

Corr Nov 1950

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PHONE PACIFIC 6131

PLEASE REFER TO

FILE NO. 5359

CANADA  
DEPARTMENT OF THE SECRETARY OF STATE  
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

RECEIVED

OCT 1 1950

October 30, 1950.

CAMERON, WELDON, BREWIN &  
McCALLUM.

506 ROYAL BANK BLDG.  
HASTINGS AND GRANVILLE  
VANCOUVER, B. C.

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

Attention, Mr. F.A. Brewin, K.C.

Dear Sirs:

Re: Japanese Property Claims Commission  
Case No. 986

We thank you for your letter of October 25th re the above case.

We note that you have written to Mr. Tateishi to see if he has a copy of Letters Probate appointing him Executor of the Estate. However, this is not necessary as we find that our file already establishes this fact.

We have today prepared a form of Release applicable to this claim which we have sent to Mr. McMaster and which is usual in such cases.

Yours very truly,

*F.G. Shears*

F.G. Shears,  
Director.

FGS/GN

c.c. Mr. R.J. McMaster.



*Cherniack & Cherniack*  
BARRISTERS AND SOLICITORS

Phones { 933 477  
933 478

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

204 - A & L Building  
460 Main Street  
Winnipeg, Canada

PLEASE REFER  
TO FILE NO.

October 30th, 1950.

Mr. F.A. Brewin,  
Barrister, etc.,  
Sterling Tower,  
TORONTO 1, Canada.

Dear Andy:

re: Japanese Property Claims Commission

In reply to your letter of the 27th instant, I beg to advise you that I agree with the fee of \$3.00 per case suggested by you.

I note that you make no mention of my proposal to make a charge for the preparation of the Statements of Account and I assume that this meets with your approval and that you will therefore, complete my statement in accordance with these proposals and will forward same to the Committee.

With best regards, I am,

Sincerely,



SMC:y

RECEIVED  
OCT 31 1950  
CAMERON, WELDON, BREWIN &  
McCALLUM



October 31, 1950.

Mr. George Tanaka,  
National J. C. C. A.,  
61 College Street,  
Toronto, Ontario.

Re: Case No. 1220  
Tatsukuro Hayashida

Dear George:

We are enclosing herewith special  
release form to be sent to Mrs. Suemo Hayashida  
18 Greig Street, Hamilton for her signature.

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

per:

FAB:HC  
Encl.



November 1, 1950.

National J. C. C. A.,  
61 College Street,  
Toronto, Ontario.

Attention Mr. George Tanaka.

Dear Mrs:

I am enclosing letter sent to me by  
Miss Bos from Mr. McMaster with various release  
forms.

The letter speaks for itself and the  
letter of instruction to each one should incorporate  
the instructions from Mr. McMaster relating to each  
separate case.

If your office requires any information  
from me as to what should go in the letters will you  
please communicate with me.

I have asked Mr. McMaster in future to  
send these directly to your office.

Yours sincerely,

FAB:HC  
Encl.

*FAB*



November 1, 1950.

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

Dear Bob:

Miss Boos is sending on to me all the special release forms which you are sending to her, for me to instruct the National J.C.C.A. who are actually sending out the forms.

I suggest that you might send them to George Tanaka, c/o the National J. C. C. A., 61 College Street, Toronto, and I will have them call me about any question that arises. This will save postage.

Yours sincerely,

FAB: HC

*Sub*



November 1, 1950.

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

Dear Miss Boos:

We are enclosing herewith draft Statement.

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

per:

FAB:HC  
Encl.



November 2, 1950.

Mrs. Sata Kumagai,  
180 Jackson Street East,  
Hamilton, Ontario.

Re: Case No. 1070

Dear Mrs. Kumagai:

We have been informed that the Commissioner has made an award in respect to the claim made by your late husband, of \$2235.37.

The Custodian was unaware of his death, and has sent us a release to be signed by him. In cases in which the claimant has died, it is normally necessary to provide the Custodian with Letters Probate of the Will of the deceased (in cases where he left a will) or Letters of Administration where he left no will.

Would you please let me know if when your husband died, either Letters Probate or Letters of Administration of his estate were issued by any Surrogate Court, and if possible, let me have a certified copy of the same.

In the event that you have not either Letters of Administration or Letters Probate in regard to your late husband's estate, it may be necessary to apply for the same. However, it is possible that an affidavit would be sufficient. In drawing such an affidavit, it would be necessary to set out who in addition to yourself are the next of kin, what estate if any your husband left, and whether there are any debts of his estate remaining unpaid.

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

per:

FAB:HC



College Heights,  
Lacombe, Alta.

Nov. 2 1950

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

Dear Miss Boos

I enclosed herewith "Release"  
and "Authority".  
Please send them to Custodian.

2. { By the way will you kindly advise me  
the details of \$ 742.80 which award  
recommended by Commission.

For house ....	\$
For Chattels ...	\$
Total	\$ 742.80

yours truly  
T. Sato

Case # 501.



**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

H. C. MURRAY                      G. B. GARDOM

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

November 3, 1950.

NOV 6 1950

RECEIVED  
CAMERON, WELDON, BREWIN &  
McCALLUM.

OUR FILE NO.

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

Dear Andy:

I have for acknowledgment receipt of your letter of the 26th ultimo, and also your letter of the 1st instant.

Upon looking into my file I find that you are correct that I do not appear to have replied to your letter of September 28th.

I might say that I have no definite arrangements with Mr. Shears that he will not pay out any moneys of claimants against whom the Committee has a claim for legal fees unless authority to pay the legal fees has been received by him. However, I do have a verbal indication from him that he will follow this policy and in two or three instances the question has arisen. For instance, in one case someone tried to garnishee the money, and while I believe on advice of his own solicitor the Custodian disputed the Garnishing Order he at that time indicated he considered our charge to rank in priority to the Garnishing Order and that if he did pay any money into Court it would only be the net amount after payment of our fees. On another occasion he received a release form from one of our claimants without any authority to pay our fees attached and he wrote me sending me the release form he had received and advising that he had no authority to pay the fees. Accordingly I wrote to the claimant and told him that the Custodian had handed us the release form and that he would



Mr. Andrew Brewin, K. C.

November 3, 1950.

be required to execute the authority to pay fees before payment would be forthcoming. The claimant subsequently returned to us the authority to pay fees. We then filed this with the Custodian and payment was made.

We are rather doubtful whether the Custodian will agree in the last analysis to pay our fees in cases where the claimant refuses to file a release form, if such occasion arises. I think it would be inadvisable to approach the Custodian with respect to this matter at this time but rather to wait until the distribution is near completion before discussing it further if it is then necessary to do so. I have not had any discussion with Mr. Shears at all as to whether the Government proposes to place a time limit by which time the releases must be received. Again I think it would be premature to raise this question now, although I would agree that it would add some impetus to getting the release forms filed. It appears to me likely that this proposition will receive consideration at a later date when more of the release forms have been paid and the Government may have to give some consideration either to cutting down the Custodian's staff further or alternatively closing the office in Vancouver. I would imagine that Mr. Shears would broach the subject to me before any final decision was made concerning the same.

With regard to the fees to be charged for attendances on solicitors for completion of the release forms and affidavits of execution, I had thought it was the understanding that the various solicitors would collect a notarial fee from the claimant who attended at the office for these services. I might say that in some cases we have not made any charge and in other cases we have charged the usual fee of 50¢. I would concur that this should not be the case where it is necessary to examine into the claimant's case and give any information or advice, and in



Mr. Andrew Brewin, K. C.

November 3, 1950.

these cases a charge of \$2.00 or \$3.00 would appear to me to be in order. I do not feel that a fee of more than \$1.00 should be allowed if it is merely attending to take the declaration and affidavit.

Concerning Mr. Cherniak's query as to a fee for preparing a lengthy statement of account, I can agree with this quite heartily as it took some considerable time to prepare our statement. However, I am inclined to feel that any payment with respect to this should depend upon first paying all fees billed for services rendered on the Commission hearings and then fees chargeable with regard to attendances in relation to distribution. If there is anything left over after this in the kitty it would seem quite reasonable to me that we should all submit accounts with respect to the preparation of our bills.

Concerning your letter of the 1st instant, I have noted the comments and will hereafter see that special release forms are forwarded to George Tanaka rather than to Miss Boos. We would estimate that there are roughly another 50 cases in which special release forms require to be drawn and forwarded to the Committee.

After you have had an opportunity of reviewing the present status in relation to release forms executed and filed, if you think it would be helpful I might have a general discussion with Mr. Shears concerning a date by which the Crown might expect the release forms to be filed so that the Committee could then send out to the claimants who have received release forms and have not filed a communication with them that if they did not have them filed either by a specified date or within a reasonable period of time it may be that the present facilities through the Vancouver Custodian's office will not be available and they may suffer considerable delay in obtaining their awards if the matter is to be dealt with through Ottawa.

With kind personal regards from the writer.

Yours very truly,

CAMPBELL BRAZIER FISHER, McMASTER & JOHNSON

Per

RJM:PG



November 6, 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 November  
3rd.

I have noted the contents. I agree with you that it would be premature to raise the question as to what would happen in case a release form is not signed. However, it appears to me that if we cannot get the release form in certain cases, we should press very strongly for the fact that the retainer, together with the proper proof of our charges, amounts to an assignment, and should be honoured by the Custodian.

In a week or two we will review the situation in regard to releases carefully, and consult with you as to what should be done.

Yours very truly,

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

THE ROYAL BANK BUILDING

675 WEST HASTINGS STREET

VANCOUVER, B.C.

H. C. MURRAY

G. B. GARDOM

OUR FILE NO.

RECEIVED

NOV 10 1950

November 8, 1950.

CAMERON, WELDON, BREWIN &  
McCALLUM.

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

Dear Andy:

I have for acknowledgment receipt of your letter of the 6th inst., and have noted the contents.

I had a lengthy discussion with Mr. Shears yesterday with respect to six cases concerning which the Commissioner made a separate report as being matters outside of the terms of reference. It appears that Mr. Ken Wright will likely be in the City about the 18th of this month with a view to investigating into these matters. Apparently Mr. Shears has been expending considerable energy in investigating into them himself and has had several talks with the Judge concerning the same. He indicates that he has had no instructions as to how Wright and the Government intend dealing with these matters. He thinks it likely that Wright will consult with the Judge. He doesn't know to what extent I will be called upon to make any representations or to negotiate or otherwise.

Mr. Shears was kind enough to disclose to me that with regard to the special reports relating to charter parties which affects three of the cases in the list, that is, Cases 36, 43, and 211, he has after considerable scrounging been able to obtain information from Ottawa concerning the manner in which the Government dealt with these. This information was not available at the time that representations were made to the Commissioner. I might say that these three cases represent the largest amounts in which we are interested in the supplementary report.



Andrew Brewin, Esq., K.C.

November 8, 1950.

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Shears reports that with regard to boats which were requisitioned for charter, that a Committee was set up in Vancouver, the Chairman of which was Mr. Justice Sidney Smith and that there sat with him, Mr. Housser, an insurance lawyer and one of the men prominent in shipping circles. It supposedly was the duty of this Committee to determine or recommend what rate of remuneration should be set for charter hire. Shears also discloses to me that the Dominion Government had issued some kind of a memorandum indicating what it considered to be a proper basis for paying charter hire on vessels requisitioned by it. This was issued by the ~~Chairman~~ <sup>Department</sup> of Munitions and Supply. It appears that the Committee adopted this formula and applied it to the facts of the individual case. The formula and therefore the Committee's recommendation would appear to have entirely disregarded two factors:

- (a) The rate provided in any charter party made by the Japanese prior to evacuation and
- (b) The going rate in marine circles for charter parties.

The rates set out in the formula are ridiculously low. For instance, in one case, I think it is 36, where the claimant gave evidence that for two years prior to evacuation he had his boat chartered at \$21.00 per day, the Committee recommended \$133.00 per month.

Apparently the Committee reported to Ottawa on each of these cases. However, instead of agreeing to pay the charter money, Ottawa apparently decided to requisition the boats for purchase and the boats were purchased on the basis of a Lloyds' valuation made at the time that the boats had been requisitioned for charter. I think in each case they were purchased at the exact amount of Lloyd's valuation. So far as I am aware there was no adequate provision for the owner of the boat to be represented on the hearings at which the charter rate was determined, nor was there any adequate provision for the owners to be represented at the time that the compensation to be paid for the boats was determined. If my memory



Andrew Brewin, Esq., K.C.

November 8, 1950.

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serves me right, the Fishing Vessel Disposal Committee determined the compensation which would be paid on the requisition of the boats for purchase and my namesake, Mr. McMaster, the Secretary of that Committee admitted on cross examination in the general proceedings that the Japanese Fishing Vessel Disposal Committee in so doing were representing both the interests of the Department of Munitions and Supply and the Japanese owners. Mr. Justice Sidney Smith was likewise the Chairman of this Committee.

The desirable place to have the value of the charter parties and of the boats determined would be in the Exchequer Court. However, it appears most likely to me that we would be Statute barred from any suit in that Court at this time.

Mr. Shears also kindly drew to my attention the fact that he had located in some marine publication published at or about the time of the so-called hearing on fixing charter rates a report of the evidence given by a marine surveyor in which he suggested a rate of compensation which would be approximately 100% better than the rate suggested by the Department of Munitions and Supply. So far as Shears is personally concerned, he is prepared to urge that this rate be used rather than the one used by Mr. Justice Sidney Smith's Committee and he is also prepared to suggest that with regard to the sale price of the boats that the claimants be given a boost of 10% on the sale price.

He reports to me that when he advised Mr. Justice Bird about the Smith Committee Bird's immediate reaction was that he did not have this information when he made his supplementary report and had he had it, he would not recommend any payment in excess of what had been recommended by the Smith Committee (you will note the similarity here with his attitude on the sale of Vancouver property) Mr. Justice Sidney Smith having been the Chairman of the Committee in charge of that. I think possibly, however, that Shears has influenced him to the extent that he would not oppose the Government acting on the basis suggested by Shears, that is, using the surveyor's estimate of charter party rates and giving a 10% increase on the sale price.



Andrew Brewin, Esq., K.C.

November 8, 1950.

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I have recited all of the above information so that you may have a background upon which to make some suggestion as to what my position is with regard to any negotiations with Wright. The first question in my mind is do we have any authority to enter into such negotiations and the second question is do we have any authority to make any settlement assuming that a settlement can be made or to concur in any suggestion that the Government might make as to what it is willing to do.

Further, if we do not like what the Government proposes to do, what remedy does the claimant have? So far as I can see he only has an appeal to the Executive Council and I am not too optimistic about that particularly if Mr. Justice Bird concurs in what the Department proposes doing.

There is little comfort to be taken in the figures which Bird gave in his supplementary report because all that he says there is that the claimant has made out a prima facie claim and there is no doubt about it that he did not have the Crown's side of the picture before him.

I argued somewhat with Shears that surely the only ~~firm~~ <sup>fair</sup> position that the Government could take with regard to these matters particularly in view of the terms of reference would be to give to the claimant the fair market value of the charter parties.

In the one instance, case 36, surely the fact that the claimant did, if his statement is true, receive \$21.00 per day for several years prior to evacuation, would be a fair indication of fair market value. Shears did not think there was a ghost of a chance that the Government would consider this proposition.

Another question in my mind is whether I ought to proceed to try to get Statutory Declarations from prominent qualified shipping people if the same can be obtained as to a proper rate for charter on the vessels in question, having regard to what was being paid on the market at the time and confront Wright with such statements. Actually we do not have funds available to get



Andrew Brewin, Esq., K.C.

November 8, 1950.

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such advice or evidence but the costs might reasonably be taken from any recovery.

A practical consideration with respect to each of these charter party claims is that in each case if the Crown gave an additional 10% on sale price, it would bring the recovery on the sale of the boat very close to the amount claimed by the claimant. None of these boats were sold by the Custodian so that in one sense, the additional 10% would be a gratis payment. In one case, the claimant indicated that if he received the charter party money which he was claiming he would not complain about the difference between his idea of the value of his boat and what it sold for and I rather suspect that the other claimants in this category took the same view.

While I have not had all of the figures from Mr. Shears, if his suggestion were followed I think the total of the charter party money and the increase on the sale price of the boat would probably come reasonably close to what the claimant was asking for charter money. Thus in terms of the actual amount which the Government might be willing to pay while the amounts would be less than that suggested by Mr. Justice Bird in his report, I think the totals would represent reasonable compensation to the claimants, if looked upon as being a payment for charter party and it may be that the claimants would take that view of the matter, particularly if the breakdown of how the amount was arrived at was not explained in detail. However, I wonder whether it would not be wise if the Committee immediately wrote these claimants and got some instructions for us with regard to negotiating this matter or do you feel that our initial instructions under the retainer are adequate.

Aside from the charter party cases, it appears to me that we are entirely at the mercy of the Crown as to what they wish to do. We can make representations to the Custodian's Department through Mr. Wright but there will be no hearing on which we can represent the claimants and as indicated above, in those cases, it seems to me the only possible appeal would be to the executive council.



Andrew Brewin, Esq., K.C.

November 8, 1950.

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I might say that even were it suggested that the matters be referred to Mr. Justice Bird to hear further evidence and determine, I personally would not be satisfied with such course of action now because Shears has obviously by his own admission been to see him on a number of occasions and in my opinion will have influenced him in a manner which would be prejudicial to any hearing. My feeling is that we would actually not gain anything more on a hearing before him than we would by negotiating with Wright.

You will appreciate that it will be necessary for me to have some instructions with regard to this matter at the earliest possible date if I am to know my position when Mr. Wright attends here.

With kind personal regards, I am,

Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON,

Per:

Bab

McM:McC



November 9, 1950.

Mrs. M. Hoita,  
1 Parkview Avenue,  
Toronto, Ontario.

Dear Mrs. Hoita:

I regret that the form which you completed the other day was not fully completed by your son-in-law Mr. J. T. Uchimaru. This was my fault. He should sign where we have written his name in pencil at the foot of the document which we enclose.

Will you please have him sign it and return it to us as soon as possible.

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

per:

*FAB*

FAB:HC  
Encl.



1774 Pandora St  
Vancouver, B.C.  
Nov. 11 /50

The Co-Operative Committee  
94 Homewood Ave, Apt 28  
Toronto Ontario.

free

Re: SATOSHI ARAKI (formerly Ayama, B.C.)  
(Refund.)

Dear Sir or Madam...

In regarding to claim, my  
fishing boat has not been accepted on  
case, so please kindly refund the  
money, as I think it hopeless.

14% - \$ 8.65 paid.  
but claim  
withdrawn.

I thank you.  
Yours truly  
S. Araki



THE CO-OPERATIVE COMMITTEE on JAPANESE CANADIANS

MINUTES OF FINANCE COMMITTEE MEETING

TIME: November 15th, 1950; 4.30 p.m.

PLACE: Mr. Brewin's Office.

PRESENT: Boos, Brewin, Nichols, Tanaka.

REPORT RE FORMS: Seven hundred signed forms have now been returned by claimants; 85 have not yet been forwarded to claimants, due to complications. Agreed that a follow-up letter be prepared by A. Brewin and forwarded by November 25th to all who have not yet returned papers received.

FINANCIAL POSITION: Approximately \$43,000.00 now in our account. Accounts from Mason & Foulds and P.S. Ross and Sons have yet to be received and paid; outstanding legal accounts were also reviewed.

MOTION: Tanaka/Boos - "THAT the small accounts be paid in full at this time and 50% of the accounts submitted by Cameron, Weldon, Brewin & McCallum, and Campbell, Brazier, Fisher, McMaster & Johnson." - Carried.

ADJOURNMENT - at 5:45



*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.*

November 13th, 1950

Toronto Co-Operative Committee,  
Japanese Property Claimants,  
c/o Messrs. Cameron, Weldon, Brewin & McCallum,  
Sterling Tower,  
Toronto, 1, Ont.

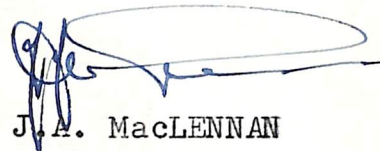
Dear Sirs:

Re: Japanese Claims Commission

I rendered my account for professional services in this connection on December 17th, 1949, and sent further particulars on the 20th of June, 1950. I have not had any further word in connection with this and would like to know from you when I might expect payment of the account.

Your early attention to this would be appreciated.

Yours truly,

  
J.A. MacLENNAN

JAM/CM

RECEIVED

NOV 15 1950

CAMERON, WELDON, BREWIN &  
McCALLUM.



November 13, 1950.

Mr. Takaaki Kitamura,  
380 Sumach Street,  
Toronto, Ontario.

Dear Sir:

Re: Japanese Property Claims Commission  
Case 1207.

We have been advised by the Custodian that he has received a release form executed by yourself together with an Authority to pay the fees to the Co-operative Committee with respect to the above-noted matter.

He points out to us that you took the liberty of crossing out on the release form the general release relating to this matter contained in the mimeographed form and made the release only for the sum of \$150.06 which was being paid. The Custodian advises that he is not prepared to accept this release and that if you require payment you will have to execute a general release form of the type previously provided to you and a copy of which is enclosed herewith.

With the greatest respect to whoever advised you to change the release from in the manner in which you did, we would suggest to you that there is no hope whatsoever of the Government accepting any release form other than a general release form. Certainly, if you were receiving payment from any source other than the Government, for instance, an insurance company, you would have to execute such a form. We do not expect that the Government will make any payment in this matter unless the proper form is executed.

We are holding the Authority to pay fees to the Committee and if you see fit to execute the enclosed general release and return the same to this office



Mr. Kitamura:

November 13, 1950.

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properly witnessed and the Affidavit of Witness sworn  
we will file it with the Custodian again, whereupon  
you will receive prompt payment.

Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON,

Per: 

McM:McC

COPY



November 16th, 1950

AIRMAIL

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

Dear Bob:

Re: Japanese Claims Commission

I have read carefully your long letter of November 14th.

I think you may assume that you have authority to enter into negotiations and make any settlement that is satisfactory. I do not think it will be practicable to discuss the matter very fully with individual claimants before entering into negotiations with the Government. However, it may be that before finally committing yourself to any final settlement, you can tell the Government that you wish to have express authority from the claimants, and we can then get in touch with them.

The Government will presumably insist on a release of any legal claims, and for that reason it will probably be necessary to discuss the matter with the claimants before they sign any final release in any event.

I confess I have not investigated the question as to whether there would be any legal claim in the Exchequer Court, nor the question as to whether any such claim would be statute barred. In this connection, however, it might be worth considering that the regulations under The Trading with the Enemy Act, were changed towards the end of the war, and that possibly the statutory period of limitation did not run until after it became possible to sue the Custodian. However, I presume that your knowledge of the facts would lead you to assume that any action in the Exchequer Court at this stage, would be highly precarious.

I agree with you that the only appeal we have is to the executive council, and I put very little faith in such an appeal. I think they will accept the recommendations of Ken Wright and Shears without question. However, I have always found Mr. Wright very reasonable to deal with. I quite agree with you that it would be better to make a possible settlement with him rather than refer the matter back to Mr. Justice Bird.



R.J.McMaster, Esq., cont'd.

November 16th, 1950

As to getting statutory declarations from qualified shipping people, I shall have to leave that entirely to your judgment.

I understand that all our claimants, some seven hundred, have now completed releases, and that \$30,000.00 in retaining fees has been paid over by the Custodian.

The Committee plan to make a further distribution on account of legal fees within a few weeks. Would it suit you to receive another \$10,000.00 at the present time?

Yours very truly,

FAB:DD



November 17, 1950.

Mr. Minoru Nasu,  
30 Carling Avenue,  
TORONTO, Ontario.

Dear Mr. Nasu:

Re: Case No. 1108.

We have received a Release signed by yourself on the form prepared by the Custodian but the general release contained in the form has been struck out.

We notice that Mr. Hidaka was a witness. We have a letter from Mr. McMaster in Vancouver in respect to a similar form signed by a claimant with the general wording to the release struck out in the same manner as in your form. Mr. McMaster had written to the other claimants stating:

"The Custodian advises that he is not prepared to accept this release and if you require payment you will have to execute a general release form of the type previously provided, a copy of which is enclosed herewith".

Mr. McMaster goes on to say that he is quite sure that the Government will not make any payment unless the proper form is executed.

No doubt, if you were to telephone the National J.C.C.A. Plaza 1253, they would send you another blank form and we would be glad to have this completed for you if you so desire.

In the meantime, we are holding the release form as you executed it and the authority from you pending your further instructions.

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

FAB:ob

Per:



November 17, 1950.

Mr. T. Sato,  
College Heights,  
LACOMBE, Alta.

Dear Sir:

Re: Claim No.501.

We have been requested by Miss Boos  
to advise you in respect to how your claim was  
made up.

According to the record this was made  
up as follows:

For house	--	\$257.50
For chattels	-	<u>485.30</u>
		<u>\$742.80</u>

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

FAB:ob

Per: 



# Japanese Canadian

TELEPHONE: PLAZA 1253



## CITIZENS ASSOCIATION

NATIONAL HEADQUARTERS:  
~~84 GERRARD ST. E.~~, TORONTO 2, ONTARIO  
61 College Street

November 15th, 1950.

Mr. Yoshikazu Nakatsu,  
419 Dundas Street West,  
TORONTO, Ontario.

Dear Mr. Nakatsu:

Pursuant to my telephone conversation with your daughter a few days ago when she informed us that you have lost the authority and release forms from the Custodian which are required to be completed by you before payment of award is made, I enclose another set of these forms which we have duplicated for you.

In respect to the release form, it does not have the Custodian's red seal which was on the original form you lost. However, I should think that the enclosed forms will suffice provided that you inform the lawyer of the situation whereby you lost the original release forms.

I would suggest that you make an appointment with Mr. Brewin to have your form properly completed in view of the original loss.

Sincerely yours,

George Tanaka,  
National Executive Secretary.

GT:YO  
Enc.



STATEMENT RE LEGAL FEES

FIRM	ACCT. RENDERED	PAID ON ACCOUNT	BAL. DUE	TO BE PAID NOW
Campbell, Brazier, Fisher, McMaster & Johnson	<del>55,000.00</del> ✓ 55,000.00	✓ 18,000.00	37,000.00	10,000.00
Cameron, Weldon, Brewin & (1,000.-23.4.48 2,500.- 8.6.49 2,000.-5.10.50)	✓ 12,000.00	✓ 5,500.00	6,500.00	2,000.00
J.A. MacLennan	✓ 7,118.64	✓ 1,000.00	6,118.64	3,000.00
Cherniack & Cherniack	✓ 5,775.50	✓ 2,000.00	3,775.50	1,000.00
Roger Ouimet	✓ 788.00	✓ 300.00	488.00	488.00
ErA. Best	✓ 2,650.00	✓ 1,000.00	1,650.00	1,650.00
? Turcotte	✓ 1,202.63	✓ 250.00	952.63 <del>1,002.63</del>	952.63 <del>1,002.63</del>
Ritchie & Huckvale	✓ 1,865.00	✓ 500.00	1,365.00	1,365.00
Schumiatcher & Schumiatcher	✓ 586.85	✓ 200.00	386.85	386.85
Norris & MacLennan	✓ 1,565.06	✓ 1,000.00	565.06	565.06
	<hr/> 88,551.68	<hr/> 29,760.00	<hr/> 58,801.68	<hr/> 21,407.54

↑  
 Dear Andy: Could these amounts be checked, so that I  
 can issue the cheques authorized?



CO-OPERATIVE COMMITTEE ON JAPANESE CANADIANS

67 Riverdale Ave.,  
Toronto 6, Ont.,  
1949.

Dear Claimant:

Your co-operation in response to our request for an additional one percent advance at this time, in order to ensure that adequate funds are available to complete the remaining phase of the final hearings, is greatly appreciated.

Our receipt for your remittance in the amount of is enclosed herewith.

Yours truly,

*Margaret H. Boos*  
Secretary.

CO-OPERATIVE COMMITTEE ON JAPANESE CANADIANS

67 Riverdale Ave.,  
Toronto 6, Ont.,  
1949.

Dear Claimant:

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Our receipt for your remittance in the amount of is enclosed herewith.

Yours truly,

*Margaret H. Boos*  
Secretary.



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

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

H. C. MURRAY

G. B. GARDOM

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

OUR FILE NO.

RECEIVED

NOV 20 1950

November 18, 1950.

CAMERON, WELDON, BREWIN &  
McCALLUM.

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

Dear Andy:-

Re: Japanese Claims Commission.

We have for acknowledgment receipt  
of your letter of the 16th inst. and have noted the  
contents.

We would appreciate receiving the  
additional payment on account of our fees at an early  
date indicated in your letter.

Yours truly,

CAMPBELL, BRAZIER, FISHER, McMASTER & JOHNSON

Per *Bob*

RJM/M



18 Hunter St.

Toronto 6, Ont.

November 19, 1950

Mr. F. A. Brewin, K. C.,

Cameron, Weldon, Brewin & McCallum

Sterling Tower,

Toronto 1, Ont.

Dear Sir:

Re: Case No. 319

In regards to your letter of October 4, 1950 in which you have asked me to advise you in case of my mother being delayed in coming back to Canada from Japan.

I have received letter from my mother stating that due to her having another operation, she will not be able to return to Canada until sometime in early spring. Would you please advise me what I should do? Thank you very much.

Yours very truly

*G. Takahashi*

George Takahashi



Pl. 6748

ROBERT G. PARKER

Barrister and Solicitor

OFFICES:  
24 KING STREET WEST

PHONE WAVERLEY 1057  
RESIDENCE KINGSDALE 3376

TORONTO 1, Nov. 20th, 1950 194  

F. A. Brewin, Esq., K. C.,  
Barrister, Solicitor &c.,  
372 Bay Street,  
Toronto, Ontario.

-re Takaji Sakuma Estate

Dear Sir:-

Enclosed please find notarial copy of  
Letters of Administration in the above estate.

Yours very truly,

ROBERT G. PARKER

per: *mg*

RGP:MC  
Encl.1

RECEIVED  
NOV 21 1950  
CAMERON, WELDON, BREWIN &  
McCALLUM.



November 21, 1950.

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

Re: Hyosaku Iwasaki  
Case No. 415

Dear Bob:

This is a case in which you have already had some considerable correspondence with Mr. Hidaka, your last letter being on October 10th.

Apparently Mr. Iwasaki is still hesitating about signing the release, because he felt that the Custodian should not have paid the sum of \$250.00 on the Judgment.

I note your letter of October 25th, 1949 in which you state that you do not think there is any possibility of recovering from the Custodian this sum of \$250.00.

Before signing the release he wished me to make a further inquiry from you as to whether in your view there was the slightest prospect of having the Judgment set aside. He claims that he appeared on Examination for Discovery himself, but that the other parties did not turn up, and that he was never notified of any trial. I presume that Mr. Murphy who acted for him was notified, and that there is nothing that can be done. However as Mr. Hidaka asked me to write to you further about this matter, I thought it advisable to call it to your attention.

I do not know if any further information can be discovered from the files of Mr. Murphy.

Yours sincerely,

FAB:HC

*EWB*



November 21, 1950.

Mr. George Yoshi Tsuyuki,  
106 Riverside Drive,  
Kapuskasung, Ontario.

Re: Case 1303

Dear Sir:

We acknowledge your letter in respect to the above claim.

A check on the Schedule of Awards, makes it clear that the amount actually awarded to you was as shown \$734.08.

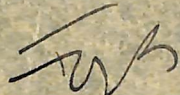
The allowance in respect to property sold to the Veteran's Land Act as was your father's property, varied as a general rule between 50% and 100% of the amount for which the property was originally sold.

We have written to Mr. McMaster asking him if he will make a further check on this case.

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

per:



FAB:HC



November 21, 1950.

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

Re: Japanese Property Claims

Dear Bob:

We enclose herewith a letter in respect  
to Case No. 1303.

If your files indicate anything partic-  
ular in regard to this case perhaps you could report it  
to Mr. Tsuyuki.

Yours very truly,

FAB:HC

*FAB*



November 21, 1950.

Mrs. Sei Sakuma,  
85 Beaconsfield Avenue,  
Toronto, Ontario.

Re: Japanese Property Claim  
No. 1235

Dear Madam:

We now have the Letters of Administration, and the forms are ready for your signature, if you can arrange to come in to our office.

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

per:

FAB: HC

A handwritten signature in dark ink, appearing to be 'FWB' or similar, located in the lower right quadrant of the document.



November 22, 1950.

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

Re: Case No. 1009 - Katsura

Dear Bob:

I have had an inquiry about this case.

Apparently the award is for \$870.07. The claimant is being charged by the Committee, a retaining fee of something in the neighbourhood of \$110.00 which would indicate that he was claiming \$11,000.00 for property which I understand was sold by the Custodian in the neighbourhood of \$1,000.00. This seems hard to understand. He also tells me that he was making some claim for chattels but no award is made.

Would you mind having the file looked into and let me know (a) what the total amount of his claim was, and (b) if it included any claim for chattels or indeed anything beyond the farm property, why no allowance was made.

Yours sincerely,

FAB:HC



November 22, 1950.

Mr. George Takahashi,  
18 Hunter Street,  
Toronto 6, Ontario.

Dear Mr. Takahashi: Re: Case 319

I have your letter of November 19th.

There are two alternatives. One is to wait until your mother returns in the early spring. I think it would be possible to arrange this if we notified the Custodian as to the reason for the delay in completing the forms. The other would be to send the forms for completion to your mother in Japan. It would be necessary in that case for her to attend before a Notary in Japan who would take the oath of the witness to her execution of the documents. It may be that she could consult some lawyer in Japan who understands English and would be able to assist her in completing the documents.

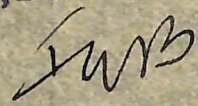
If she then returns the documents to us, we could have the cheque issued and held until her return.

Please advise me which course you intend to pursue.

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

per:



FAB:HC



November 24, 1950.

Mr. H. Matsusaki,  
106 Wellington, North,  
Hamilton, Ontario.

Re: Case No. 1274

Dear Sir:

Your letter of October 31st addressed to the Co-operative Committee, in which you expressed your disappointment at the award, has been sent to me.

You speak of the award as being, "our offer", and ask us to give this request another chance. Unfortunately I do not think you quite understand the position of the Co-operative Committee.

They have no right to change the award which is being paid by the Government on the recommendation of Mr. Justice Bird, a Commissioner who heard the evidence. The Co-operative Committee represented you on the hearing and no doubt Mr. McMaster did everything in his power to see that you got a satisfactory award.

The award which you got was indeed disappointing, but I do not think there is anything further we can do in respect to your claim.

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

per:

FAB:HC

*FAB*



Dr. M. Uchida  
PHYSICIAN AND SURGEON  
439 VICTORIA STREET  
KAMLOOPS, B.C.

Nov. 22, 1950.

The Co-operative Committee,  
94 Inniswood Ave. Apt. 24.  
Toronto, Ontario.

Dear Sir: -

✓  
Received  
25/11/50  
MKB  
Enclosed please find cheque  
for \$39<sup>06</sup> direct to you, instead of  
to the Custodian.

2  
I wish to know if it is the  
intention of the Committee to bring  
up again, the question of other damages  
to the Government. To sign the other  
form will depend on that, because of the  
certain clause in that form.

Kindly let me know.

Yours truly,  
M. Uchida

P.S. - I'm holding  
the cheque.  
MKB.



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

H. C. MURRAY

G. B. GARDOM

THE ROYAL BANK BUILDING

675 WEST HASTINGS STREET

VANCOUVER, B.C.

OUR FILE NO.

November 23rd, 1950

Mr. Andrew Brewin, K.C.,  
Barrister and Solicitor,  
Sterling Tower,  
TORONTO, 1, ONTARIO.

Dear Andy:

Re Japanese Claims Commissioner

I had a session with Mr. Shears yesterday concerning the cases outside the terms of reference to which the Judge referred in his special report. I pointed out to Shears that I felt the Crown had not kept faith with us in that it was our understanding that the matter of paying compensation to the claimants referred to in the said report, would be a subject of negotiation. What has actually happened, as I pointed out to him, is that the Crown has made certain investigations, has laid the matter before the Commissioner without our being present, and has obtained his blessing. Therefore, a suggestion of negotiating with any proposal that would go back to the Commissioner was unacceptable. I did suggest to him that I might write to him expressing my views in the matter with a view to his writing to Ken Wright and suggesting that either Shears himself or Ken Wright if he is able to come, should be given authority to negotiate settlement. Shears took a rather dim view of this proposal, I think not so much personally as from a departmental view point. By the way, it now appears that Ken Wright's trip to Vancouver has been cancelled.

Shears had been good enough to provide me the night before with a copy of the reports which he



Mr. Andrew Brewin, K.C.

November 23, 1950

proposed sending to Wright. In these reports he dealt with the charter cases in the matter indicated in my recent letter to you and had apparently obtained the Commissioner's blessing. In Case No.142, which is the case of a First World War veteran who accepted his property back rather than proceed with the claim and rebated the purchase price to V.L.A., you may recall the Commissioner had suggested that substantial compensation be paid to him for depreciation and had referred to a report which we had filed by Dean Clement, favourably. Clement had indicated compensation in the sum of \$2,200. or \$2,300. Some bright boy in the Custodian's office who knows nothing about agriculture had proceeded to analyze Clement's report and to say that it was improper and exorbitant, and as a result had suggested that \$900. would be sufficient compensation, if any were to be given. Shears apparently took this report to the Commissioner and in typical fashion he said, "Let's compromise between the two figures and recommend \$1,500." I pointed out to Shears that this was an unsound basis as the report of the man in his office was obviously based in some respects upon wrong information and he was not an expert.

With regard to the Port Essington properties which you may recall became practically valueless upon evacuation and quite a large number of which remained unsold, Shears' recommendation was that the Government should pay nothing. His argument was that if they paid anything to these persons then they might be obliged to make payments to a large number of other persons for property not sold by the Custodian. I pointed out to him that at the time the Commissioner made his special report he had before him a report of all unsold property and he apparently considered the Port Essington property to be in a very special category. It seems to me that the only possible additional obligation which the Custodian might have if they made compensation to the four or five claimants with Port Essington property, would be to persons who had made no claim and who had property in Port Essington which remained unsold. I pointed out



to him that the compensation payable to such persons would be relatively small, assuming that they now came forward and made claim, which was unlikely. He promised to take this matter under further advisement.

We indicated to Mr. Shears that at the present time we were not prepared to represent the claimants involved in the special report if the attitude of the Department was not one of negotiation. We refused to give any sanction to what the Department chose to do without negotiation as the same would thereby compromise the claimants' interest. However, I did suggest to him that if he were prepared to amend his recommendation with regard to the charters by allowing the 20% rate to apply to the cost price (i.e. investment) rather than to the appraised value, I would be prepared to take the matter up with the three claimants involved in this part of the report with a view to obtaining instructions from them, and would recommend to them concurrence. I also indicated that I might take the same view with regard to Case No. 142, providing that the compensation were increased to say \$2,000. However, if he were prepared to go along with the Commissioner's recommendation on the Port Essington properties, we might be able to take some steps in that regard.

There was one other case of a leasehold property where actually the recommendation of the Commissioner related to rhubarb roots which the claimant had planted in the leasehold property. Shears was afraid that if they made any allowance on leasehold properties that there would be a large number of other claims. I think I have persuaded him that this claim is different by virtue of the rhubarb roots.

He is to give consideration to the matters which I raised with him. If he sees fit to increase his recommendation in line with my proposals, I think in view of the absence of our right to appeal, we ought to put the matter to the claimants with a recommendation that they instruct us to concur. If, however, he persists in filing his reports as they are presently drawn, I do not think we should have anything to do with them and that I should communicate the fact to Ken Wright through Shears' office that we consider the procedure exceedingly high-handed.

In view of your recent letter to me, I take it that I have a free hand in this matter. However, I am reporting to you in case you have any suggestions.

Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON

Per





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

H. C. MURRAY

G. B. GARDOM

THE ROYAL BANK BUILDING

675 WEST HASTINGS STREET

VANCOUVER, B.C.

OUR FILE NO.

November 23rd, 1950

Mr. Andrew Brewin, K.C.,  
Barrister and Solicitor,  
Sterling Tower,  
TORONTO, 1,  
ONTARIO.

Dear Andy:

Re Japanese Claims Commission Case 415

I have for acknowledgment receipt of your letter of the 21st instant with respect to this matter.

At the time of obtaining the special award from the Commission we went into the question of the Judgment obtained against the claimant. We ascertained at that time that the solicitor who acted for him had died. We got in touch with his brother who used to practise with him but he advised us that it was utterly impossible to locate the file in this matter. Our search in the Court Registry office indicated that the proceedings had been properly conducted in accordance with the rules of the court. In the circumstances, it is our opinion that it would not be possible, unless some new information comes to light, to set aside the Judgment.

I think the claimant should be made to appreciate that even were there any possibility of setting aside the Judgment, that it would not effect his award in any way whatsoever, and it would not enable him to recover the amount paid from the Custodian as on the face of the Judgment ~~the~~ sum is in order and the Custodian was entitled if not obliged to pay the sum.

Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON

Per



RRJM/WG



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

H. C. MURRAY

G. B. GARDOM

THE ROYAL BANK BUILDING

675 WEST HASTINGS STREET

VANCOUVER, B.C.

OUR FILE NO.

November 24, 1950.

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

RECEIVED

NOV 27 1950

Dear Andy:

CAMERON, WELDON, BREWIN &  
McGALLUM.

Re: Case 1009.

We have for acknowledgment receipt of your letter of the 22nd inst. Strange though it may seem, a copy of the original claim which we have on file shows the claimant's net claim at \$14,747.00 and was altered to \$11,247.00. Whether this alteration was made before or after filing doesn't appear. He claimed \$5,000 for his land, and \$3,500 for his building, and \$3,000 for crops and going concern. This was farm land situate in the Municipality of Matsqui.

From information from our appraisers the amounts claimed were greatly exaggerated. While on the basis of our own appraiser's evidence this man's property was worth more than his total recovery from the Custodian in relation to the recoveries in all the Municipalities so far as it was humanly possible to make it so, it was equitable.

We might comment that Matsqui was one of the Municipalities in which practically every property was below the average of 80% as distinct for instance from Maple Ridge where most of the properties were over 80%. While Matsqui has developed considerably since 1943 at that time there is no doubt that as compared with a number of other berry growing communities it was not as popular and therefore there was not as great a demand for property and the prices were not as good.

Yours truly,  
CAMPBELL BRAZIER FISHER McMASTER & JOHNSON,

McM:McC

Per:

*Shigeo*  
*Mr. Katsura*  
*117 Robert St.*



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

H. C. MURRAY

G. B. GARDOM

THE ROYAL BANK BUILDING

675 WEST HASTINGS STREET

VANCOUVER, B.C.

OUR FILE NO.

RECEIVED  
NOV 25 1950  
CAMERON, WELDON, BREWIN &  
McCALLUM.

NOVEMBER 23rd, 1950

Mr. Andrew Brewin, K.C.,  
Barrister and Solicitor,  
Sterling Tower,  
TORONTO, 1,  
ONTARIO.

Dear Andy:

Re Japanese Claims Commission Case 1303

I have for acknowledgment receipt of your letter of the 21st instant with enclosure.

I enclose herewith copy of our reply to Mr. Tsuyuki, which has gone forward in the mail today.

Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON

Per

*Bole*

RJM/WG  
Enc.

RECEIVED  
NOV 27 1950  
CAMERON, WELDON, BREWIN &  
McCALLUM.



November 23rd, 1950

Mr. George Y. Tsuyuki,  
106 Riverside Drive,  
KAPUSKASING, ONTARIO

Dear Sir:

Re Japanese Claims Commission Case 1303

We have received a letter from Mr. F.A. Brewin, K.C., Counsel for the Co-operative Committee, in which he encloses a copy of your letter addressed to the Committee under date of November 13th.

We can appreciate that your father would have been disappointed in the award which he recovered. However, this is generally true. You will have heard previously from the Co-operative Committee that the overall average increase on V.L.A. properties was 80% and you will have observed that your father received about 160% increase. Accordingly, his award is considerably more than average.

We would report that we had all the properties in the Maple Ridge area appraised by the same appraiser and while the Commissioner would not accept our appraiser's figures which were somewhat higher than the awards, you can rest assured that the award which your father is receiving is proportionate to the awards which other persons are receiving, as based upon our own appraiser's figures to us.



- 2 -

Mr. G.Y. Tsuyuki

November 23rd, 1950

In view of the fact that there is no appeal from the Commission's decision, we do not see that there is any practical step to be taken by your father or any other claimant other than to accept the award, such as it is.

We are sending a copy of this letter to Mr. Brewin.

Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON

Per 

RJM/WG

cc: Mr. Brewin

COPY



AUTHORITY TO PAY FEES TO CO-OPERATIVE COMMITTEE ON  
JAPANESE CANADIANS.

Name: SASAKI, Shintaro

Case No. 1139

Registration No. 14244

Mr. Shintaro Sasaki

51 Gunt St. Toronto, Ont.  
Address.

Nov. 27/50  
Date.

Custodian of Enemy Property,  
506 Royal Bank Building,  
Vancouver, B.C.

Dear Sir:

Re: Japanese Property Claims Commission.

I am indebted to the Co-Operative Committee  
on Japanese Canadians for services rendered through it  
in this matter in the sum of \$nil.

I hereby authorize you to deduct the said  
amount from the sum payable to me with respect to my  
claim herein and to pay the amount so deducted to the  
said Co-Operative Committee on Japanese Canadians.

Yours truly,

*Shintaro Sasaki*



**BOURNE & ROSS**  
BARRISTERS AND SOLICITORS  
FRED G. BOURNE      LEWIS S. ROSS, LL.B.

RECEIVED  
CAMERON, WELDON, BREWIN & McCALLUM.

614 PIGOTT BUILDING  
36 JAMES ST. SOUTH  
—  
TELEPHONE 7-9266

HAMILTON, CANADA

November 27, 1950.

Messrs. Cameron, Weldon, Brewin & McCallum,  
Barristers, etc.,  
Sterling Tower,  
Toronto 1, Ontario.

Re: Kumagai - Case #1070

Dear Sirs:

We are instructed by Mr. Ray Kumagai to advise you that his father, Chikara Kumagai died intestate on September 27th, 1948, and left him surviving, his widow, Sata Kumagai, and the following sons and daughters:

Taeko Sato	-	Daughter
Kyoko Umetsu	-	"
Mary Takahashi	-	"
Helen Kumagai	-	"
Reiko Kumagai	-	"
Ray Kumagai	-	Son
George Kumagai	-	"
Seiko Kumagai	-	"
Yoshiro Kumagai	-	"
Shinjiro Kumagai	-	"
Kenji Kumagai	-	"
Rentaro Kumagai	-	"

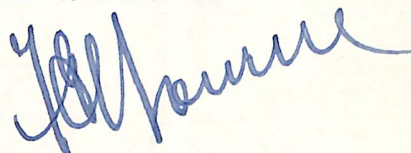
We are advised that the late Mr. Kumagai left no estate other than his interest in the property with which you are now dealing, and that there are no debts of his estate remaining unpaid.

Yours truly,

BOURNE & ROSS

FGB/W

Per





RECEIVED

NOV 30 1950

CAMERON, WELDON, BREWIN &  
McCALLUM.

18 Hunter St.,  
Toronto 6, Ont.,  
Nov. 29, 1950

Mr. F. A. Brewin,  
Cameron, Weldon, Brewin & McCallum,  
Sterling Tower,  
Toronto 1, Ont.,

Dear Sir:

Re: Case 319

In regards to your letter of November 22, 1950,  
I have descided in waiting until my mother returns.  
I have just received a letter from her stating that  
she may be home sooner than expected. I shall  
contact you again as soon as she returns to Toronto.

Yours very truly

*G. Takahashi*

Georg e Takahashi



November 30, 1950.

Dr. M. Uchida,  
439 Victoria Street,  
Kamloops, B.C.

Dear Dr. Uchida:

I have been asked by the Co-operative Committee to answer your letter to them of November 22nd.

We are not quite clear what you mean in referring to the intention of the Committee to bring up again the question of other damages to the Government.

However, if as I assume, you mean whether we intend to take any further steps than we have already done to express our dissatisfaction to the Government in regard to their refusal to pay anything more than the awards authorized by the Commissioner, I may say that the Co-operative Committee have no plans in this regard.

I have in my file, copies of lengthy correspondence with various Ministers of the Crown, and finally with Mr. St. Laurent, the Prime Minister himself. In this correspondence, Mr. St. Laurent finally and unequivocally states that the Government feel that they have completely discharged their duty to the claimants and to the general public by making arrangements to pay the amount of the awards authorized by the Commissioner.

While we are most dissatisfied with this view, and have as clearly as possible expressed our dissatisfaction to the Government, we do not see the slightest prospect of the Government changing its mind and making any further awards such as awards in regard to forced sales or for other economic losses not covered in the terms of reference to the Commissioner.

I may say that the National J.C.C.A. have made similar representations urging that do do full justice, various further awards outside the terms of reference should be made. They have received the same uncompromising refusal from the Government.



Dr. M. Uchida

November 30/50.

In these circumstances we have advised claimants that there is no prospect of their securing any further sums from the Government, and we see little purpose in their refusing to sign the general form of release prepared by the Custodian.

The only effect of refusal to sign would be the delay in payment to them, as the Custodian will make no payments until the release form as drawn by them is signed.

We understand that over 75% of the claimants have now signed their release forms and have sent them to the Custodian, and many have received payment.

If, however, any individual claimant has any special claim for damages against the Custodian, we have been advising them not to sign without exploring the question of settlement of their individual claim for damages. There are, of course, very few cases in this category.

In the meantime we are holding your cheque for \$37.06.

Yours very truly,

FAB:HC