

Corr. Apr. 1949

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Tan

water

reports

DRAFT LETTER TO CLAIMANTS.

IMPORTANT

ALL OF THE INFORMATION IN THIS LETTER IS ^{STRICTLY} CONFIDENTIAL AND MUST NOT BE PUBLISHED. ~~###~~

Dear Claimant

The Dominion Government on the recommendation of Mr Justice Bird who was appointed as Commissioner are proposing a settlement of all claims (except corporation claims) on the following basis. This is a summary only of the proposals.

Real Property

- Sold to the Veterans Land Act Administration (Former Valley Farms)
 - Village of Mission. 125% of ^{actual} on the sale price
 - all other farms sold through VLA. 80% on the actual sale price.
- All other real estate outside Vancouver. 12.5% on actual sale price.
- City of Vancouver. 5% on sale price.

* Special cases of greenhouses & poultry farms to be considered separately. The above gives average percentage overall allowance. The actual amount paid would be distributed to individual claimants on the basis of 15 recommended by us & approved by the Commissioner depending upon appraisers reports.

Personal Property

- Nets & Fishing Gear. 25% allowed on nets actual sold. On nets & fishing gear lost destroyed or stolen 62 1/2% of claim distributed by relation between claim & nets actually sold.
- Boats & Gear
 21. vessels sold to Nelson Bros. 23.5% of sale price
 - other boats & gear. 28.5% on sale price
- Motor Vehicles. 25% on sale price
- Other chattels

Sold at auction.	22% increase on sale price
Sold with realty.	50%?
Sold by Tender.	10%
Lost, destroyed or stolen.	35% of claim + 15% distributed according to relation between claim & chattels actually sold.

An allowance of 5% to be made on claims allowance for other expenses (not including legal expenses) This in total would present to cover valuation

Comparison of Cost of Living

England
1946
Line

1948

Canada (Toronto)

1946

1948

Bread

4 1/3 lb

a

9.3 per lb

Butter

25d

73.8

Rent per week 1/1947

3 figures available
~~37.00~~ 99.5 lb

110 (37.50)

Milk

16.6 per gal

18 d

Meat

18d per lb avg

50d

Cost of living index for 1947

for 1948

June 19

1946 101.5 - 100

- 109

123.6 - 135.5

159.6

100

98.5

107.4

June 46

100

109.7

129.1

Food

100

113.5

108.1

107.5

155.6

100 -

144.8

123 = 135.5 - 159.6

9. d

400 / 240

+ 2 / 7

=

244 / 7200

10 3/4

43 x 570

240

10 + 400 / 240

30 = 4.3

1075

144.8
155.6
1073
4810
4300

16

16 x 240 / 6

6 / 160
254

24 / 160
144
160

1236

129.1
159.6
1236
3600
2472

100 x 10000
9135

8650
8120
5300

1015

1074
10900
1015
7500
1105
3950

12 / 215
18

123.6 / 135.5
1236

11900
11124
7760

324

Japanese Canadian

TELEPHONE: PLAZA 1253



RECEIVED
APR 2 1949
CAMERON WELDON
& BREWIN

CITIZENS ASSOCIATION

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

April 1st, 1949.

Mr. Andrew F. Brewin,
372 Bay St.,
Toronto, Ontario.

Dear Friend:

We believe that you are familiar with the Japanese people in this city and understand their problems through your social and business contacts. We, therefore, believe you will understand the following appeal that we are making.

Recently the Japanese Canadian Citizens Association conducted a financial appeal amongst our people in this city and we were successful in raising some \$2,000.00 of our total budget of \$3,000.00.

Now that we have completed our house-to-house canvass, we are appealing to the special names of individuals and businesses to help us in this appeal and we hope that you will be generous in your approach to our request.

We feel you realize that you are contributing to a very worthy cause, for this organization is always in the forefront with others in the fight for democratic progress and elimination of racial prejudice.

We expect to send a representative to call on you within the next 2 weeks. However, if you find it convenient, donations may be forwarded to:

Mr. T. Marubashi,
Treasurer,
Toronto J.C.C.A.,
84 Gerrard St., East.

John Worrall
50 Yonge St
Lease Expense

Yours very truly,

TORONTO J.C.C.A.

R. Kanaka
President.

April 4, 1949.

Japanese Canadian Citizens Association,
84 Gerrard Street East,
Toronto 2, Ontario.

Dear Sirs:

We have a request from the Office of
the Custodian to trace the present address of Mr. F.
Moriyama formerly of 115 Grange Avenue, Toronto.

Could you please let us have his address,
so that we may forward it to the Custodian's office.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC

A handwritten signature, possibly reading 'Jm', is written in dark ink.

April 4, 1949.

Mr. T. Marubashi,
Treasurer,
Toronto J.C.C.A.,
84 Gerrard Street East,
Toronto, Ontario.

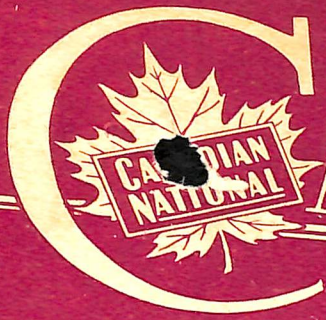
Dear Sir:

I enclose herewith a cheque on account
of your financial appeal which I am very glad to support,
even though not in a position to do so more substantially.

Yours very truly,

FAB:HC





EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6125

CANADIAN NATIONAL



W M ARMSTRONG GENERAL MANAGER
TORONTO

TELEGRAPHS

STANDARD TIME

1949 APR 6 PM 4 03

(01)

VA 166 114=VANCOUVER BC 6 1257P

F ANDREW BREWIN KC=

1465

BARRISTER AND SOLICITOR STERLING TOWER TOR=

BIRD RECOMMENDATIONS CITY PROPERTY REBATE FIVE PER CENT
COMMISSION STOP RURAL ADVISORY PROPERTY TEN PERCENT PLUS
REBATE AVERAGE COMMISSION TWO POINT FIVE PERCENT STOP
AUTOMOBILES TWENTY FIVE PERCENT NETS AND GEAR TWENTY FIVE
PERCENT OF SALE PRICE DISTRIBUTED IN RELATION TO CLAIM STOP
VLA MISSION VILLAGE ONE HUNDRED AND TWENTY FIVE PERCENT ALL
OTHER VLA EIGHTY PERCENT TO BE DISTRIBUTED ON OUR
RECOMMENDATION APPROVED BY HIM STOP BOATS AND GEAR TWENTY
THREE POINT FIVE PERCENT BOATS SOLD NELSON BROTHERS AND
TWENTY EIGHT POINT FIVE ON BALANCE STOP TWENTY TWO PERCENT
ON CHATTELS SOLD BY AUCTION TEN PERCENT CHATTELS SOLD BY
TENDER PREVIOUS FORMULA RE LOST CHATTELS TO APPLY STOP
WILL WRITE OR PHONE LATER=

R J MCMASTER.

own vehicle cars

RECEIVED

APR 6 1949

CAMERON WELL
& BREWIN

VLA

*57
12-57*

10-10

52

*Tanaka (love)
in Ontario*

2 1/2 . 5000. — 5000
(250) — 4000

to 100. — VLA

500
125

uu

11 4 PM 6 MAY 1949

Japanese Canadian

TELEPHONE: PLAZA 1253



CITIZENS ASSOCIATION

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

April 7, 1949.

RECEIVED

APR 7 1949

CAMERON WELDON
& BREWIN

Mr. F. A. Brewin,
Cameron, Weldon & Brewin,
Sterling Tower,
372 Bay Street,
Toronto 1, Ontario.

Dear Mr. Brewin:

re: address of Mr. F. Moriyama

In answer to your request for the present address of Mr. F. Moriyama formerly of 115 Grange Avenue, Toronto, we have learned upon enquiry that Mr. F. Moriyama now resides at:

3244 Dundas St. West,
Toronto, Ont.

Yours very truly,

N. Fujita

NORAH FUJITA,
Office Secretary.

NF

April 8, 1949.

(Confidential)

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

Re: Japanese Canadian Claims Commission

Dear Mr. Garson:

As you know, I am the general counsel representing probably 80% of the claimants.

As you are no doubt aware, for the past month or more a very careful effort has been made by all concerned to see whether or not a settlement could be arrived at in respect to the different categories of claims which the Government would be prepared to accept, and which at the same time we could recommend to our clients as a fair settlement in all the circumstances and having regard to the terms of reference.

This matter has also been discussed with Mr. Justice Bird who has prepared recommendations which we understand are to be shortly transmitted, if they have not already been, to the Government.

By and large, we as counsel for the claimants are prepared to recommend to our clients the acceptance of the proposed settlement, although naturally are not entirely satisfied in respect to some of them, and we have always maintained that the terms of reference were too narrow to do full justice. However we appreciate the fact that both the Government and the claimants will be far better served if an early settlement can be made, than if the hearings of the Commission drag on into the indefinite future and further heavy expenses are incurred.

There is, however, one aspect of the recommendations made, that we are frankly unable conscientiously to recommend to our clients, and that is in respect to properties in the City of Vancouver.

The Government counsel originally made a tentative proposal that he would be willing to recommend to the Government an allowance of 10% over and above the sale price, this amount bearing in mind a claim that commissions of roughly 5% were charged to claimants in respect to which some doubt existed.

On the other hand, we stated that we would be prepared

The Honourable Stewart Garson, P.C., K.C.

April 8, 1949.

somewhat reluctantly to recommend to our clients an overall increase of 15% on the Vancouver properties. It now transpires that Mr. Justice Bird is not willing to recommend a settlement of more than 5%, this being based on a rebate of commissions. He expressed the view that in no cases were these properties sold at less than a fair market value.

We do not propose in this letter to review all of the evidence in respect to these claims. However, the fact is that we have had the properties appraised by a Mr. Armstrong, formerly I believe associated with the Toronto General Trusts Corporation in Vancouver, whom we regard as a most conservative appraiser and the average of his appraisals on cases selected as category cases is an average increase of 13% (this, of course, is without commissions.)

Mr. Justice Bird has, of course, not yet heard this evidence, although I presume Mr. McMaster has told him that we propose to adduce such evidence.

There is another aspect of the matter, namely, that under the terms of reference the Commissioner is only authorized to find the actual market price at the date of sale. Most of these properties were tenanted at the date of sale owing to the evacuation of the Japanese Canadians and the obvious desirability of putting tenants into the properties. Our appraiser informs us and we believe that it is generally conceded, that the difference in sale price between tenanted properties and properties in which vacant possession could be given, would be between \$500.00 and \$1000.00 in nearly every case.

It was, of course, no fault of the Japanese Canadians themselves that when these properties came to be sold they were sold subject to existing tenancies protected by the wartime regulations, and indeed had the Government originally at the time of the evacuation adopted the policy subsequently adopted, of liquidation and sale, the properties would have been sold in nearly every case with vacant possession.

We do not dispute the correctness of Mr. Justice Bird's view that this aspect of the situation could not on an interpretation of the terms of reference, properly be taken into account. We do respectfully submit that it is a matter which the Government in proposing an overall settlement could and should consider.

Although we know that we shall have some difficulty with some of our clients in persuading them of the reasonableness and justice of the proposal, we are prepared to recommend to them an acceptance of the original offer of 10% increase. We do not, however, see how we can possibly recommend the 5% increase now proposed, and if we did, we are strongly of the opinion that our

The Honourable Stewart Garson, P.C., K.C.

April 8, 1949.

clients would be extremely dissatisfied, and would reject our recommendation.

The actual amount involved in the change we propose is not substantial. It would mean on an overall settlement on an amount approaching \$300,000 in respect to all of the claims (except corporation claims), an increase of roughly \$30,000.

There are at least some 175 claimants concerned with the city property, and we do not see how we can recommend a settlement that we believe would be entirely unsatisfactory to these claimants, in order to secure what in some aspects might be regarded as satisfactory for other claimants who have claims in respect to other types of property.

May I most strongly urge that the Government give serious consideration to restoring the original tentative offer of 10% on these Vancouver properties.

We believe that all sides in this matter are deeply concerned that the Government's purpose in establishing a Commission, be carried out fully, namely that the matter be finally settled without any continuing or rankling sense of grievance in the minds of the claimants or those who support their claim. We believe that the recommendation of counsel for the claimants conscientiously given, can be of great assistance to this end. We are anxious to see that this whole matter be closed out without further controversy and serious disappointment.

I would also like to stress that even if under a strict interpretation of the terms of reference, some of the claimants in respect to the Vancouver properties might recover little or nothing if the proceedings went on, nevertheless the whole idea of settlement involves the notion, that those who have better claims, or rather claims more susceptible of legal proof, should be prepared to sacrifice their expectations in order to achieve an overall settlement in which all claimants receive some compensation.

Certainly this has been the attitude of those claimants with whom we have discussed the matter in confidence.

We have no doubt whatever that unless the 5% can be increased at least to 10% on the Vancouver properties, a substantial body of claimants will be clamorously indignant and will be anxious to repudiate the whole idea of settlement. We think this would be most unfortunate from any point of view.

The writer would be glad to discuss this matter with you further, at any convenient time. There is, however, some urgency in having the matter disposed of as quickly as possible as the Commissioner has asked us to advise him as to whether the claimants are willing to accept the settlement, by the end of this month, and it is

The Honourable Stewart Garson, P.C., K.C.,

April 8, 1949

necessary for us in some form or other to do our best to consult them. This, of course, is a difficult task as they are scattered in many different areas.

Yours respectfully,

FABrown

FAB:HC

COPY

Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

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

A. W. FISHER
R. J. MCMASTER

A. J. F. JOHNSON

A. E. COBUS

RECEIVED
APR 9 1949
CAMERON WELDON
& BREWIN

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

OUR FILE NO.

April 7th, 1949.

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

Dear Andy:

Re: Japanese Claims Commission.

There is one point in my letter to you which I would like to correct concerning the matter of distribution relating to boats.

It was my understanding that the charges against the boats which were being rebated had been charged in different amounts and percentages. Mr. Hunter now advises me that a flat 13.5% charge was made against the boats and that this doesn't just represent an average charge. Accordingly it would appear that each boat claimant would receive 13.5% plus the other amounts referred to in the memorandum of Judge Bird's recommendations.

We have just been going over a form with Hunter to proceed with in the immediate future setting out the figures to which the formula adopted will be applied in each case. It appears that with respect to chattels, they have made a number of changes from their original analyses forms so that it will be difficult for us to check their figures from the information on our files. This is going to involve a great deal more clerical work than was anticipated and will involve the attention of some one who is familiar with the claimants files. When George Tanaka was out recently we suggested to him that we would need some clerical help and wondered whether there was any of the young Japanese at Greenwood who would be available. He promised to investigate the matter and I had a call from Mr. Homma a few days ago saying that they had actually arranged for one of the boys up there to be available. It was suggested that we should pay

Mr. Brewin:

April 7th, 1949.

-2-

him a salary of \$150.00 a month. I want, if possible, to relieve Mr. Cobus of as much of the detail work of this business as possible with a view to an ultimate saving to the claimants and propose to proceed to hire the young fellow recommended by the Greenwood Committee and would ask for ratification of this action.

As we advised you some time ago we discontinued Mr. Leckie's services. However, he has not made arrangements as yet for other employment and while waiting for something to develop has, of his own initiative, been coming into the office every day and reviewing files. It seems to me that if he is still available his services would be extremely useful in this stage of the proceedings. This would commit us to an expenditure of \$300.00 a month I would expect. However, he is so familiar with the files, having spent a considerable time reviewing them that it would relieve the situation so far as I am personally concerned to some extent.

We shall not take any steps in this respect except to sound Leckie out until we receive your authorization.

Yours truly,

CAMPBELL BRAZIER FISHER & McMASTER,

Per: 

McM:MM

cc. Mr. Virtue

AIRMAIL

CO-OPERATIVE COMMITTEE ON JAPANESE CANADIANS

MINUTES

TIME - April 9, 1949; 2:30 p.m.

PLACE - Mr. Brewin's Office

PRESENT - Brewin, Haslam (Chairman), Nichols, Obata, Tanaka, Boos.

Regrets: Finlay, Fowler & Tucker.

FINAL SETTLEMENT PROPOSAL - Mr. Brewin read a letter just received from Mr. McMaster, outlining and commenting upon a proposed settlement just submitted by Justice Bird, with the request that our decision regarding it be made by the end of this month. With the exception of Vancouver property claims, it was found to follow closely the submission made by Mr. Hunter some weeks ago for discussion purposes, the proposed allowance of 10% having been cut to 5% by Justice Bird. Mr. McMaster would recommend acceptance of the settlement, with the exception of these claims. With regard to them, Mr. Brewin advised that he immediately wrote a strong protest to the Minister of Justice, on hearing of the change, stating that he could not recommend such a settlement to these claimants. (It would cut recoveries on these claims from approximately \$30,000. to \$15,000.)

ADVICE OF GENERAL COUNSEL - Mr. Brewin then read a letter to our Committee, written in his capacity of general counsel, evaluating the Government proposition and outlining his line of reasoning in recommending its acceptance, providing at least a 10% recovery can be effected on Vancouver properties. During discussion which followed, the following pertinent facts emerged:

- Offer re V.L.A. claims is quite satisfactory
- Our evidence can establish no higher recovery re cars and boats
- A better allowance may yet be arranged re a few chattel claims
- Our own valuator of Vancouver properties has concurred with some valuations, and would raise others mainly by 10% to 15%. (In addition, the Commissioner is quite satisfied with both the composition of the Advisory Board and its methods.)
- Consideration of special cases (re property in dead communities, green-houses, poultry farms, etc.) has been conceded by Justice Bird.

Considerable discussion led to the following motion: (Nichols/Tanaka) - "That on the advice of our legal counsel, we refer the Government's offer for a settlement to the claimants, with a recommendation that it be accepted, with the following provisions:

- (a) That every effort will be made to have the proposed recoveries on Vancouver claims at least doubled;
- (b) That we reserve our objection, maintained throughout the proceedings, to the narrow terms of reference under which the Commission has operated." CARRIED.

PROCEDURE - Mr. Brewin pointed out that, although technically it is not necessary to consult individual claimants re the offer, it is most desirable that we devise some means of sampling the opinions of those primarily concerned in the settlement. Some time was spent in attempting to reach a democratic procedure, keeping in mind the time element and the necessity for keeping details of the proposition strictly confidential during this negotiation period. Finally, it was moved (Nichols/Obata): "That we proceed as follows:

2.

- (a) That a confidential document be prepared by Mr. Brewin, and mailed to each claimant, outlining the settlement offer and the reasoning that leads us to recommend its acceptance; that the covering letter advise of claimants meetings in various centres, requesting a written indication of opinion if attendance at a meeting is impossible.
- (b) That George Tanaka make the necessary arrangements to visit as many centres as soon as possible, to personally brief all provincial J.C.C.A. officers on the proposed settlement and speak at meetings whenever this can be arranged.
- (c) That every effort be made to secure results of meetings held and correspondence received by April 30th.
- (d) That expenses of all the necessary office work involved, as well as the National Secretary's time and travelling expenses, incurred in arranging for and attending these cross-country meetings, be paid from the Claims Fund, the Finance Committee to meet early in the week and draw up a budget for anticipated expenses." CARRIED.

ADJOURNMENT - at 4.45 p.m.

April 9, 1949.

Co-operative Committee on Japanese Canadians,
86 Gerrard Street East,
Toronto, Ontario.

Dear Sirs:

I thought it might be advisable that as general counsel to the Co-operative Committee, I should put in writing as a matter of record, my advice in respect to the proposals for an overall settlement of the claims as set out in a letter from Mr. McMaster of the 6th of April 1949 and the attached memorandum of the proposed recommendations to be made by Mr. Justice Bird, dated April 6th, 1949.

It is my recommendation that subject to what is said later, the proposed basis of settlement be accepted. I will endeavour to set out briefly my reasons for recommending this.

1. The narrow terms of reference should be always borne in mind. The Commissioner is only authorized to get the difference between the actual selling value of the various properties and the fair market value at the date of sale. The Commissioner has held, and there is no appeal from his ruling, that this means the actual value of the property in the condition which it in fact was at the date of sale.

2. A very great deal of work has been done by Mr. McMaster and the staff which he has employed in the collection of evidence as to valuations.

This has included careful statistical analysis, valuations, surveys based on relationship between assessments and sale prices, surveys based upon the value of properties as shown by the annual value of the crops all in relation to farm properties, and particularly V.L.A. sales appraisals have been made in respect to the city properties. Experts have been em-

April 9, 1949.

ployed in regard to nets and fishing gear, boats and motor vehicles, auctioneers and others in respect to auctions. A very great deal of other evidence has been collected, and Mr. McMaster has examined individual witnesses extensively. As a result of all this Mr. McMaster is satisfied that our own evidence will not, bearing in mind always the narrow terms of reference, establish on an overall basis higher valuations than those contained in the settlement, with the exception of the Vancouver city properties. Mr. McMaster is somewhat reluctantly recommending the settlement and there is no one with a more detailed knowledge of what available knowledge we have been able to secure. In respect to automobiles, V.L.A. property, boats and fishing gear, the amounts proposed in the settlement are the full amounts that our own evidence is able to establish. The weaknesses of the proposed settlement from our point of view are obviously;

- (a) Vancouver properties.
- (b) Properties outside Vancouver.
- (c) Chattels.

The formula in respect to lost chattels is the fairest that we think could be contended for.

In the ultimate analysis we can never hope to recover more than Mr. Justice Bird is prepared to allow. In fairness it should be pointed out that Mr. Justice Bird has accepted our contention rather than the Government contention in respect to several of the categories of property above mentioned. Further in respect to city properties, boats and chattels (excluding motors and nets) Mr. Justice Bird has intimated on the evidence presented at the present time, he would find that they were sold at their fair market value. The allowances which he does recommend are therefore outside the terms of reference in his view.

4. If we refuse the settlement proposed, there will be no alternative but to proceed with hearings before the judge, which are likely to take at least one or two years, and the judge is unlikely except perhaps in a few individual cases, to make allowances higher than those he is now prepared to recommend. In a very great many cases it is obvious that he will recommend less. Taking all these factors into account, there can therefore be little doubt that more will be obtained for the claimants by accepting the settlement than by refusing to do so.

The one glaring feature which is bound to provide serious disappointment is the allowance of only 5% on Vancouver properties. I have written a strong letter to the Minister of Justice in confidence urging that the Government increase their offer on this at least to 10%. However, the reasons ~~the information~~ supplied by Mr. McMaster is that in respect to this part of the claim, our own evidence will establish at the best, an overall increase of little more than 10%. We are faced with the difficulty that sales were made with the approval of the advisory committee of which

Co-operative Committee on Japanese Canadians

April 9, 1949.

Mr. Justice Stanley Smith was the chairman, after receiving values from competent and respected valuers. In these circumstances, I think I am bound to recommend to the Co-operative Committee and through them to the claimants that the proposals be accepted, subject to;

(a) A further reiteration of our claim that the terms of reference were too narrow.

(b) A strong insistence that on the Vancouver properties a minimum of 10% be allowed.

Notwithstanding the natural disappointment which some claimants will feel, it may be stated that the overall allowance which with corporation claims will exceed \$800,000 constitute a fairly satisfactory recommendation of the justice of the claimant's demands.

There can be no doubt that if it had not been for;

(a) The efforts of the Co-operative Committee to have the original terms of reference revised,

(b) The tremendous amount of work done by those who represent the Committee, and the co-operation of the National Japanese Canadian Association, and above all the careful and conscientious work done by Mr. McMaster and those whom he employed, that no comparable offer from the Government would have been forthcoming.

My recommendations as set out above, are also partly based upon the fact that the tremendous volume of work required to complete the hearings make it virtually impractical that individual cases be fully heard without a great burden of additional expense and lengthy delay before any recovery is made at all.

Yours very truly,

FAB: HC.

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.

RECEIVED

9th April, 1949.

APR 11 1949

CAME BY WELDON
BREWIN

PLEASE REFER TO FILE NO. 3201

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

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

We thank you for your letter of April 7th with accompanying proposed recommendations dated April 6th, and for copy of your letter to Mr. Brewin of April 7th, both of which reached us this morning. You will have received our letter written and sent off yesterday, afternoon, the 8th.

Would you mind clearing up the situation regarding boats? We are not sure of the final result in this regard.

Our understanding from paragraph three of your letter to us of the 7th, coupled with paragraph two of your letter to Mr. Brewin of the same date is that the claimants will actually receive the following:

- (a) All boat claims - 13.5% rebate of charges;
- (b) On 21 vessels sold Nelson Brothers, an additional 10% of sale price;
- (c) On all other boats an additional 15%

In other words, on the boats sold to Nelson Brothers claimants will get a total of 23.5%, and on other boats claimants will get a total of 28.5%.

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

9th April, 1949

- 2 -

Re: Japanese Property Claims Commission.

Please confirm so that we may be definite about
this.

Yours sincerely,

VIRTUE, RUSSELL & MORGAN,

Per

V/L

Copy to Mr. Andrew Brewin for his information.



Faint handwritten text, possibly a signature or note, located at the bottom of the page.

April 13, 1949.

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

Dear Bob:

I enclose for your information, a letter I have sent to the Co-operative Committee with my recommendations, and a copy of a letter sent to the Minister of Justice.

I read in the newspaper that the Minister of Justice is in Winnipeg, so it may be a little while before we get an answer.

Yours sincerely,

fa B

FAB:HC
Encl.

Japanese Canadian

TELEPHONE: PLAZA 1253



CITIZENS ASSOCIATION

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

April 14, 1949.

Mr. F. A. Brewin,
Cameron, Weldon & Brewin,
Sterling Tower,
372 Bay Street,
Toronto 1, Ontario.

Dear Mr. Brewin:

We are returning, as enclosed, your letter from
Mr. R. J. McMaster respecting the Governments Settlement
Proposal re Japanese Property Claims.

Also enclosed is a copy of Mr. George Tanaka's
Itinerary for his cross-country trip, April 16 to 26th,
which we are sending for your information.

Yours very truly,

NORAH FUJITA,
Office Secretary.

NF

encls.

I T I N E R A R Y

TRIP - TORONTO TO VANCOUVER AND RETURN, GEORGE TANAKA

	April 16, Leave Toronto, 1.10 a.m., TCA Flight #5
(stopover - c/o Hotel Georgia)	" 16, Arrive Vancouver, 9.40 a.m., " " "
	" 17, Leave Vancouver, 5.50 p.m., CPR - Kettle Valley Train
(stopover - c/o B. C. JCCA)	" 18, Arrive Greenwood, 11.01 a.m., " " " "
	" 19, Leave Greenwood, 11.01 a.m., " " " "
(stopover - c/o Marquis Hotel)	" 20, Arrive Lethbridge, 8.05 a.m., " " " "
	" 21, Leave Lethbridge, 12.30 p.m., TCA Flight #60
	" 21, Arrive Regina, 3.25 p.m., " " "
	" 21, Leave Regina, 11.05 p.m., TCA Flight #62
(stopover - c/o Royal Alexandra Hotel)	" 22, Arrive Winnipeg, 2.40 a.m., " " "
	" 23, Leave Winnipeg, 7.00 a.m., TCA Flight #50
(stopover - c/o Royal Edward Hotel)	" 23, Arrive Ft. William, 10.25 a.m., " "
	" 24, Leave Ft. William, 10.40 a.m., TCA Flight #50
	" 24, Arrive Toronto, 2.35 p.m., " " "
	" 24, Leave Toronto 4.00 p.m., TCA Flight #31
(stopover - c/o Hotel London)	" 24, Arrive London, 5.00 p.m., " " "
	" 25, Leave London, 11.50 a.m., TCA Flight #300
(stopover - c/o Laurentian Hotel)	" 25, Arrive Montreal, 3.15 p.m., " " "
	" 26, Leave Montreal, 12 noon, TCA Flight #1
	" 26, Arrive Toronto, 1.50 p.m., " " "



PLEASE ADDRESS
THE DEPUTY MINISTER OF JUSTICE
OTTAWA

OTTAWA April 16th, 1949

152189-4
Re: Japanese Property Claims
Commission.

Dear Sir:

I wish to acknowledge receipt of your letter of the 8th instant addressed to the Minister of Justice in this matter.

At the present time the Minister is out of the city and will not be back until the 25th instant.

I note that the Commissioner has asked to be advised by the end of this month as to the willingness of your clients to accept the settlement suggested. I suggest that you inform the Commissioner that by reason of the Easter adjournment of the House and the absence of the Minister that it will not likely be possible to interview the Minister and ascertain his wishes in the matter by that time.

Yours truly,

for Deputy Minister.

F. A. Brewin, Esq.,
Barrister,
Sterling Tower,
TORONTO 1, Ontario.

THE CO-OPERATIVE COMMITTEE
ON
JAPANESE CANADIANS

TORONTO, ONT.

67 Riverdale Ave.,
Toronto 6, Ont.,
April 16th, 1949.

Mrs. Compson,
c/o Cameron, Weldon & Brewin,
Sterling Tower,
372 Bay St.,
Toronto, Ont.

Dear Mrs. Kompson:

I am enclosing a list of claimants whose remittances were forwarded from your office, as indicated, but whose addresses were omitted.

Since we are in the midst of sending out a letter regarding the proposed settlement, I would appreciate your letting me have their addresses, if they are available at your office, at your earliest convenience.

Sincerely,

Margaret A. Boon

SECRETARY

LKB.

ONTARIO CLAIMANTS - NO ADDRESS

KADONAGA, Toyoichi (\$18.65) —
KOHY, T. & Y. (\$20.00) *5 pmt*
MATSURA, S. (\$17.00) —
NAKANO, Eikima (\$27.00) —
NISHIKAZE, Geo. Yasaburo (\$17.70) —
OHASHI, M. (\$30.00 on a/c) —
OTSUKI, N. (\$277.00) —
SAKAMOTO, Mrs. Aya (\$3.78) —
YAHIRO, Mrs. K. (\$100.00) —
YAMASAKI, N. (\$127.00) —
YOSHIJIMA, H. (\$24.07) —

April 20, 1949.

Mr. H. Allan,
Office of the Custodian,
Department of the Secretary of State,
506 Royal Bank Building,
Hastings and Granville,
Vancouver, B.C.

Re: Fred Kingo Moriyama-Regn.No. 00928

Dear Sir:

We now wish to advise that the address
of the above named is now 3244 Dundas Street West, Toronto,
Ontario.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

A. Campson

HC:

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.

25th April, 1949

PLEASE REFER TO FILE NO.

3201

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

Dear Mr. McMaster: RE: JAPANESE PROPERTY CLAIMS
COMMISSION

We had a further meeting this morning with our Southern Alberta Central Committee, and we are happy to report that two large and well attended meetings comprising nearly all of the claimants have unanimously approved the proposed settlement.

We are therefore free to proceed without delay.

However, there are one or two minor matters regarding which a little further explanation is necessary:-

1. On the Analysis (prepared on or about March 17th, 1949) under the heading of "Nets and Fishing Gear", and the sub-heading "Amount of claim for goods actually sold" we find the figures \$82,659.60; 82,659.60; 43,172.15; and 53.01%. Is not the figure 53.01% a mistake, and should not this be 50.3%? Perhaps you can have your Accountant and the Government Accountant look into this.
2. On the same sheet under the sub-heading "Recorded but now missing" 36,599.39; applying first the average of 50.3% (or even 53.01%) and then adding the 25% increase we cannot arrive at the figure of 26,530.66 given in the list of proposed recommendations dated April 6th, 1949. Will you please try to reconcile this.

RECEIVED
'APR 26 1949
CAMERON WELDON
& BREWIN

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

25th April, 1949.

- 2 -

RE: JAPANESE PROPERTY CLAIMS COMMISSION

3. On the list sent out by the Toronto Committee in the Japanese language they have a heading "Goods sold with real property 50%". We do not have this in our proposed recommendations and we are wondering if some subsequent arrangement was made with Mr. Hunter in this regard.
4. On the same sheet headed "Proposed Recommendations" and dated April 6th, 1949 under the heading "D - Chattels - 22% rebate of charges on auction sales 19,800.00", we think the inclusion of the words "rebate on charges" is a clerical error, and perhaps you might glance at this form and correct it if necessary. Also please check the figure 19,800.00.

If there has been any further revision of the proposed recommendations please let us know.

We understand that the circular sent out by the Toronto Committee to all claimants called for a definite answer on or about April 30th. We presume that the Toronto Committee will communicate with you by telegram so as to give you their decision at the very earliest possible moment, and we are sending an extra copy of this letter to Mr. Brewin and hope that he will also communicate with us in the same way.

Now, presuming that the decision is favourable, my Committee here would like me to express the hope that we will engage the necessary staff to complete the detailed work of applying the settlement formally to the individual cases with every possible expedition.

They are hopeful that all the files may be gone over individually, and recommendations made before the end of May so that Mr. Justice Bird will be in a position to make a report early in June.

If this can be done it would mean that recommendations could go to Ottawa well before the end of June, and possibly the Government could act before the summer vacation.

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

25th April, 1949.

- 2 -

RE: JAPANESE PROPERTY CLAIMS COMMISSION

May we say that we join with our Committee
in this fervent hope, and will be glad to co-operate in
any way possible.

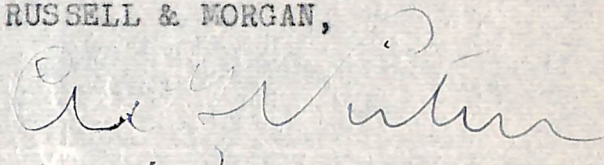
We shall be happy to have your views in
this regard.

Yours truly,

VIRTUE, RUSSELL & MORGAN,

Per

V/L



Copy to Mr. Brewin for his information.

April 27, 1949.

Dear Andy:-

Since writing the enclosed letter I have had another phone call from Bird asking me to telephone you and Virtue to try to get some report from the Committees. I have told him on ~~the~~ last successive three days that there is no use in telephoning until the committee has heard from the claimants. He pressured me into promising today that I would phone Friday ~~or~~ Saturday morning and said the Crown would pay for the phone calls. I told him I would do it but that I was not hopeful that the Committee would be in a position to give me much information.

You will have received Virtue's recent letter in which he advises that his committee is ready to recommend the settlement. I would prefer not to have this communicated to Bird before our Committee has dealt with the matter, as I think he expects difficulty from Virtue. However, I am on a bit of a spot if I have to phone Virtue.

I spoke to Tosh Tanaka at Greenwood on the telephone the other day to find out the reaction in B. C. I gather that the general reaction ^{was} that they were not satisfied with the settlement but ~~so~~ ^{had} no alternative but to take it. I gather from him however, ~~from him~~ that the members of the Provincial Committee did not take a vote at the time they met with the local ~~claimants~~ claimants but that the local committees were to report the result as soon as possible thereafter. If this is the approach which is being made across the Country would it not be wise to wire each Provincial Committee and have them wire the locals to send in the results forthwith by wire?

Bols
✓

Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

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

A. W. FISHER
R. J. McMASTER

A. J. F. JOHNSON

A. E. COBUS

RECEIVED

APR 29 1949

CAMERON WELDON
& BREWIN

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

April 27th
1949

OUR FILE NO.

Andrew Brewin Esq., K.C.
Barrister and Solicitor
Sterling Tower Building,
Toronto 1, Ont.

Dear Andy:

RE: Japanese Claims Commission

In my letter last night I meant to draw to your attention the fact that in the letter sent out by the Committee to the claimants they showed a heading "Goods Sold with real property 50%". When George Tanaka was here he showed me the letter and I drew to his attention the fact that that statement was incorrect and understood that he was going to wire the Committee and have it stricken out of the letter. From the odd letter that has come in to this office to be forwarded to claimants it appears this was not done. Hunter backed away from this proposition before the Commissioner made his recommendation and the recommendation did not include this proposal. It is a minor matter but we thought we ought to draw it to your attention.

Yours truly

CAMPBELL BRAZIER FISHER & McMASTER

Per. Bob

RJM/MG

April 28, 1949.

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

Re: Japanese Claims Commission

Dear Mr. McMaster:

I have your two letters of April 25th and 26th. I have been away so could not answer them sooner.

I appreciate the urgency of getting an early response. However, it would seem extraordinarily difficult for us to have a final decision before the end of next week. However, the Co-operative Committee are meeting on Monday, and we may be able to have some sort of preliminary decision. It would appear from information received to date, that most of the claimants across the country will be willing to accept the settlement. However, there is perhaps a possibility that a Toronto group of claimants, a large number of which are owners of Vancouver properties will vote against accepting this. However I think that you might take it for granted from the information that we have to date, that the majority of claimants will be in favour of acceptance, and that the Co-operative Committee will therefore decide to instruct us to accept the settlement.

This may possibly relieve Mr. Justice Bird's mind about further short delay.

It seems to me that from the Government point of view the acquiescence of the Japanese claimants organizations is of the utmost importance from the point of view of their public justification.

I will try to give early consideration to the question raised on page 3 of your letter of April 25th as to the method of distribution and the preparation of charges for counsel.

Mr. R. J. McMaster

April 28, 1949.

As soon as settlement is definite, I will write and report to the various counsel involved, and ask them to send in their accounts.

Do you agree that we should suggest roughly that a fee of \$50.00 a day be allowed to those who appeared on the hearing of the claimants evidence.

In my opinion a higher fee should be allowed for the hearings where general evidence was heard and upon argument.

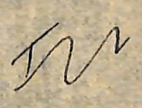
I would like to have your views as to whether you feel that \$50.00 a day is a fair suggestion to make to counsel such as Trucotté, and Cherniack in Winnipeg, Best in Toronto and Ouimet in Montreal.

In respect to the proposal to pay 30% overall on auction goods and 12% on goods sold by tender, I agree with you that this is a good idea.

I have not yet been able to arrange to see the Minister with respect to the Vancouver properties in fact he has not answered my letter. However, I have written to him again and I have suggested to him the urgency of a decision in view of Mr. Justice Bird's anxiety to have the question of settlement determined.

Yours sincerely,

FAB:HC



April 28, 1949.

(Confidential)

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

Re: Japanese Commission

Dear Mr. Garson:

I wrote to you on April 8th, about the proposed settlement in this matter, and learned that you were not expected back until the 25th of April.

We are now in the process of consulting our clients in respect to the proposed settlement, and Mr. Justice Bird has asked us to let him have definite word as to whether our clients will accept a settlement, before the end of the month.

I wondered if it might be possible for you to find time to give consideration to my earlier letter.

Yours respectfully,

FAB

FAB:HC

Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

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

A. W. FISHER
R. J. McMASTER

A. J. F. JOHNSON

A. E. COBUS

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

OUR FILE NO.

April 29th, 1949.

Andrew Brewin, Esq., K.C.,
Barrister & Solicitor,
Sterling Tower Bldg.,
Toronto 1, Ontario.

Dear Andy:

Re: Japanese Property Claims
Commission.

We enclose a copy of our statement of account together with statements of expenditures dated March 31, 1949 and April 28, 1949 which we recently sent to the Co-operative Committee.

We suggested to them that, as we have a number of other accounts to meet, they forward to us \$3,000.00 in addition in the form of an imprest account so that we may meet these outstanding bills.

Yours truly,

CAMPBELL BRAZIER FISHER & McMASTER,

Per: *Bob*

MM
encl.

RECEIVED

MAY 2 1949

CAMERON WELDON
& BREWIN

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

Campbell, Brazier, Fisher & McMaster
Barristers and Solicitors

March 31
to
April 28

April 13	J. G. Leckie	\$ 50.00
27	J. G. Leckie	50.00
21	Fraser Valley Lands re appraisals	612.50
27	N. M. Armstrong re appraisals	765.12
	B. C. Telephone Company (2 calls to Toronto and 1 to Lethbridge)	32.40
	C. N. Telegraphs	1.67
	Miscellaneous meals	5.40
		<hr/>
	TOTAL	\$ 1517.09
		<hr/> <hr/>

CAMPBELL, BRAZIER, FISHER & McMASTER

Per



E. & O.E.

675 WEST HASTINGS STREET

VANCOUVER, B. C.

April 28,

19 49

Japanese Committee on Japanese Canadians
67 Riverdale Avenue
Toronto 6, Ontario

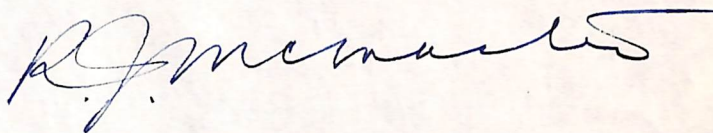
Campbell, Brazier, Fisher & McMaster
 Barristers and Solicitors

	<u>STATEMENT</u>	<u>DR.</u>	<u>CR.</u>
Nov. 3/48	Received on account of retainer		\$ 3000.00
Dec. 13/48	Received on account of retainer		2000.00
	To retainer	\$ 5000.00	
	To account rendered herewith March 31, 1949	5225.08	
	To account rendered herewith April 28, 1949	1517.09	
	BALANCE DUE		6742.17
		<u>11742.17</u>	<u>11742.17</u>

CAMPBELL, BRAZIER, FISHER & McMASTER

E. & O.E.
 RJM:WD

Per



STATEMENT OF EXPENSES INCURRED RE
JAPANESE CLAIMS COMMISSION BY CO-
OPERATIVE COMMITTEE ON JAPANESE CAN-
ADIANS OTHER THAN EXPENSES BILLED BY
CAMPBELL, BRAZIER & CO. UP TO APRIL
28th, 1949.

Audit of Co-operative Committee Accounts re Claims Commission 1947-48	- 75.00
Bank Exchange	- 52.00
Caretaker and Hall Rental (For meetings of claimants and preparation of evidence)	- 70.50
Clerical and Stenographic (This covers the salary of Mr. Gilbert who in Eastern Canada did the same work in preparing written summaries of evidence as Mr. Leckie, and also all additional stenographic assistance required.)	- 3298.42
Express	- 19.30
Incidentals	- 40.04
Interpreters	- 1318.75
Rental of Typewriters	- 115.50
Postage	- 193.30
Supplies, printing and stationery	- 889.05
Telephone and Telegraph	- 265.92
Transportation, travelling and hotels (This includes expenses of counsel, also expenses of clerical assistance having to travel to such places as Port Arthur, Fort William and Kapuskasing, etc.)	- 2097.65

\$ 8435.43
