toronto, with her husband Mr. Yasuichiro Nakai.

Today, Mr. Nakai and his daughter came down to my office. Mr. Nakai confirmed the information bearing on the proceedings, namely: that he had visited Japan for some three or four months beginning roughly in November 1939 and that he returned on or about the 7th of February 1940.

He stated that during his visit to Japan he purchased in Tokio and Osaka the various articles referred to and that he brought them back with him to 362 Alexander Street, Vancouver, where his wife was conducting a restaurant business. He stated that to the best of his recollection he travelled by the Japanese boat known as either the Hien Maru or the Hikawa.

The only documentary proof that he had immediately available was his Certificate of Naturalization, which I enclose. This certificate, as you will observe, is dated the 18th of January 1940 and contains on the inside the stamp of the Canadian Immigration dated February 7, 1940 at Vancouver by one F. Henry. It would appear that Mr. Nakai was naturalized on the 9th day of March 1915 and that when he made the trip to Japan he was told by Mr. Henry or someone else that it would be advisable to secure a new certificate. It would appear that the certificate must have been mailed to him. I presume you can get Mr. Henry to confirm the signature and verify that the immigration stamp would not have been put on by him unless Mr. Nakai had entered Vancouver at that time.

Please let me know if there is any further information that you require.

Mr. Nakai is quite positive that he made the trip to Japan. Also that he purchased the articles in question when he was there and brought them back to Vancouver. This should clear up the matter.



R. J. McMaster, Esq.

- 2 -

January 28, 1950

If it is advisable to secure an affidavit of evidence we will be glad to do so. Mr. Nakai will doubtless wish to have his Certificate of Naturalization as soon as possible so will you please take care of it and see that it is returned to them when it has served its purpose.

It is possible that some confusion might exist in regard to the name. I am informed that Nakai is the proper name but that Noda was the former name of Mrs. Nakai before her marriage and that by some Japanese custom the husband sometimes takes the wife's name where she is the eldest of her family. This may not be the complete explanation but it would appear that Mr. Nakai sometimes went by the name of Noda for this reason. Possibly this may have caused some confusion in the records.

Mr. & Mrs. Nakai's daughter Kazue, who speaks English well, also informed me that she knew of her own knowledge that her father had gone to Japan at the time set out, and brought the goods back. We can get an affidavit from her if that would be helpful.

Yours truly,

CAMERON, WELDON, BREWIN & McCALLUM

FAB-W  
ENC.

Per:

Naturalization Certificate  
No. 26577 - 18th January 1940.  
Yasuichiro Nakai.



VIRTUE, RUSSELL & MORGAN

BARRISTERS, SOLICITORS  
AND NOTARIES PUBLIC

McFARLAND BUILDING, OPPOSITE COURT HOUSE

LETHBRIDGE, ALBERTA

25th January, 1950

A. GLADSTONE VIRTUE, M.C.K.C.  
WILLIAM STAFFORD RUSSELL, B.A., LL.B.  
FREDERICK JOHN MORGAN, B.A., LL.B.

3201

PLEASE REFER TO FILE NO.

RECEIVED  
JAN 27 1950

WELDON, BREWIN &  
McCALLUM

R. J. McMASTER, ESQ.,  
c/o Messrs. Campbell, Brazier, Fisher,  
McMaster and Johnson,  
Barristers and Solicitors,  
Royal Bank Building,  
675 West Hastings Street,  
VANCOUVER, B.C.

Dear Mr. McMaster: RE: JAPANESE PROPERTY CLAIMS  
COMMISSION  
General Disbursements

Pursuant to your letter of January 23rd,  
we enclose statement of additional disbursements only.

Now I am firmly of the opinion that Counsel  
for the Japanese Commission should be awarded a sub-  
stantial counsel fee over and above disbursements in  
connection with this whole matter.

I think that in the first place we should  
make further representations to Mr. Justice Bird in this  
regard, and ask for at least a 5% counsel fee over and  
above all disbursements.

If Mr. Justice Bird declines to make a  
recommendation in this regard, I think we should make  
definite representations to the Minister of Justice. If  
the Minister of Justice declines to make such recommen-  
dation then we should go before a Committee of the House  
(if such is formed to deal with the whole matter) and  
make our representations there.

My reason for taking this position is that  
the whole concept of this Commission is that it was



R. J. McMASTER, ESQ.,  
Vancouver, B.C.

25th January, 1950

- 2 -

RE: JAPANESE PROPERTY CLAIMS  
COMMISSION  
General Disbursements.

formed at the request of the House of Commons in order to make substantial recompense to the Japanese Canadians for losses sustained as a result of their evacuation, which became necessary, not through any fault of theirs, but as a war measure.

Counsel assisting the Japanese Canadians therefore were employed in a public duty, namely that of assisting the Commissioner and, indirectly the House of Commons, in obtaining the necessary facts and evidence to enable justice to be done.

Under such circumstances the employment of Counsel by the Japanese Canadians was an essential part of the inquiry and the expenses connected therewith likewise an essential part of the inquiry.

Therefore such expenses should be borne by Canada as a whole, and not by the unfortunate evacuees.

Even if this matter were placed on a lower level (which it should not be) and were treated as ordinary litigation, then the fact that the outcome is to result in payment of a substantial sum of money to the persons in the position of Plaintiffs, warrants the payment of reasonable costs which would include both counsel fees and disbursements.

Therefore it has been my settled conviction from the first, and still is, that in all fairness both fees and disbursements should be paid, and these representations should be made in whatever quarters are necessary.

I have no doubt that before the conclusion of this matter it will be necessary for at least some of the counsel to attend before the Minister of Justice and make representations with respect to some of the ~~at~~wards themselves, i.e., matters not strictly within the terms of the Commission.

If this is so, that occasion can be used to advance our opinions regarding fees and disbursements.



R. J. McMASTER, ESQ.,  
Vancouver, B.C.

25th January, 1950

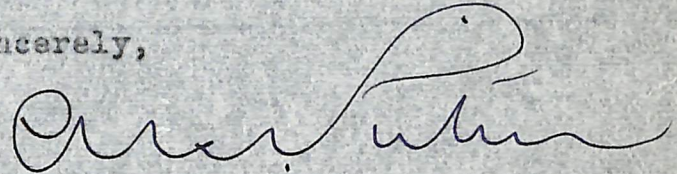
- 3 -

RE: JAPANESE PROPERTY CLAIMS  
COMMISSION  
General Disbursements

In all events we should not tie our hands  
by consenting to an award covering disbursements only.

I am sending a copy of this letter to Mr.  
Brewin, and shall appreciate hearing from both you and Mr.  
Brewin as to the best method of approaching this phase of  
the problem.

Yours sincerely,



V/L  
encl.

Copy to Mr. Brewin for his information.



January 31, 1950.

Mr. Edward J. Ennis,  
Attorney at Law,  
165 Broadway,  
New York, N.Y.,  
U.S.A.

Dear Mr. Ennis:

You will no doubt recall discussing the questions of the Japanese Canadian Claims Commission with me when you were in Toronto recently.

We anticipate that the findings of our Commission will be made public some time in February.

We are anxious as I suggested to you to claim that interest at the legal rate should be paid from the date of sale to the date of the award, which would have the effect of increasing the claims by as much as one-third.

I recall your mentioning that you are familiar with some of the authorities in international law which would indicate that in the circumstances this type of interest should be paid.

I would be glad if it is not too much trouble if you could let me have these references.

I hope your own problems in regard to claims of the Japanese Americans are working out satisfactorily.

I hope that if you are again in the neighbourhood of Toronto you will make a point of getting in touch with me.

Yours sincerely,

FAB:HC



Campbell, Brazier, Fisher, McMaster & Johnson  
Barristers and Solicitors

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

OUR FILE NO.

RECEIVED  
FEB 2 1950  
CAMERON, WELDON, BREWIN &  
MACALLUM  
THE ROYAL BANK BUILDING  
675 WEST HASTINGS STREET  
VANCOUVER, B.C.  
TELEPHONE PACIFIC 9164  
CABLE ADDRESS: "CAMBRA"

January 31, 1950.

AIRMAIL

Mr. Andrew Brewin, K.C.,  
Barrister, etc.,  
Sterling Tower,  
Toronto 1, Ontario.

Dear Andy:

Re: Mrs. Nakai - Case 46.

We wish to express our appreciation for your prompt attention to this matter and are pleased to be able to advise by virtue of the information provided to us by yourself we were able to convince the Commissioner with very little difficulty that the claim herein was bona fide.

I am not in a position at the present time to disclose the exact amount of the recovery but I believe that it will be substantial. For your own information, but not Mrs. Nakai's, I expect the Commissioner will award \$5,000.00 on a claim of about \$8,000.00. You will appreciate that in a chattel claim this is a substantial award.

We are returning herewith Mr. Nakai's naturalization certificate which was most helpful.

Re: Case No. 1062 - Hamagaki.

You wrote me some time ago respecting this matter urging that special efforts be taken to investigate an alleged transaction pending with respect to this property at the time of evacuation. Unfortunately, we have not been able to locate the solicitors supposedly engaged in the matter and most of the other parties seem to be dead. We did, however, get some confirmation that there was a transaction on the strength of which we have persuaded the Judge to make a small special award. While it is not as



Mr. Brewin:

January 31, 1950.

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much as we would like to see, in any event, it is better than the over-all proposition on Vancouver property.

For your own information we think that he will award \$1,000.00 with regard to the Vancouver property which sold for \$5,000.00. You will remember that the claimant alleged that she had a deal at \$10,000.00, before evacuation. The only information that we could get as to this deal was that it may have been for \$9,000.00.

Re: Togo Cleaners Limited - 1089.

We have been having a particularly tough time with this case. We spent some \$150.00 trying to get a proper appraisal of the property which resulted in our appraiser advising us that fair market value was attained. This being a corporation claim, the over-all settlement does not apply. However, I had Braidwood persuaded to allow the 10% as the property is situated in Victoria. The Judge indicated today that he would not go for the 10% and the matter is now thrown open for further argument between Braidwood and myself. I had the equipment claim examined by our appraiser who is a most competent man and while we succeeded in getting a very small special award with regard to it, I am afraid that Mr. Takimoto is not going to be overjoyed. I would like you, however, to assure him that we have gone to extra pains in his case to try to make out a claim for him and to substantiate his claim and I think that we have done everything we possibly can on his behalf.

Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON,

Per: 

McM:McC  
encl.



Campbell, Brazier, Fisher, McMaster & Johnson  
Barristers and Solicitors

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

OUR FILE NO.

RECEIVED  
FEB 18 1950  
CAMERON, WELDON, BREWIN &  
MCALLUM.

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

February 14th, 1950.

Andrew Brewin, Esq., K.C.,  
Barrister, etc.,  
Sterling Tower,  
Toronto 1, Ont.

Dear Andy:

Re: Japanese Claims Commission.

I was in Victoria yesterday and saw Mr. Justice Bird. He had written to Ottawa suggesting that they might require him to attend there to explain his report and advises me that he has received a reply. He asked them to let him know when they wished to see him so that he might arrange his Court affairs accordingly.

He has received a reply that no member of the Cabinet would be able to examine the report during the coming Session of Parliament and it therefore appears most unlikely that the matter will be dealt with until the Fall session unless something can be stirred up. You will recall at the time that we were prevailed upon by the Crown to shorten the proceedings by way of the so-called "settlement", one of the things which were urged upon us was that by so doing the monies would be forthcoming without delay. Whether in view of what has happened since that time it is possible to press this upon the Government, I do not know, but I think you should give it consideration.

Mr. Justice Bird has returned to the Court of Appeal as they were short of Judges there and while I believe could get his report in by the end of the month, in view of the communication from Ottawa, and in view of the fact that he has not yet decided the Royston Lumber or the Deep Bay Logging Company case, I suspect that his report will not go forward until the middle of March.

I had a letter from Virtue yesterday in which



Andrew Brewin, Esq., K.C.

February 14th, 1950.

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he indicates that he has seen a copy of the confidential letter sent out to the various local chapters of the J.C.C.A. He considers the same to be in the nature of an "H" Bomb. I haven't seen the letter yet myself so I do not know its contents. He has requested me to telephone him this evening. His view is that the proposed publicity campaign outlined in the J.C.C.A. letter will undo all of the work which we have done for the past two years. After I have talked to Virtue, I will write to you further.

There is a remote possibility that I may go back to the Co-operative Union of Canada conference in London on March 6th in which event, if it would serve a useful purpose I could possibly spend a day or two in Toronto or Ottawa. There are two problems with regard to it:

1. I do not intend to run as a National Director of the Co-operative Union of Canada this year which means if I attend the Conference, it will be at my firm's expense.
2. The other problem which is more difficult is that I have a private Bill before the present sitting of the B.C. Legislature. It will be a question as to whether the Bill has progressed far enough by March 5th that I can safely leave.

I should be pleased to hear from you by return mail as to your views in this matter.

Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON,

McM:McC  
AIRMAIL

Per: Bob



February 16, 1950.

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

Re: Japanese Claims Commission •

Dear Bob:

I have your letter of February 14th and was somewhat disturbed to learn of the apparently casual attitude of the Cabinet. All I can suggest is that if it is possible for you to do so, you should press Mr. Justice Bird to get out his report. Once his report is filed, I think we can put pressure on the Government to take action. I have no doubt that failure to do so will cause considerable disturbance amongst the claimants. As it is, there is a group of Toronto claimants who are causing considerable trouble, and wish us to embark on a newspaper publicity campaign which might have harmful effects.

I do not share Mr. Virtue's opinion about the J.C.C.A. letter. It seems to me that this letter is quite mild and reasonable and the J.C.C.A. have as the letter indicates decided to postpone any publicity campaign until after the report is issued, and will, I think, consult closely with us. However, in view of the remarks made, I have asked Mr. Tanaka to withhold the sending of the letter until I have had a chance to have further comments from you.

I have asked George to send you a draft of the proposed letter by airmail.

Naturally I hope that you will find it possible to be in Eastern Canada on or about March 6th. If by any chance the report could be filed at that date it would be useful for both you and me to go to Ottawa to see the Minister of Justice and other officials in the Department. I have a feeling that if the report is not ready, that any such interview might turn out to be a waste of time.



Mr. R. J. McMaster

February 16, 1950

However, if you do not agree with me I would be glad to see what arrangements could be made.

I have already written to the Minister of Justice asking him to let us have a copy of the report as soon as it is read for publication, also asking him to give me an interview before the Government makes up its mind as to the implementation of the report. The point on which I feel most inclined to concentrate at the moment is that the Government allow interest from the date of sale. In view of the long delay this would realize a substantial amount.

In any event and whether you are able to come east or not, I would be glad if you would keep me in as close touch as possible as to the probable date for the sending of the report to the Government, and your views as to what steps if any should be taken by us at this end.

Yours sincerely,

FAB:HC

521



February 13, 1950.

Honourable Stuart Garson, K.C., M.P.,  
Minister of Justice,  
Ottawa, Canada.

Re: Japanese Property Commission

Dear Mr. Garson:

I understand from Mr. McMaster that the Commissioner has finished the public hearings in this matter, and is likely to make a report in the fairly near future.

As the representative of probably 90% of the claimants, I would be very glad if after publication of the report, you could give me an opportunity to discuss the matter with you personally before the Government finally determines its policy with regard to implementation of the report.

Yours respectfully,

FAB:HC

*SKM*



Mr. Yasuichiro Nakai,  
164 Cambridge Avenue,  
Toronto, Ontario.

Dear Sir:

We are returning to you herewith certificate of naturalization.

You will be pleased to hear that this information convinced the Commissioner of the bonafides of the claim, and that you and Mrs. Nakai may expect a substantial award.

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

per :

FAB:HC  
Encl.





MINISTER OF JUSTICE AND  
ATTORNEY GENERAL OF CANADA

O t t a w a,  
February 17th, 1950.

Dear Mr. Brewin, -

Re: Japanese Property Commission.

Acknowledging yours of February 13th I should be glad to discuss the matter with you personally before the Government considers its policy with regard to the implementation of the Report of this Commission.

Yours truly,

F.A. Brewin, Esq., K.C.,  
Sterling Tower,  
TORONTO 1, Ontario.

RECEIVED  
FEB 22 1950  
CAMERON, NELSON, BREWIN, &  
McCALLUM



VIRTUE, RUSSELL & MORGAN

BARRISTERS, SOLICITORS  
AND NOTARIES PUBLIC

McFARLAND BUILDING, OPPOSITE COURT HOUSE

LETHBRIDGE, ALBERTA

A. GLADSTONE VIRTUE, M.C.K.C.  
WILLIAM STAFFORD RUSSELL, B.A., LL.B.  
FREDERICK JOHN MORGAN, B.A., LL.B.

22nd February, 1950

PLEASE REFER TO FILE NO.

3201

R. J. McMASTER, ESQ.,  
c/o Messrs. Campbell, Brazier, Fisher,  
McMaster and Johnson,  
Barristers and Solicitors,  
The Royal Bank Building,  
675 West Hastings Street,  
VANCOUVER, B.C.

Dear Mr. McMaster: RE: J. C. C. A.  
(Suggested Publicity Campaign)

Referring to our telephone conversations of February 14th and again on February 20th, I think perhaps we should place on record our opinion regarding the above matter.

On February 11th I was approached by a representative of the local J.C.C.A. Committee and by a member of the Southern Alberta Central Committee, with regard to a circular issued by the J.C.C.A. office at Toronto, the general purport of which was to "alert" the local J.C.C.A. to be in readiness for a nation-wide publicity campaign undertaken with a view to persuading the Government of Canada to recompense the Japanese Canadian evacuees on a much wider basis and to a much greater extent than that



R. J. McMASTER, ESQ.,  
Vancouver, B.C.

22nd February, 1950

- 2 -

contemplated under the Findings of the Japanese Property Claims Commission.

Upon reading over this circular I was greatly disturbed as I felt that any such publicity campaign might create a situation which would be very much to the disadvantage of the Japanese Claimants and, in fact, the Japanese Canadians in general.

I suggested to the representative of the J.C.C.A. that possibly they were not fully informed regarding the proposed settlement, and regarding the whole situation, and I told him that I would like to have an opportunity of meeting the entire Executive of the local J.C.C.A. with a view to discussing the settlement in detail and reviewing the general situation.

He intimated that he would try and arrange such a meeting, but I have not heard from him since, and possibly he has been unsuccessful.

At any rate I thought it well to get your views on the matter since Mr. Brewin, yourself, and the writer were all instrumental in bringing about the proposed settlement. I therefore asked you to telephone me on the evening of February 14th, which you did, and we then



R. J. McMASTER, ESQ.,  
Vancouver, B.C.

22nd February, 1950

- 3 -

discovered that this circular had not come into your hands, and that you had not been advised of the proposed campaign.

Later you obtained a copy of the circular and we discussed this on the evening of February 20th. You did not feel the same alarm about the situation as I did, but you agreed that in any event the publicity must stop short of interfering in any way with the Commission and the settlement.

Believing that the situation should be drawn to the attention of my local Committee (Southern Alberta Central Committee) I had a meeting with them this afternoon. They had already been advised of the circular, and knew more of the background of the situation than I did.

Apparently the agitation, if I may so describe it, arises chiefly from City of Vancouver Claimants now in Toronto who were displeased with the settlement and brought pressure to bear upon the National J.C.C.A. Committee.

After reviewing the matter carefully the Southern Alberta Central Committee unanimously came to the conclusion that the proposal to launch this publicity campaign had not received sufficient consideration. They felt that in many respects such a campaign would not have the desired effect, and might be adverse to their interests. In particular they consider that in view of the part taken by all concerned in arriving at a settlement, they cannot now



R. J. McMASTER, ESQ.,  
Vancouver, B.C.

22nd February, 1950

- 4 -

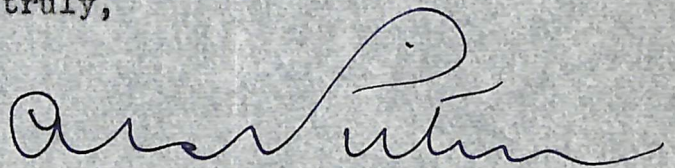
fairly engage in any campaign which might be regarded as a repudiation of the settlement. They felt that such a campaign might be disastrous to the results which have already been attained, and in addition might boomerang against the Japanese Canadians as a whole.

Accordingly they have arranged a meeting with a representative of the local J.C.C.A. and intend to ask the local J.C.C.A. to intimate that the proposed campaign should receive further consideration.

I thought it well to place this whole matter in definite form, and I am sending an additional copy of this letter to Mr. Brewin, whose views I shall be happy to consider.

Yours truly,

V/L



Copy to Mr. Brewin for his information.





MINISTER OF JUSTICE AND  
ATTORNEY GENERAL OF CANADA

O t t a w a,  
February 24th, 1950.

RECEIVED  
27 1950  
CAMERON, WELDON, BREWIN &  
McCALLUM.

Dear Mr. Brewin, -

Re: Japanese Property Commission.

Your partner, Mr. A. J. P. Cameron, K.C., was in the office to see me today in this connection. He told me that you would appreciate having released to you a copy of the Report of the Commissioner herein as soon as we have it available and before a general release, to the end that you might be able to give it consideration in order to discuss it with me personally before the Government determines its policy with regard to the implementation of the Report.

This letter will confirm what I have already told Mr. Cameron which is that I think we cannot release copies of this Report to anyone until it has been tabled in the House of Commons. As soon as this has been done I shall be glad to send you a copy and of course it goes without saying that I shall be glad to discuss the Report with you at any time, but I am afraid that I cannot give an undertaking as to the time at which the Government will finally determine its policy with regard to the implementation of the Report since this involves the viewpoint of others besides myself.

Yours truly,

F.A. Brewin, Esq., K.C.,  
Sterling Tower,  
TORONTO 1, Ontario.



FINANCE COMMITTEE MEETING

Minutes:

TIME - 11.00 p.m., February 24th, 1950.

PLACE - Honey Dew Coffee Shop

ATTENDANCE - Brewin, Nichols, Tanaka and Boos.

Business:

- (a) Re: R. J. McMaster's Account - 27.8.49 - 15.2.50 -  
Agreed that expenditures be approved and a payment of \$2,000.00 on account be sent immediately, with a statement of our present financial position.
- (b) Re: Further Sources of Revenue:  
1. Since there is a feeling that all claimants ought to pay the additional 1% retainer, it was recommended that an extra piece be inserted with the financial report soon to be released, urging such payment, if at all possible.  
2. Agreed that inquiries be made as to the possibility of any further income from the Southern Alberta Claimants Committee.

.....

FINANCE COMMITTEE MEETING

Minutes:

TIME - 4.15 p.m., April 21st, 1950.

PLACE - Carlton Church.

ATTENDANCE - Boos, Nichols and Tanaka.

With a Bank balance of \$418.61 on March 31st, and rather urgent outstanding accounts totalling \$5,000, being held by Mr. McMaster, further sources of revenue suggested February 24th were reviewed.

Agreed to recommend:

- (a) Preparation of an insert on amber paper to be attached to the covering letter for all claimants who have not yet paid the full 2% retainer; a form indicating amount, name, address, etc., also to be included with a return addressed envelope.
- (b) Sending of a letter to Mr. Virtue, requesting payment of the final portion of his claimants share of legal counsel and valuation costs incurred on their behalf.
- ( \$ 1,000.00 as portion of legal counsel fees  
    500.00 as portion of disbursements.  
    1,500.00 - amount to be checked with F. A. Brewin. )

Seeking a loan to tide us over till time of recovery was deemed inadvisable.



Campbell, Brazier, Fisher, McMaster & Johnson  
Barristers and Solicitors

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

RECEIVED

FEB 28 1950

THE ROYAL BANK BUILDING

675 WEST HASTINGS STREET

VANCOUVER, B.C.

CAMERON, WELDON, BREWIN, &  
MCALLUM.

OUR FILE NO.

February 27th, 1950.

Andrew Brewin, Esq., K. C.,  
Barrister, etc.,  
Sterling Tower,  
Toronto 1, Ontario.

Dear Andy:

Enclosed herewith please find a copy of the letter to the Co-operative Committee reporting generally and enclosing certain summaries. We also enclose a copy of the summaries referred to in the letter.

I have a private bill before the Legislature at this sitting and it therefore appears that it will not be possible to dispose of the matter before March 6th when the Co-operative Union conference commences. However, I may be able to get it disposed of early in the week of March 6th and be able to get down for part of the conference at least in which event I will advise you and plan to spend some time with yourself and George Tanaka and also plan to proceed to Ottawa. In any event, I think that the members of my firm feel that we have a sufficient stake in the implementation of the report at an early date that I should proceed East whether or not I get to the Co-operative Union of Canada conference with a view to joining you in representations to the Government. Just as soon as the date on which I am likely to go East is certain I will advise you so that you can endeavour to make the necessary appointments in Ottawa.

I spoke to Mr. Justice Bird concerning this matter in Victoria last week and he has undertaken that if possible he will have his report filed by the time I am in the East or alternatively he will write to the Minister of Justice setting out the specific date on which the report will be filed. He has also agreed to speak to Shears concerning this matter and to urge him to assist in bringing pressure to bear through his department to have the report dealt with at the present sitting of the House.



Mr. Brewin:

February 27th, 1950.

- 2 -

If there is any further information which you would like to have arising out of my report to the Committee I shall be pleased to hear from you.

Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON,

Per:

Bob

McM:McC  
encls.



Miss Boos:

February 27th, 1950.

- 2 -

February 27th, 1950.

Miss Margaret Boos,  
Co-operative Committee on  
Japanese Canadians,  
67 Riverdale Ave.,  
Toronto 6, Ont.

Dear Miss Boos:

You may have heard from George Tanaka that we have done some work in trying to summarize the awards under the Commission and to relate these awards to the claims. We now enclose herewith a copy of the summary in relation to all properties with respect to which claims are filed by persons acting through your Committee. The first page deals with a summary of all property and the subsequent pages deal with a breakdown in relation to specific types of property. We have also broken this information down in accordance with the Provinces.

In the main you will observe that the recoveries in relation to Provinces are reasonably equal. It is particularly interesting to note that with regard to B. C. and Ontario where in terms of value of claims, three quarter of the claimants are resident, the recovery percentages are very similar. Saskatchewan had very few claims which accounts for the high recovery in that Province. In Alberta we find that no effort appears to have been made by Counsel to encourage claimants to reduce their claims upon the hearings and we are inclined to feel that many of the claimants were influenced by the claims which were being made through Mr. Virtue's Committee and were therefore on the high side.

For the purpose of our summary and to arrive at the relationship of total recovery to claims, we have included in recovery the initial amount paid to the claimant by the Custodian from the sale price of his property plus the award which will be made. In our view, this is



Miss Boos:

February 27th, 1950.

Miss Boos:

February 27th, 1950.

- 2 -

the proper way to consider the matter as the total claim represents the claimant's estimate of the fair market value of his property and to determine the reasonableness of his recovery in our opinion you must have regard to everything he received in relation to the property, that is, both the sale price and the award.

We draw your attention to the fact that the recovery on property represents 50% of the sale price by the Custodian. Furthermore, if you wish to deal with the subject matter of net losses allowing credit for the sale price by the Custodian the recovery represents roughly one-third of the net claims. You will observe that we made better recovery on certain types of property than on others. This was largely due to the fact that we were in a better position to produce evidence on these types of property. It is rather interesting to note, however, that when one takes the total recovery, that is, sale price plus award, the recovery on V.L.A. is slightly under the recovery on city property when related to claim value.

Concerning the report on chattels generally the summary may be somewhat misleading inasmuch as the claim value includes goods sold at auction, goods sold at tender and goods ruled lost whereas the sale price obviously can only relate to the first two of these and the recovery, however, includes the recovery on goods ruled lost.

I have had some correspondence with George Tanaka concerning these matters and as a matter of fact we got out this report largely on his suggestion that such information would be useful. George has indicated that he doesn't think it is quite proper to relate total recovery to claim value and in a recent letter has expressed the view that the claim value should represent the claimant's estimate of loss. I have written to him indicating that that surely cannot be a correct proposal as in his claim value the claimant was required to show Fair Market Value and to take therefrom the sale price by the Custodian and thus arrive at his net claim. Accordingly, when we deal with the recovery which is being made and relate to gross claim value it is proper to take into account everything which the claimant receives for his property.



Miss Boos:

February 27th, 1950.

- 3 -

When one reviews a number of expropriation cases, in our view they will find that the Plaintiffs in such proceedings rarely recovered more than 50 to 75% of the value which they claimed, as fair market value. Accordingly, having regard to the fact that we were trying to prove fair market value of properties sold as much as seven or eight years previously and having regard to the number of cases that we had to deal with, we feel that a substantial measure of justice has been obtained looking at the over-all picture. It is true that some claimants may receive as much as 80 or 90% of their claim value when you take into consideration the total amount received and other claimants will receive considerably less than 50%. The picture which we have given is an over-all picture. This difference is explainable by two factors. The first and most important is that in some cases we were able to obtain specific evidence of sales of similar types of property which made it possible for us to establish more definitely fair market value and therefore make a more substantial recovery whereas in other cases it was utterly impossible to do so and any award which the claimant got was by virtue of the over-all picture. The second contributing factor was that some claimants were far more reasonable in their estimate of fair market value than were others and accordingly their percentage of claim recovery will be higher.

Mr. Tanaka suggested to us in recent correspondence that it would be advisable that the Co-operative Committee itself make a report at this stage of the proceedings particularly in view of the fact that I have been so tied up in taking the proceedings and have been unable to give you a full report from time to time. With this suggestion of Mr. Tanaka's I heartily agree.

I would like to point out with regard to the enclosed material that it cannot be regarded as being exact. There may be a few cases which have not been included or there may be changes in the figures in a few cases as the material has been gathered while the process of completion of the Commission has been going on. However, to a large measure the material is based upon cases which have been definitely determined and we believe it shows a reasonably accurate picture. We would also point out that with regard to figures on claim value, it was necessary in some cases for us to estimate claim value



Miss Boos:

February 27th, 1950.

- 4 -

~~it was necessary in some cases for us to estimate claim~~  
value as particularly in the Province of Alberta they  
did not put on the record the claim value or any amend-  
ments thereto and Alberta has never provided us with  
copies of their claim forms. In the main, however, we  
believe the figures to be reasonably accurate. If any-  
thing, we would say that the figures of total claim value  
are higher than they actually had to be. We also wish to  
emphasize that this report refers only to personal claims  
filed through the Co-operative Committee, that is to say,  
it doesn't include corporation claims, nor does it include,  
for instance, Virtue's claims. We estimate that on the  
basis of figures produced by the Crown at the time of  
the so-called settlement our clients would have recovered  
about \$600,000.00 (the total estimated recovery on personal  
claims including Virtue and other claimants not going  
through the Committee ~~would be~~ around \$736,000). We there-  
fore point out by virtue of our efforts in the last eight  
months or so by careful examination of each claim and the  
application of the formula of settlement thereto and by  
virtue of taking a large number of claims to the Commis-  
sioner as special cases and in obtaining in many instances  
special awards we have succeeded in increasing the recovery  
of our clients by approximately \$150,000.

We should also point out that the figure of  
\$840,000 does not include any recommendation by the Com-  
missioner for an allowance to recompense the Committee for  
the cost of the proceedings. In the original discussions  
of settlement it was suggested that the crown might pay up  
to 5% of the total recovery to meet these costs. While  
I suspect that the Commissioner may not go that far I do  
think that there will be in addition to the \$840,000 a  
recommendation for a substantial amount, say \$40,000 to  
assist in meeting disbursements. It should also be  
noted that this amount was not included in the original  
estimate of \$736,000 for all claims.

Yours truly,  
CAMPBELL BRAZIER FISHER McMASTER & JOHNSON,

Per: *Bob McMaster*

McM:McC



Dr. M. Uchida  
PHYSICIAN AND SURGEON

439 VICTORIA STREET  
KAMLOOPS, B. C.

Feb. 28, 1950.

Miss. M. K. Boos,  
Co-operative Committee,  
Apt. 28, 94 Homewood Ave.,  
Toronto, Ont.

Dear Miss. Boos:-

I understand that Co-operative Committee on Japanese Canadians is acting as a go-between - between the Government and the claimants of property losses.

If that is the case, allow me to say a few words. I am far from being satisfied with the decision of Justice Binnie in the investigation, especially those who had properties in Vancouver like myself. We are not trying to make money at the expense of the Government but trying to obtain what is rightfully ours, more so now, that we are full pledged Canadians.

Is it at all possible for your Committee to ask

1. For the return of our houses (I understand the Ukrainians has their properties returned to them as a substantial loss by the Government.)



Dr. M. Uchida  
PHYSICIAN AND SURGEON

439 VICTORIA STREET  
KAMLOOPS, B. C.

2. Or to obtain for us, if that is not possible, the amount we spent on the property, instead of the selling price. (At least my house was not built to be sold again, so we have a right in asking that sum. If the houses were built for business, it is different.)

3. Or to refund to us the replacement value. (That is the amount we spent to obtain our present homes).

Do you think the above unreasonable, considering it not as an outsider, but supposing one of your committee is directly involved in it? The excuse given is, it was a wartime issue and we were considered as enemy aliens. In that case what about the Germans and Italians?

Seeing that the question will soon be made public, not only I but all of the Japanese community ask your committee to do their utmost in obtaining for us, (not considering just what Mr. Justice Bird reports) what is just and fair from our standpoint.

Yours truly,  
M. Uchida



March 1, 1950.

The Honourable Stuart Garson, K.C., M.P.,  
Minister of Justice,  
Ottawa, Canada.

Dear Mr. Garson:

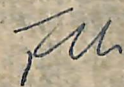
Re: Japanese Property Commission

I wish to thank you for your two letters of February 17th and 24th in regard to this matter.

I fully understand that copies of the Report cannot be released until it has been tabled in the House of Commons. However, I understand from Mr. R. J. McMaster that Mr. Justice Bird expects to be able to give a date shortly at which he will have the Report in the Government's hands, and Mr. McMaster expects to be in eastern Canada and has a fair knowledge of what is likely to be contained in the Report.

I would like when he is in the east if it might be possible for the writer and Mr. McMaster to discuss the matter with you.

Yours truly,



FAB:HC



*March*

February 1, 1950.

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

Dear Bob:

Thank you for your letter of February 27th.  
I have read the summaries with some interest.

I hope that you will be able to come east,  
and that we will both be able to go to Ottawa to see the  
Minister of Justice. I have two letters from him. He  
has stated that he would be glad to discuss the matter  
with me personally before the Government determines its  
policy in regard to the implementation of the Report, and  
I would be glad if you can go along at the same time.

If as soon as you know if you are available  
you will let me know, I will try to make the necessary  
arrangements.

Yours sincerely,

FAB:HC

*FAB:HC*



*MacLennan & Robinson*

BARRISTERS AT LAW, SOLICITORS  
NOTARIES PUBLIC

J. ARTHUR MACLENNAN, LL.B.  
BERYL M. ROBINSON, LL.B.

430-433 ROGERS BUILDING  
470 GRANVILLE STREET

*Vancouver, B.C.*  
March 2nd, 1950.

RECEIVED

MAR 6 1950

CAMERON, WELDON, BREWSTER &  
McCALLUM.

F.A. Brewin, Esq., K.C.,  
Barrister, etc.,  
Sterling Tower,  
Toronto, 1, Ont.

Dear Sir:

Re: Japanese Property Losses Commission

We now enclose herewith account with reference  
to the following:

- (a) Japanese Nippon Kyoritsu Go-Gakko (Japanese  
School of Languages) Maintenance Association.
- (b) Miscellaneous matters.
- (c) Uchiyama, Kenroku.

We believe these are the only outstanding matters  
in our files relating to this Commission in respect of which  
we have not remitted our accounts.

For your information, the Commissioner recently  
intimated that he was making his recommendation with regard  
to corporations direct to Ottawa without advising the  
Claimants or their solicitors the recommendations which  
he was prepared to make. This is unfortunate in connection  
with the Royston Lumber Company as we feel the Judge will  
make a substantial recommendation but if the Government does  
not follow that recommendation it may be difficult for us  
to make any kind of a protest. Possibly you may have some  
method whereby the nature of the recommendation could be  
made known to the Claimant but the writer feels there is  
nothing which can be done toward that end from here.

With best personal regards of the writer.

Yours sincerely,

MacLENNAN & ROBINSON

Per: 



F.A. Brewin, Esq., K.C.,  
Barrister, etc.,  
Sterling Tower,  
Toronto 1, Ont.

IN ACCOUNT WITH

*MacLennan & Robinson*

BARRISTERS AT LAW, SOLICITORS  
NOTARIES PUBLIC  
430.433 ROGERS BUILDING  
470 GRANVILLE STREET

March 1st, 1950.

*Vancouver, B. C.*

IN THE MATTER OF JAPANESE PROPERTY CLAIMS COMMISSION

MISCELLANEOUS MATTERS  
ITEMS

FEES

DISBURSEMENTS

1948

June

- 15 - Attending Mr. McMaster on telephone arranging luncheon appointment to discuss various phases of Commission hearing; Attending with Mr. McMaster discussing.
- 21 - Attending Mr. Shears of Custodian's office on telephone discussing procedure with respect to Company and arranging for interview with Mr. McPherson next week.
- 29 - Attending Mr. Frederick Field on telephone discussin when he arranged to communicate with Mr. McPherson for further instructions.

July

- 30 - Upon receipt of appraisal of W.N. Ansell re Yoeman Oikawa registration No. 13699, letter to Mr. McMaster enclosing.

Oct.

- 18 - Upon receipt of transcripts of evidence concerning Mr. McMaster, attending to deliver same to him.

Nov.

- 10 - Attending Mr. Brewin on telephone discussing various phases of this matter, conference with Mr. Brewin re same.
- 12 - Attending Mr. Brewin on telephone when he advised of meeting this afternoon. Attending Mr. McMaster on telephone arranging for conference with Mr. Brewin, Mr. McPherson, Mr. Baldwin and Mr. MacLennan.
- 13 - Conference with above.

1949

Jan.

- 18 - Attending Mr. McMaster when he telephoned discussing possibility of retaining Mr. Dean Mansal as real estate expert and arranging to call Mr. Mansell. Attending Mr. Mansell discussing and arranging with him to discuss the matter with Mr. McMaster.

- 19 - Attending Mr. McMaster advising results of discussion with Mr. Mansell.

May

- 30 - Attending Mr. McMaster on telephone discussing various phases which have arisen herein.

OUR FEE IN ALL FOR THE ABOVE SERVICES

\$20.00

THIS IS OUR ACCOUNT HEREIN

MacLENNAN & ROBINSON

Per: 



F.A. Brewin, Esq., K.C.,  
Sterling Tower,  
Toronto 1, Ont.

IN ACCOUNT WITH

*MacLennan & Robinson*

BARRISTERS AT LAW, SOLICITORS

NOTARIES PUBLIC

430-433 ROGERS BUILDING

470 GRANVILLE STREET

March 1st, 1950.

*Vancouver, B.C.*

IN THE MATTER OF

JAPANESE PROPERTY CLAIMS COMMISSION AND  
VANCOUVER NIPPON KYORITSU GO-GAKKO

(Japanese School of Languages) Maintenance  
Association.

DISBURSEMENTS

Apr 5, 1948  
to  
Mar 3 1949

Upon receipt of request from Messrs.  
Ritchie & Huckvale, Barristers, Solicitors,  
representing the above estate at Lethbridge,  
requesting report to be transmitted to the  
Secretary on the within Commission and  
similar request from Mr. Sato on behalf of  
the Society;  
Perusing and considering file, correspon-  
dence with Mr. Watson, Secretary of the  
Commission;  
Perusing and considering file and making  
notes and memorandum of same in preparation  
for report to Commissioner.  
Long and special report to the Honourable  
Mr. Justice Bird.  
Counsel fee revising, engrossing, making  
five copies thereof;  
Engrossing exhibits and schedules referred  
to therein.  
Letter to Mr. Sato enclosing copy.  
Letter to Messrs. Ritchie & Huckvale  
enclosing copy.

OUR FEE IN ALL FOR THE ABOVE SERVICES

\$40.00

THIS IS OUR ACCOUNT HEREIN

MacLENNAN & ROBINSON

Per: 

E & O E



F.A. Brewin, Esq., K.C.,  
Barrister, etc.,  
Sterling Tower,  
Toronto 1, Ont.

IN ACCOUNT WITH

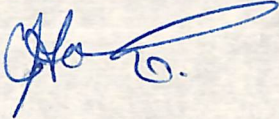
MacLennan & Robinson

**BARRISTERS AT LAW, SOLICITORS  
NOTARIES PUBLIC  
430.433 ROGERS BUILDING  
470 GRANVILLE STREET**

March 2nd, 1950.

Vancouver, B. C.

IN THE MATTER OF UCHIYAMA - GEORGE KENROKU; Case No. 1382.

ITEMS		FEE S	DISBURSEMENTS
Aug 7 1948 to Feb 28 1950.	<p>Upon receipt of copies of documents and extracts from Custodian's file, perusing and considering and checking Custodian's analysis of claim; engrossing copies of documents required for exhibits.</p> <p>Attendances upon Consolidated Motors and prospective witnesses;</p> <p>Conference with Mr. Uchiyama in preparation of claim; making notes and memorandum, Counsel fee on presentation of claim, engaged <math>\frac{1}{2}</math> day, October 2, 1948;</p> <p>Upon receipt of transcript of evidence, perusing, checking;</p> <p>Correspondence with the Secretary of the Commission.</p>		
OUR FEE IN ALL FOR THE ABOVE SERVICES		<u>\$75.00</u>	
<p>THIS IS OUR ACCOUNT HEREIN</p> <p>MacLENNAN &amp; ROBINSON</p> <p>Per: </p>			
E & O E			





EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6122

# CANADIAN NATIONAL



W M ARMSTRONG GENERAL MANAGER  
TORONTO

## TELEGRAPHS

STANDARD TIME

1950 MAR 6 PM 8 51

VA269 42/41 NL=VANCOUVER BC 6

ANDREW BREWIN ESQ KC=

BARRISTER STERLING TOWER TOR=

1966

ARRIVE TORONTO MONDAY AM MARCH THIRTEENTH RETURNING THURSDAY  
NIGHT SUGGEST YOU ARRANGE APPOINTMENT OTTAWA TUESDAY OR  
WEDNESDAY STOP PLEASE MAKE HOTEL RESERVATIONS FOR ME KING  
EDWARD AND RESERVATIONS FOR TRANSPORTATION TO OTTAWA WITH YOU  
STOP ADVISE AIRMAIL IF THIS PLAN SATISFACTORY=

R J MCMASTER.

RECEIVED

MAR 7 1950

CAMERON, WELDON, BREWIN, &  
McCALLUM.



March 7, 1950.

Honourable Stuart Garson, K.C., M.P.,  
Minister of Justice,  
OTTAWA,  
Ont.

Dear Mr. Garson:- RE: JAPANESE PROPERTY COMMISSION

Mr. R. J. McMaster, who has been representing the claimants before this Commission, in Vancouver, is going to be in Ottawa on Tuesday and Wednesday of next week, March 14th and 15th.

We would be very much obliged if you could possibly spare sometime to discuss this matter with him and the writer on either of these dates.

Could you please have your Secretary advise me as soon as possible if this arrangement is possible as Mr. McMaster is trying to fit in his plans while in Eastern Canada, to suit this arrangement.

Yours truly,

CAMERON, WELDON, BREWIN & McCALLUM

FAB/W.

Per:



March 7, 1950.

AIRMAIL

R. J. McMaster, B.A.,  
Barrister,  
675 West Hastings St.,  
Vancouver, B.C.

Dear Bob:-

We have made hotel reservations for you at the King Edward Hotel for Monday, March 13th and I have written to Mr. Garson asking for an appointment Tuesday or Wednesday. I have little doubt but that he will be able to see us on one or the other of these two days. In any event if the worst comes to the worst and we cannot see him, I am sure we can see some others concerned.

Will look forward to seeing you when you arrive.

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

FAB/W

Per:

*FAM*





MINISTER OF JUSTICE AND  
ATTORNEY GENERAL OF CANADA

Ottawa, Canada,  
March 10th, 1950.

Dear Mr. Brewin:

Re: Japanese Property Commission.

I think I will be able to see you  
on either Tuesday or Wednesday of next  
week if you will get in touch with my  
Secretary upon your arrival in Ottawa.

Yours truly,

F. A. Brewin, Esq., K.C.,  
Cameron, Weldon, Brewin & McCallum,  
Sterling Tower,  
TORONTO 1, Ontario.



March 11th, 1950.

Co-operative Committee on Japanese  
Canadians,  
84 Homewood Ave.,  
Toronto, Ontario.

Dear Sirs:

Re: PROPERTY CLAIMS COMMISSION.

Enclosed herewith please find our statement of account for services rendered upon your instructions with respect to the above-noted matter. We have drawn the bill in accordance with a tariff of fees discussed with Mr. Brewin. We might say that this tariff is lower than the tariff in the Province of British Columbia. However, we have assumed that other counsel have drawn their charges on the same basis.

With respect to the statement of account, we would draw to your attention the fact that the writer has had very little time to give to his own practice for the past 1½ years and as I believe Mr. Brewin is aware, has put in continuous hours of work in the evening, on Saturday afternoon, and Sundays. We frankly doubt whether the statement covers all of this work. Furthermore, we have not set forth in the statement any charges with respect to the numerous letters which have been written in individual cases as the correspondence in these instances have been filed in the individual files and it would be extremely difficult to extract the same.

On the last occasion that the writer discussed the subject matter of our account with Mr. Brewin he suggested having regard to the fact that we have done by far the largest quantity of work in relation to other counsel as well as to the fact that in view of the total recovery, the Committee may not be able to arrange for the payment of Counsel fees even at the tariff agreed upon, he



Co-operative Committee on  
Japanese Canadians:

-2- March 11th, 1950.

suggested that we might make some reduction in our account after it was drawn. As you will observe from the account rendered, we have followed this suggestion.

This statement of account relates solely to fees chargeable for services rendered. We have from time to time submitted to the Committee statements of disbursements and have on behalf of the Committee undertaken obligations which we have been unable to meet by reason of lack of funds in the hands of the Committee at the present time. We will submit either at the same time as this account goes forward or subsequently as full a statement as possible of commitments for disbursements. There are a number of disbursements which we have made which we included in the Statutory Declaration filed with the Commissioner as to disbursements relating to clerical help, supplies, etc., which we have not yet billed to the Committee. Our thought in this matter is that if the Commissioner recommends that all of the disbursements be paid by the Crown or a very large substantial portion thereof, we should be paid for our disbursements as set out in the Statutory Declaration filed with the Commission. If, however, the Crown is not to bear substantially all of the disbursements, we are open to some suggestion as to partial payment of disbursements which we have charged for, clerical help, stenographic services and supplies.

Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON,

Per: 

McM:McC  
encl.

cc. Mr. Brewin



Campbell, Brazier, Fisher, McMaster & Johnson  
Barristers and Solicitors

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

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

OUR FILE NO.

March 11th, 1950.

Co-operative Committee on Japanese  
Canadians,  
84 Homewood Ave.,  
Toronto, Ontario.

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JAPANESE  
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Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON,

McM:McC  
encl.

Per: 

cc. Mr. Brewin



The Co-operative Committee on Japanese  
Canadians,  
67 Riverdale Ave., Toronto 6, Ontario.

**Campbell, Brazier, Fisher & McMaster**  
Barristers and Solicitors

July 27th, 1947  
to date

TO PROFESSIONAL SERVICES

RE: JAPANESE CLAIMS COMMISSION

	Instructions from Andrew Brewin:	\$ 25.00
July 29th	Perusing Orders-in-Council, engaged 1 hr.	5.00
August 1	Letter to Andrew Brewin, 2 pages	2.50
August 8	Perusing long letter from Andrew Brewin:	1.25
	Attending Mr. Justice Bird re commencement of hearings, engaged 1 hr.	10.00
	Drafting claim form and other material with respect to commencement of proceedings, engaged 1½ hours:	7.50
	Wire to Andrew Brewin reporting thereon:	.50
August 9	Long letter to Andrew Brewin, 3 pages:	2.50
August 17	Long letter to Andrew Brewin, 3 pages:	2.50
August 19	Perusing 2 page letter from Andrew Brewin:	1.00
	Letter to Dr. N. F. Black re local committee: 2½ pages	1.25
	Attending Mr. Justice Bird re claim form and other matters relating to filing claims, engaged 1 hour:	10.00
	Attending Mr. Oyama (New Canadian) re organiza- tion of claimants, engaged ½ hour:	2.50
	Letter to Andrew Brewin reporting on above, 2 pages:	1.25
August 20	Letter to Mr. Oyama advising re matter relating to publication of notice by Mr. Justice Bird, 2 pages:	1.25
August 31	Upon receipt of letter from Andrew Brewin, letter to him with respect to organizational matters, 1 page:	1.25
September 2	Upon receipt of letter from Rev. McWilliams re individual claimants, letter to him advising thereon 1½ pages:	2.50
September 3	Letter to Dr. Black re local committee, 1 page:	1.00



March 13, 1950.

Honourable Stuart Garson,  
Minister of Justice,  
Ottawa, Ont.

Dear Mr. Garson:

Thank you for your letter of  
March 10th.

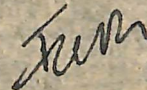
Mr. McMaster and myself will be  
in Ottawa on Wednesday and we will get in touch with your  
Secretary as soon as we arrive.

Yours respectfully,

CAMERON, WELDON, BREWIN & McCALLUM

FAB/W

Per:

A handwritten signature in dark ink, appearing to be "Jum" or similar, written over the "Per:" label.



CO-OPERATIVE COMMITTEE ON JAPANESE  
CANADIANS

DOCKET

March 15/50 -

Memo of interview with Hon. Stuart Garson Minister  
of Justice, Ottawa.

Present - The Minister, Mr. R. J. McMaster, and the writer.

1. We stated that we understood report to be filed by April 15th, and urged that the necessary statutory steps be taken to implement report as soon as possible- at least during present session. Delay would cause hardship, and give opportunity to stir up dissatisfaction.

The Minister appeared to agree and indicated that the Government would act promptly on receipt of the report.

2. We asked for information as to the machinery of carrying out recommendations of report. It was suggested that Custodian's Office would be kept open in Vancouver for this purpose. Written releases would be signed by payees. We discussed machinery to ensure that deductions of amounts due for costs and disbursements as per legal retainer to Co-operative Committee be made. We suggested that on production;

- (a) of written retainers (b) of bills submitted for review to Mason Foulds & Co. (c) of auditor's statement showing proportion of each to be paid out of award

a cheque issue to Co-operative Committee for total amount due and that cheques to claimants explain the deductions. The Minister appeared not to wish to involve Government in any way in determining deductions, but to favour sending of cheque for total amounts and releases to claimants' counsel.

3. We suggested that interest be paid on claims allowed from date of sale to date of payment. This would accord with ordinary rate on compensation for taking property for government purposes. P.C. case cited, also with usual rates recognised by international law for war damage awards. It would be particularly appropriate because of the fixing of compensation under



inquiry at difference between market price at date of sale and price realized, and because of inflation of values since, also the difficulties of proof, etc.

4. We reminded the Minister that we had objected to the terms of reference as ~~calculating~~<sup>excluding</sup> financial losses such as resulted from forced sales. We said we understood that the National J.C.C.A. wishes to make representations on this point when the Commissioner had reported. We stated that if the interest were paid we would agree that the Government had fully carried out its undertakings. The Minister said there was no connection between payment of interest and claims outside the terms of reference, as different classes were concerned. With this of course, we agreed. We were not ready to abandon at all the position which we had taken consistently and that the Government as consistently had rejected, that terms of reference too narrow. However if the claims found to be justified by the Commissioner within the terms of reference were paid promptly and with interest we were bound to acknowledge that the Government had carried out its undertaking first expressed by Mr. King and later embodied in terms of reference.

The Minister expressed no opinion either for or against on the question of interest but appeared to be interested and willing to consider point. He certainly expressed no unfavourable reaction.

*E.A.B.*  
—



# LAVERY & GUAY

AVOCATS ET PROCUREURS  
BARRISTERS, ATTORNEYS AND SOLICITORS

1575, RUE SAINT-DENIS

MONTREAL. this 17th March, 1950  
18

Mr F. Andrew Brewin K.C.  
Advocate  
No-372, Bay street  
Toronto, Ont.  
c/o Cameron & Co.

c/o Japanese Canadian Committee:

Dear Confreres:

We will be much interested in knowing what was the result of the Japanese claims against the Government.

We represent Canadians who were interned during the War.

We believe that many of the questions raised by you in your case might be useful in our Petitions against the Canadian Government.

Would you kindly let us know what was the judgment on behalf of your clients?

Thanking you in advance, we remain

Yours very truly,

LAVERY AND GUAY  
Per.....

SL/AB



372 Bay Street,  
Toronto, Ontario

March 28th 1950.

The Co-operative Committee on Japanese Canadians,  
67 Riverdale Avenue, Toronto 6, Ontario.

IN ACCOUNT WITH

CAMERON, WELDON, BREWIN & McCALLUM

Barristers and Solicitors

TO PROFESSIONAL SERVICES

RE: JAPANESE CLAIMS COMMISSION

1946

Sept. 30

Receiving instructions from Co-operative Committee on Japanese-Canadians to seek an interview with the Prime Minister and Cabinet in order to ask inter alia that a Commission be set up to inquire into property losses of Japanese-Canadians.

*to represent them as general  
counsel in connection with  
claims of Japanese Canadians  
in respect to property  
losses caused by  
military action for  
household & personal  
property 200.00  
plus 10.00  
for 10.00  
relevant*

Letter to Mr. Robertson, Secretary to Prime Minister.

1.00

Oct. 4

Receiving letter from Mr. Robertson, Secretary to Prime Minister in reply to our letter and promising to let us know when deputation may see Prime Minister after the Privy Council's decision is announced.

Letter to Mr. Robertson in reply

1.00

Oct. 17

Having received letter from Mrs. MacMillan, Secretary to the Co-operative Committee, enclosing draft statement to be sent out to representatives across the country, and others on mailing list, with detailed picture of the situation relating to property losses, and asking us to consider same.

Attending to consider the same and advising Mrs. MacMillan.

15.00

Nov. 8

Co-operative Committee ask our opinion as to form of releases being sent out by the Custodian to Japanese-Canadians, and as to whether the signature on these releases would be a fatal bar to further legal claims in respect to sale of properties. Advise returning of cheques to Custodian with letter stating that to accept would prejudice legal claims and rights to full restitution. Drafting telegram to be inserted in New Canadian.

15.00

Nov. 15

Upon instructions of Committee further letter to Mr. Robertson asking for appointment with the Prime Minister to discuss the matters in issue.

1.00

Nov. 20

Attending at Ottawa on Mr. Robertson, Secretary to the Prime Minister and discussing present situation with him and anxiety of Co-operative Committee to have delegation wait on him.

20.00



1947

March 24	Letter to Mr. Masaoka acknowledging letter of March 22nd with information as to progress in United States.	\$1.00
March 24	Letter to Col. Gibson enclosing letter from the Secretary of the Interior to the Speaker of the House in regard to the legislation and setting out detailed information in respect to the same. <i>considering American situation</i>	10.00
April 15	Letter to Mr. Coleman, Secretary of State inquiring as to interview with him in connection with proposed Japanese Canadian Claims Commission.	1.00
April 17	Letter from Mr. Coleman stating that he would be glad to discuss this matter with us on Saturday but that the matter is before the Cabinet as a whole. Letter acknowledging.	1.00
April 21	<i>Atty to</i> Having received instructions from the Committee to write to the Prime Minister urging the appointment of claims commission upon the lines of the American legislation which is enclosed. <i>and letter to P.M.</i>	12.00 2.00
April 22	Having received information that Mr. Gladstone Virtue, K.C. of Lethbridge is acting for a group of claimants in Southern Alberta, long letter to him reporting as to the present status of matters.	2.00
May 1	The Co-operative Committee called to our attention that the Secretary of State speaking in Parliament on April 24th suggested that where the Custodian was responsible the Government is prepared to accept representations from the previous owners and have a commission set up. Long letter to the Prime Minister pointing out that these statements suggest limiting the Commission inquiry to investigating cases of wrongful or negligent sales by the Custodian. Our long letter suggests that this would be an injustice and that such narrow terms of reference could not possibly be satisfactory to the claimants or those interested in their case.	5.00
May 3	Telegram to Mr. Virtue that we would be glad to interview him in Toronto.	.50
May 3	Attending to telephone Mr. Angus McInnis in regard to proposed claims committee and having received letter from him, perusing same.	3.00
May 20	Letter to Col. Gibson stating that we intend to make representations to Public Accounts Committee.	1.00



1947

May 20

Attending to interview Mr. Gladstone Virtue when he is in Toronto discussing his proposed representations to the Secretary of State.

25.00  
\$10.00

May 25  
May 26

*Engaged preparing*

Engaged preparing material for representation to Public Accounts Committee. Reading over Economic Loss Surveys, and evidence before Public Accounts Committee, and attending May 27 with Mrs. MacMillan and Mr. Tanaka at Ottawa in House of Commons. *and going evidence before committee*

50.00  
50.00  
100.00  
50.00

July 15

Letter to Secretary of State commenting on report of Public Accounts Committee and again reminding him that we are not basing claims on any misfeasance on the part of the Custodian.

2.00

July 23

Having received copy of Order-in-Council appointing Mr. Justice Bird Commissioner, letter to Secretary of State acknowledging. Letter to R.J. McMaster instructing him to act.

1.00  
1.00

July 24

July 30

Letter to Mr. McMaster discussing conditions under which legal assistance is to be made.

50.00  
1.00

July 30

Long letter to Prime Minister in which we set out our views and asking for interview. Engaged discussing these matters with your Committee, and drafting public statement for the press.

25.00

Having received letter from the Prime Minister containing suggestion that we should interview the Secretary of State and the Minister of Justice, letter in reply. Letter to Prime Minister.

1.00

July 31

Further letter to Mr. McMaster in regard to terms of reference and arrangement for legal representation.

1.00

Aug. 5

Further correspondence with Minister of Justice and Secretary of State.

2.00

Aug. 8

Wire from Mr. McMaster in which he informs us that Mr. Justice Bird will commence hearings in the east probably about October 1st.

1.00

Aug. 8

Letter to Mr. McMaster suggesting that Mr. Justice Bird withhold claim form until he sees whether terms of reference changed.

2.00

Aug 25  
Aug. 26

*Engaged all day in preparation of case for presentation to committee*

Conferring with Mrs. MacMillan and Mr. Tanaka at Ottawa.

50.00

Attending upon Minister of Justice and Secretary of State and engaged in very full discussion with them when we urge that present terms of reference are too narrow.

100.00

Sept. 2

Engaged 2 hours at national convention of Japanese Canadian Citizens Association.

20.00

Sept. 8

Long letter to Norris and MacLennan stating that various claimants intend to boycott, and asking their opinion as to this matter.

2.00

Sept. 11

Long letter from Norris and MacLennan in reply. Perusing same.

1.00



1947

Sept. 11

Discussing these matters with you and Mr. Tanaka.

2.00

Sept. 15  
Sept. 15

Preparing memorandum dealing with proposed boycott. \$5.00  
Having received long letter, 5 pages from Messrs. Norris and MacLennan dealing with case before Mr. Justice Thorson and questions of representation before Commission. \$1.00  
Perusing and considering same.

Having received press notice that Order-in-Council has been passed amending the original Order-in-Council, telephoning to Ottawa to secure copies of same. Engaged reporting-to Co-operative Committee as to enlarged terms of reference and drafting statement. \$3.00  
Having copies of amending order-in-council made. \$2.00  
Letter to Messrs. Campbell, Brazier, Fisher and McMaster enclosing copies of amending order. \$1.00

Sept. 19  
Sept. 19

Letter to Norris and MacLennan enclosing copies of amending order. \$1.00

Attending upon Mr. John Hunter as counsel and discussing matters of procedure with him. \$20.00  
\$10.00

Attending to interview Mr. Best with a view to having him assist in presenting claims in Toronto. 10.00

Letter to Mr. McMaster dealing with representation of claimants in British Columbia. 2.00

Letter to Messrs. Norris and MacLennan dealing with the same matter. 2.00

Sept 20<sup>h</sup>  
- 27<sup>h</sup>

Attending to discuss and consider statement by Co-operative Committee, advising claimants to take full advantage of the terms of the Commission, and further considering and advising as to plan whereby various claimants would be required to put up some minimum fee to cover expenses and for further arrangements for representation across Canada. 150.00  
~~50.00~~  
~~5.00~~

Sept. 19

Letter to Professor F.R. Scott, McGill University asking for suggestions in Province of Quebec. 1.00

Sept. 19

Letter to Mr. George Tamaki, asking for suggestions as to legal representation in Saskatchewan. 1.00

Sept. 22

Letter to Deputy Minister of Justice acknowledging receipt of copy of orders-in-council P.C. 1080. 1.00

Sept. 23

Engaged interviewing J.W.G. Hunter counsel for the Government and discussing various procedural matters. 15.00

Sept. 26

Attending with Mr. McMaster in Toronto when we discuss claim form and general organizational problems, engaged 3 hours. 30.00  
25.00

Sept. 29

Long letter to Mr. J.W.G. Hunter Counsel for Government reviewing various matters previously discussed with him, including extreme difficulty in having claim forms filed in time. Also discussing questions of production of documents and other procedural matters, 3 pages. 2.00



1947.

Sept. 29	Engaged one hour attending to interview Mr. Best and instructing him to act for claimants with us.	\$10.00
Sept. 30	Telegram to Mr. Hunter re notice in New Canadian requiring claims to be filed.	.50
Oct. 2	Letter to Mrs. Scrambler, Manitoba representative of Co-operative Committee, setting out proposed arrangement as to printing of forms for making claims, etc.	1.00
Oct. 2	Letter to Ritchie & Huckvale in reply to their letter of September 23rd to Mrs. MacMillan, Secretary of Co-operative Committee, setting out proposal as to completion of claims and as to retaining Messrs. Ritchie and Huckvale for claimants in Alberta.	1.00
Oct. 3	Letter to executive committee of national Japanese Canadian Citizens Association, setting out basis of proposal that claimants pay a retaining fee equal to 1% of their claim where possible, and further undertake to pay balance of fees and disbursements out of amounts recovered, but that we will be willing to represent claimants who cannot pay if recommended by Japanese Canadian Citizens Association.	5.00
	Long letter to Mr. Roger Ouimet, K.C. Montreal setting out the situation and asking him to act for claimants in Montreal.	1.00
	Engaged 3 1/2 hours in discussion with Mr. Tanaka and considering appropriate claim forms to be filed in light of previous discussions with Mr. McMaster, Mr. Hunter, etc.	35.00
Oct. 4	Engaged 2 hrs. in further consideration of form for making claims.	20.00
Oct. 4	Having received from Mr. Hunter copies of his correspondence with Mr. Justice Bird as to various points of procedure which he has taken up with Mr. Justice Bird arising out of our previous correspondence, perusing same.	2.00
	Long letter to Mr. Virtue setting out the representation of claimants in Alberta and asking his advice and suggestions in respect to claim forms and in respect to other matters of procedure.	2.00
Oct. 5	<i>confering with committee, approving &amp; settling claim forms.</i>	50.00
Oct. 7	Long letter from Mr. Cherniak of Winnipeg who has been instructed to represent Co-operative Committee, perusing same.	2.00
Oct. 8	Letter to Ritchie and Huckvale enclosing rough draft of proposed letter and forms to be used and discussing situation as to representation of claimants in Alberta.	1.00
Oct. 9	Considering points of Mr. Cherniak's letter and long letter to him in reply.	5.00
	Long letter to Norris and MacLennan setting out the plan for representation of claimants and suggesting that his firm work with Mr. R.J. McMaster in Vancouver in representing claimants.	2.00



1947.

Oct. 10	Having received letter from Mr. Ouimet saying that he is willing to represent claimants in Quebec, letter acknowledging and advising that claimants not likely to be heard in Montreal until 1948, and also asking him in regard to one Eric G. Adams who says he is representing claimants in Quebec.	\$1.00
Oct. 14	Having received long letter from Mr. Virtue, letter in reply dealing with the question of appointing of valuers.	1.00
Oct. 15	Having received letter from Ritchie and Huckvale as to draft form and as to representation in Vancouver, letter in reply.	1.00
	Letter to Mr. Tamaki.	1.00
	Letter to Mr. Justice Bird dealing with his letter to Mr. Hunter of October 4th, advising that Mr. McMaster will be getting in touch with him as to discussing matter of preliminary hearings and question of production of custodian's files.	1.00
Oct. 20	Letter to Mr. Takato, Val Cote, as to claim form.	1.00
Oct. 23	Engaged in preparing draft letter to various lawyers throughout Canada representing claimants through Co-operative Committee, also draft letter to Provincial organization of J.C.C.A. setting out proposed arrangement for representation. Letter to Mr. Tanaka and to Miss Boos enclosing copies of draft.	25.00
Oct. 27	Having received letter from Messrs. Ritchie and Huckvale re claim forms, advising them that they will be ready in English and Japanese shortly.	1.00
Oct. 29	Having received long letter from Mr. McMaster, 6 pages, dealing with questions of procedure and discussions with Commissioner, perusing same and long letter to Mr. McMaster in reply dealing with same and question of production of documents.	25.00 <del>2.00</del>
Oct. 31	<i>considering same</i> Attending to interview Mr. Eric Adams, Economic and Engineering Consultant who offers his services for preparation of material for claims. Considering matter and consultation by correspondence with Mr. McMaster and Mr. Ouimet when we decide that we cannot usefully employ Mr. Adams services.	25.00
Nov. 3	Attending at Montreal upon Mr. Roger Ouimet, K.C. and instructing him in regard to the whole background of this matter, completion of claim forms, etc. Engaged all day	75.00 <del>50.00</del>
Nov. 5	Letter to Mr. Tanaka dealing with various problems as to proof forms re joint owners, husbands and wives, Corporations, Personal Property, Fishing Vessels and representations where claimant deceased <i>and various considering problems mother</i>	25.00



1947

Nov. 5

*boundary problem of valuations required*  
Long letter to Mr. McMaster discussing question as to necessary arrangements for technical and valuation assistance, also as to claims of corporations and fishing vessels.

15.00  
\$2.00

Nov. 6

Attending Mr. MacLennan and Mr. McMaster on long distance tel.

5.00

Nov. 7

Letter to Mr. McMaster in regard to dispatch of claim forms and the writer's proposal to be in Vancouver for preliminary discussions.

1.00

Nov. 10

Letter to Mr. Tamaki in regard to having him available for assistance in this matter.

1.00

Letter to Mr. McMaster

1.00

Letter to Mr. Cherniak dealing with questions as to claim forms.

2.00

Letter to Miss Boos, Secretary of Co-operative Committee.

1.00

Nov. 12

Having received letter from Mr. Hunter in regard to productions, perusing and considering the same and letter acknowledging.

10.00

Letter to Norris and MacLennan enclosing copy of Mr. Hunters Letter.

1.00

Letter to Cherniack & Cherniack enclosing copy of Mr. Hunter's letter.

1.00

Letter to Ritchie & Huckvale enclosing copy of Mr. Hunter's letter.

1.00

Letter to Mr. Best enclosing copy of Mr. Hunter's letter.

1.00

Letter to Mr. McMaster enclosing copy of Mr. Hunter's letter.

1.00

Letter to Mr. Takato Val Cote enclosing forms for proof of claim.

1.00

Engaged interviewing individual claimants October, November and December when they complete claim forms, involving lengthy interviews, total 4 or 5 claimants per day, roughly 120 claimants *Mr. Brown & Mr. Gilbert*

600.00

Nov. 15

Long letter to Mr. McMaster re claim forms and extension of time for filing claims.

1.50

Nov. 17

Long letter to Mr. Cherniack replying to his letter of November 15th dealing with various questions as to administrative costs and completion of forms. Considering these questions and reply.

5.00

Nov. 19

Letters to Messrs. Cherniack and Cherniack, Mr. Shumiatcher, Messrs. Huckvale and MacLennan in respect to preliminary hearings in Vancouver.

5.00

Nov. 20

Letters to Messrs. Shumiatcher, McMaster, MacLennan, Ouimet, Best, Cherniack, Huckvale, in regard to preliminary hearings in Vancouver.

7.00

Nov. 24

Letter informing Mr. Adams that we cannot use his services in respect to this matter.

1.00



March 29, 1950.

Messrs. Lavery & Guay,  
Barristers, Attorneys and Solicitors,  
1575, Rue Saint-Denis,  
Montreal, P.Q.

Attention Mr. Salluste Lavery.

Re: Japanese-Canadian Committee

Dear Sirs:

We have your letter of March 17th.

The Honourable Mr. Justice Bird of the Court of Appeal of British Columbia has been sitting on a public inquiry in respect to the difference between the fair market value of property of Japanese-Canadians sold by the Custodian, and the actual amounts realized by the Custodian.

The inquiry has been going on since roughly November 1, 1947 and is nearly completed. We expect the report of the Commissioner to be published shortly and that the award may amount to roughly one million dollars.

This covers some 1500 cases of both real and personal property sold by the Custodian under the various orders-in-council which vested in him the property of Canadians of Japanese origin in the coastal areas of British Columbia. The amount to be awarded is supposed to be the difference between the price actually realized and a fair market value at the date of sale. It also covers some allowance for goods lost, destroyed or stolen while in the possession of the Custodian.

We hope that this is the information you require.

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

per: *J. A. Brewin*  
*per A.C.*

FAB:HC