

Corr. May 1949

2-6



May 4, 1949.

The Deputy Minister of Justice,  
Ottawa, Canada.

Attention Mr. F. P. Varcoe.

Re: Japanese Claims Commission

Dear Mr. Varcoe:

I have your letter of April 30th and note the contents, which I will communicate to my clients.

While I must, of course, accept your statement that the Minister is not prepared to offer by way of settlement anything more than 5% on the Vancouver properties, I must take exception to the statement that there would be any impropriety whatsoever in making a proposal for settlement of a group of claims on a basis other than that which commends itself to the Commissioner. The Commissioner was naturally bound by the terms of reference of his appointment by the Governor in Council. The propriety of taking into account considerations other than those which the Commissioner is entitled to consider, seem to me to be a matter entirely for the Government to consider, and I regret that the Minister will not see fit to recommend in connection with the Vancouver properties, a settlement which would remove any sense of grievance.

However, as I have said, the decision of the Minister will be communicated to my clients and they will have to govern themselves accordingly.

Yours respectfully,

FAB:HC

*W*



May 4, 1949.

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

Re: Japanese Commission

Dear Bob:

I enclose herewith a copy of a letter received from Mr. Varcoe.

I do not think that there is much we can do about this except to hope that possibly changes may come about as a result of the election. I must say that I am not particularly surprised at the attitude taken.

It will, of course, seem to me to make it quite impossible for the Government to offer less than Bird recommends. However, I am replying to the letter, pointing out that there is no impropriety whatsoever in suggesting that the Government which set up the Commission should take into account matters which on the strict interpretation of the terms of reference the Commissioner himself cannot recommend.

We had a meeting of the Co-operative Committee and the returns to date indicate that a majority of the claimants are reluctantly prepared to accept our recommendation in favour of settlement. However we do not wish you to communicate this formally to the Commissioner until we have got more or less complete returns.

We will probably wire you next Monday.

Yours sincerely,

FAB:HC  
Encl.





May 2, 1949.

Mr. F. P. Varcoe, K.C.,  
Deputy Minister of Justice,  
Ottawa, Canada.

Re: Japanese Claims Commission

Dear Mr. Varcoe:

Following my telephone conversation with you, I am writing to say that I am very anxious is it is at all possible, to have the Minister consider my previous letter in regard to the settlement of the Vancouver claims, before the end of the week.

We are consulting the claimants and have been urged to give a definite reply to Mr. Justice Bird by the end of the week.

The main sticking point as far as our clients are concerned are the Vancouver properties and most of the claimants concerned are in the City of Toronto. They have had one meeting and are having another meeting in a week's time.

If it is possible to report to them that consideration is going to be given to the Vancouver claims on a higher bases than 5% as proposed, I think it might materially assist in getting their approval of the settlement.

Yours respectfully,

FAB:HC





# Re: Japanese Canadians

Oct. 14	-	Paid expenses of Mr. Gilbert	11.80
21	-	" C.N.T.	5.08
Nov. 18	-	" "	1.32
18	-	" ry. fare to Kapaskasing for Mr. Gilbert	<del>35.65</del>
19	-	" expenses of Mr. Gilbert to Kapaskasing, etc.,	89.45
23	-	" mailing evidence to Mr. McMaster	.41
Dec. 14	-	" C.N.T.	11.57
<u>1949</u>			
Jan. 6	-	" return ticket to Ottawa	17.60
	-	" lower berth	2.35
28	-	" L.D. calls	4.43
Feb. 15	-	" expenses to Ottawa to interview Minister of Justice, tips, meals, compartment	10.00
Feb. 8-12	-	" expenses at Vancouver, hotel, meals, etc.,	51.25
	-	" T.C.A. to Vancouver	301.70
Apr. 6	-	" L.D. call to Vancouver	15.50

100  
 135.65  
 46.20  
 194.55  
 3565  
 1001  
 562



May 6

49

## Co-operative Committee on Japanese Canadians.

## Disbursements.

1948.

Oct. 14	Paid expenses of Mr. Gilbert	- 11.80
21	Paid Canadian National Telegraph	- 5.08
Nov. 18	Paid Canadian National Telegraph	- 1.32
18	Paid Railway fare to Kapaskasing for Mr. Gilbert hotel, meals etc.	89.45
Nov. 23	Mailing evidence to Mr. McMaster	- .41
Dec. 14	Paid Canadian National Telegraph	- 11.57

1949.

Jan. 6	Paid return ticket to Ottawa	- 17.60
	Paid lower berth	- 2.35
28	Paid long distance calls	- 4.43
Feb. 15	Paid expenses to Ottawa to interview Minister of Justice, tips, meals, compartment	10.00
Feb. 8-		
12	Paid expenses at Vancouver, hotel, meals, etc.	51.25
	Paid T.C.A. to Vancouver	301.70
April 6	Paid long distance call to Vancouver	15.50

THIS IS OUR ACCOUNT FOR  
DISBURSEMENTS.

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\$522.46

CAMERON, WELDON & BREWIN  
per:

*WU*



May 6, 1949.

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

Dear Bob:

I have your letter of May 5th. Since my last letter to you I have had a further letter from Mr. Varcoe in reply to my letter of protest. He says that the Minister has left Ottawa and that he is not likely to return for any lengthy period prior to the election, and he does not think that he would be disposed to give the matter any consideration during the election campaign. He adds, "the Commissioner must be free to make whatever recommendations he considers are warranted by the facts and evidence adduced before him. I should think that the Minister would consider it improper to enter into any agreement while the Commission has this matter under consideration."


I am afraid therefore, that there does not seem the slightest likelihood at the moment that the Minister would indicate to the Commissioner that he is agreeable that the Commissioner should deal with the problem of compensation by reason of the Vancouver properties being sold to existing tenancies.

I do not know whether even at this stage it would be worth while telling the Judge that if he can suggest the possibility of increasing the amount to 10% which is the original figure suggested by Government counsel themselves, it will enable us to commend the settlement without the reservation that we shall be otherwise bound to make.

I note that the Judge is likely to be in Toronto on Wednesday. It is quite possible however, that I may have to be in London that day on a trial. I do not know whether you would have any chance to communicate this to the Judge, or if there is any chance of his staying over in Toronto till Thursday in case I am not back till Thursday.

Yours sincerely

FAB:HC





May 6, 1949.

Co-operative Committee on Japanese Canadians,  
c/o Miss Boos,  
67 Riverdale Avenue,  
Toronto, Ontario.

Dear Miss Boos:

I notice that we are considerably behind  
in sending a statement of our out-of-pocket expenses.

I am accordingly enclosing an account which  
brings us up to date in respect to actual moneys ad-  
vanced.

We would be very glad if you could arrange  
to have this account look after as soon as possible.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC  
Encl.

*W*



May 6, 1949.

Miss Margaret Boos,  
67 Riverdale Avenue,  
Toronto, Ontario.

Dear Miss Boos:

Replying to your letter of May 4th;

1. Green house and poultry farm claims are to be dealt with as special claims. I have no knowledge of detailed arrangements in respect to them.
2. You ask as to the possibility of getting property back. There is no possibility of this except in the case of veterans. If we can get the details of any veteran of the first or second world war who wants his property back, it might be possible to arrange this.
3. In regard to claims previously withdrawn, we do not see how they can be revived. However, if a claimant wants to send in details as to why they withdrew it and the nature of the claim, we could consider the possibility.
4. I do not think there is any possibility of additional claims being made now. I think the Government would object very strenuously. In any event the sale of a fishing vessel to a brother could not be allowed. It is only sales made by the Custodian that are within the terms of reference.

In regard to Mr. Shoji's letter which I return with enclosures, it is almost impossible to give Mr. Shoji any intelligent advice without having his claim and the evidence before me.

As you point out he is obviously mistaken about his demand for an allowance of 5% of his claim of \$13,000.00. It is quite possible that in his case as he has made both payments, he will not be charged anything more than he has already expended. It is not clear to me whether his property is in Vancouver or whether or not he might be entitled to the 12½%. Also in respect to his claim for chattels it would appear that he had only claimed in re-



Miss Margaret Boos

May 6, 1949.

spect to the carpet runner whereas he might have claimed for all of the chanttels sold by auction, and would have got 30% on these which would have amounted to \$300.00. However, his claim will be reviewed by our counsel if the settlement goes through to see what can be done to bring it up. I would still have no hesitation in advising him on general principles to accept the settlement inasmuch as a new hearing of the claim is not likely to bring him in as much as the settlement.

Yours sincerely,

FAB:HC  
Encl.



P.S.-- I have had a letter from Mr. McMaster and he says that Judge Bird is going to be in Toronto next Wednesday at which time he may seek to get from us detailed information, or at least some information as to our actual disbursements. I would be glad if you could have whatever information we now have available for me on this.



THE CO-OPERATIVE COMMITTEE  
ON  
JAPANESE CANADIANS

TORONTO, ONT.

RECEIVED

MAY 7 1949

CAMERON WELDON  
& BREWIN

67 Rosedale Ave.  
Toronto 6.  
May 4th.

Dear Mr. Brewin:

Looseness of the hand forbids  
my using the typewriter! The following  
points have been raised in order:

1. What about greenhouse & poultry farm claims?
2. Several inquired re possibility of getting  
their property back - one claimed a  
redress. This is just out of the question,  
is it not?
3. Could a claim previously withdrawn  
be revived now?
4. Could an additional claim be made  
now - claimant wants to add sale of fishing  
net & brother to his original claim.
5. What advice - other than correcting  
the misstatement re Govt. 5%  
allowance re food - can we give  
the claimant whose letter is enclosed?

Sincerely  
Cameron & Weldon





RECEIVED

MAY 5 1949

CAMEL WELDON  
& BREWINPLEASE ADDRESS  
THE DEPUTY MINISTER OF JUSTICE  
OTTAWA

OTTAWA May 5, 1949

152189-1

Re: Japanese Claims Commission

Dear Sir:

I am in receipt of your letter of the 2nd instant in this matter.

During the short period of time that the Minister was in Ottawa between the Easter recess and dissolution of Parliament he had no opportunity of considering the various suggestions of your earlier communication. Immediately following dissolution the Minister left Ottawa and it is improbable that he will return for any lengthy period prior to the election. I do not consider that he would be disposed to give the matter any consideration during the election campaign.

The Commissioner must be free to make whatever recommendations he considers are warranted by the facts and evidence adduced before him. I should think that the Minister would consider it improper to enter into any agreement while the Commission has this matter under consideration.

Yours truly,

Deputy Minister.

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



# 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

OUR FILE NO.

RECEIVED  
MAY 7 1949

CAMERON WELDON  
& BREWIN

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

May 5th, 1949.

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

Dear Andy:

I have for acknowledgment receipt of your letter of May 4th enclosing copy of a letter from Mr. Varcoe and am not at all happy about his attitude with respect to this matter.

If you feel that the door is open at all, the matter should be presented to him on the basis of assuming that Mr. Justice Bird's finding that the Vancouver properties over-all sold for a fair market value is correct, the Government should give some compensation for the fact that the properties were sold subject to existing tenancies in as much as the claimants were forcibly removed and the premises were in many instances rented by the Custodian.

I do not think that it should be proposed that the Government itself raise the ante but that the Minister indicate to the Commissioner that he is agreeable that the Commissioner should deal with this problem. We could then make representations to the Commissioner which should result in some compensation.

Mr. Justice Bird will be in Toronto on the 11th of May and will likely be in touch with you. There are a number of matters which he intends taking up with the Minister but he does not intend dealing with City property or the problem of tenancies unless the Minister raises it with him. It seems to me, therefore, that we should have one further "go" at the Minister on the subject before Mr. Justice Bird sees him.

I may be writing to you later this evening or



Mr. Brewin:

May 5th, 1949.

-2-

tomorrow concerning the matters which the Judge has promised to take up with the Minister and also concerning the matter of disbursements with respect to which I have promised the Judge we will try to have the Toronto office give him information while he is in Toronto.

Yours truly,

CAMPBELL BRAZIER FISHER & McMASTER,

Per: *R. J. McMaster*  
*per m.*

McM:MM  
AIRMAIL



# Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

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

A. W. FISHER  
R. J. McMASTER

A. J. F. JOHNSON

A. E. COBUS

OUR FILE NO.

RECEIVED  
MAY 11 1949

CAMERON WELDON  
& BREWIN

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

May 9th, 1949.

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

Dear Andy:

It is my understanding that Judge Bird will be in Toronto for a short time. I do not know exactly how long but in any event it won't be just for the one day.

As indicated in my letter to you, he will be staying at the Park Plaza Apartment Hotel. However, I gave you the wrong streets. I believe it is at the corner of Bloor and Avenue Road.

I note what you say in your letter with regard to your further communication from the Minister of Justice. Mr. Brazier, of our firm, who worked with Garson on the Freight Rate matter for a while, expects to be in Winnipeg this week. I have asked him if he gets an opportunity to see Garson there to discuss the matter with him. I trust that this is satisfactory to you. I do not think it will accomplish anything to press Bird on the matter of City properties as I am satisfied he will not go any further on the over-all unless directed to do so by the Minister. However, I think you ought to see him while he is there.

As indicated in previous correspondence and judging from our discussions with the Crown already in terms of settlement of the first one hundred-odd cases, it seems quite likely that we will be able to get a reasonable number of special cases considered which will alleviate the situation somewhat.

Yours truly,  
CAMPBELL BRAZIER FISHER & McMASTER,

Per: 

McM:MM



May 16, 1949.

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

Re: Japanese Canadian Claims Commission

Dear Bob:

I had a friendly interview with Mr. Justice Bird yesterday and told him the result of the vote.

I told him that the Toronto claimants were opposed to accepting the proposal. He emphasized to me what perhaps I have not fully realized, that he regarded his role as not so much of a negotiator bringing parties together, but of one responsible for making findings on the evidence to date and assuming that all parties had agreed to the method of overall settlement. He indicated, however, in respect to those who rejected the proposed basis of settlement, he would be willing to hear further evidence as though they were special cases, if we wished to present them. This is obviously a matter that should be approached with caution, as there seems to be no reason why the Toronto claimants who rejected the proposal, should be dealt with on a different basis from those who accepted it. However, it may be that amongst the Toronto claimants there are a number who wish to be specially heard, and I will try to get instructions in regard to this, and let you know which are the cases in which the claimants themselves seek to have further evidence presented.

Mr. Justice Bird is going to Ottawa at the end of this week, and we presume that in view of the note, the matter will go forward on the basis of the proposals which we have discussed.

I am not optimistic about any increase in the Vancouver property claims. It may be, however, that you can in some cases get an increase over the 5% based on the special merits.



Mr.R. J. McMaster

May 14, 1949.

I wish to write soon to the various solicitors concerned to ask them to send in their accounts.

I would be glad if you could consider what you think I might suggest as a reasonable per diem allowance for the individual hearings and for preparation in individual cases.

Yours sincerely,

FAB:HC

A handwritten signature, possibly "FAB", in dark ink, located to the right of the typed name "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.

RECEIVED

MAY 20 1949

CAMERON WELDON  
& BREWIN

May 18th, 1949.

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

Dear Andy:

Re: Japanese Claims Commission.

I have for acknowledgment receipt of your letter of May 16th.

I am pleased to note that you have had friendly interviews with Mr. Justice Bird. I am sorry I have not made it clearer to you before what the Judge's attitude was as to his role in these proceedings because it certainly has become clear in the latter stages of the negotiations.

I am a little disturbed about the idea of persons who have rejected the proposed settlement being at liberty to call further evidence. Unless there is some special feature with respect to their cases or unless we have some further evidence of a special nature available it is obviously unfair to a large number of persons who, having regard to the welfare of the group rather than their individual interests acquiesced in the settlement. Furthermore, if the thing were carried too far it would result in a prolongation of the proceedings. It would defeat one of the purposes of the settlement and at the same time would considerably irritate the Judge. There is no prospect of getting at the Toronto cases until August or September in my opinion even with regard to settlement and if, as I anticipate, I will be in Eastern Canada in early August, I would be pleased to meet with the claimants who have rejected the settlement and if necessary discuss their individual cases with them. It would be as well if this were to be done that I should have beforehand a list of the persons involved and some



Mr. Brewin:

May 18th, 1949.

-2-

indication as to how many would be involved so as to plan the length of time it would be necessary to stay in Toronto.

I advised Virtue today that you had had a talk with the Judge in Toronto and had indicated to him the situation with regard to our Committee. I did not give him the full details of your letter. However, I did suggest to Virtue that the time had now come when he ought to advise the Commissioner in writing as to the decision of his Committee and asked him to send me a copy.

Mr. Brazier was able through Mr. Garson's Secretary in Winnipeg to speak to Mr. Garson on the telephone with respect to the City property situation. I believe that Mr. Garson was some place out of town at the time and he asked Mr. Brazier to send him a letter outlining the situation which Charlie did by airmail on Tuesday of this week. I hope that this personal contact will at least result in the Minister discussing the matter with Judge Bird when they meet at the end of this week.

With respect to a proposed schedule of fees, I would suggest the following:

\$5.00	per hour on preparation of individual cases;
\$50.00	" day " presentation of individual claims;
\$75.00	" day " presentation of corporate claims;
\$10.00	" hour on preparation with respect to general evidence; and preparation for settlement discussions;
\$100.00	" day with respect to general evidence hearings, presentation of argument and discussions on settlement and attendances upon the Government and/or the Minister of Justice;
5.00	" hour with respect to general attendances including correspondence;
50.00	" full day on travelling time.

I am satisfied that if we all applied these rates, the total bill will be far in excess of any bill that we can hope to recover from the claimants within reason. However, if the rates are applied uniformly, it should result in the basis of determining the relative amounts to be paid to each counsel out of what is decided as a reasonable over-all fee.

Yours truly,  
CAMPBELL BRAZIER FISHER & McMASTER,  
Per: *Bah*

MCM:MM



May 28, 1949.

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

Re: Japanese Claims Commission

Dear Bob:

I received your letter of May 18th. I have not spoken to Mr. Justice Bird since he has been in Ottawa. I assume, however, that the proposed settlement will be going through.

A representation from the J.C.C.A. saw the judge with Mr. Hunter and myself, and made very general representations, the only favourable effect of which might be that Mr. Justice Bird might be more helpful in special cases particularly on Vancouver properties.

In regard to the Toronto claimants who have rejected the settlement, I do not think it necessary for you to plan to spend much time in Toronto in early August, although I am sure it would be satisfactory if you could spend a day or two in meeting some of the claimants here.

My own feeling is that we should invite claimants who feel there is some special feature about their case, or who wish special evidence to be heard, to notify us, then your staff could look at the file and make up their mind if it should be treated as a special case. I quite agree with you that it would be a great mistake if a large number of cases were sought to be heard.

I enclose a copy of a letter which I have sent to the various solicitors who represent us.

I presume that you will require a month or two off to prepare your statement, and I, if not equalling you, shall find a very heavy job in doing the same thing myself.

Yours sincerely,

FAB:HC

*FAB*



May 10, 1949.

The Honourable Mr. Justice Bird,  
Park Plaza Hotel,  
Bloor Street West,  
Toronto, Ontario.

Dear Mr. Justice Bird:

I learned from Mr. McMaster that you plan to be in the city to-morrow, at the Park Plaza, and that you might be getting in touch with me. Unfortunately I have a trial in London at 10.00 o'clock in the morning. I am hoping that it might be through by lunch time and I might be back later in the afternoon at which time I would try to reach you. If I am not back, I assume you will still be here on Thursday and I will get in touch with you then.

I now have for your consideration and information a result of our efforts to consult our clients in regard to the settlement.

Yours very truly,

FAB:HC

*FAB*



May 12, 1949.

MEMORANDUM RE ATTACHED STATEMENT

The National Japanese Canadian Citizens Association desires to submit the attached list of disbursements for expenditures it has incurred in promoting work which has implemented to a very considerable degree the presentation of claims on property losses to the Royal Commission on Japanese Claims.

Since September, 1947, the National JCCA headquarters has assumed responsibilities as the central station through which has been channeled to Claimants, through its six component Provincial Chapter organizations and forty local chapter organizations, the necessary directives, advice, information, translations and materials connected with the presentation of property claims to the Commission.

Invaluable work by the National JCCA has made possible the providing of claimants' interpreters and the assisting of claimants in the filing of claims and submission of evidence to the Commission.

It has engaged in the drafting and printing of the claim forms approved by the Commissioner and other related informational and instructional material for claimants, both in English and in Japanese.

The National JCCA has employed its full-time paid office staff consisting of the National Executive Secretary and Office Secretary for considerable lengths of time to promote the above stated work.

It has been necessary for the JCCA organization to employ in British Columbia, on paid salary and per diem basis, members of its Provincial Chapter executive to carry on the work with respect to presentation of claims, etc., due to the magnitude of claims in the Province and the geographical nature of the Province which makes difficult close and ready contact with the various centres.

While the aforementioned completes the extent of the paid time work and expenses incurred by the National JCCA, it is desirable to state that a tremendous amount of voluntary work has been contributed by a large number of JCCA executive and committee members in the various Provinces which has contributed to the completion of presentation of claims and the submission of claimants' evidence to the Commission.

Yours truly,

GEORGE TANAKA,  
National Executive Secretary.



May 12, 1949.

STATEMENT

Expenditures incurred by the National JCCA on Claims work:

1. National Executive Secretary - 5 months period, Sept., 1947,  
to Jan., 1948 ..... \$ 1,250.00
2. National Headquarter's Office Secretary - 5 months period,  
Sept., 1947, to Jan., 1948 ... 750.00

(Drafting, printing and distribution of claim forms and considerable other related informational and instructional material in English and in Japanese. <sup>Providing</sup> Complete information, advice and assistance in the filing of claims to claimants directly and through JCCA channels and other media. Attending to considerable correspondence on claims matters with claimants.)

3. National Executive Secretary - 7 mons. during 11 month period,  
Feb., 1948 - Dec., 1948 ..... 1,750.00
4. National Headquarter's Office Secretary - 7 mons. during 11 mon.  
period, Feb., 1948 - Dec., 1948 1,050.00

(Printing and distribution of pre-hearing claim forms in English and in Japanese. Directing and completing the tabulation of claims. Providing for claimants' interpreters. Interviewing claimants and providing for and giving direct assistance to claimants prior to claimant's hearings. Attending to considerable correspondence on claims matters with claimants. Enabling the functioning of the JCCA organizational machinery throughout Canada which has greatly assisted the work of the Commission during claimants' hearings).

5. National Executive Secretary - 1 month during period of  
April, 1949, to May, 1949..... 250.00

(Special trip across Canada to consult with the Provincial JCCA Chapter executives enabling the presentation of the Commissioner's over-all settlement proposal to claimants at various local claimants meetings. Further attended claimants meetings in various centres to explain the settlement proposal, etc.)

( \$5,050.00 )



STATEMENT (continued) - page 2

Total brought forward .....	\$5,050.00
6. British Columbia JCCA General Secretary - 4 mons., Oct., 1947, to Jan., 1948 .....	600.00
(Attending to the complete distribution of claims forms and related material to B. C. claimants. Attending to numerous detailed matters pertaining to the providing of direct assis- tance to claimants in the filing of claims throughout the Province.)	
7. B. C. JCCA President -	
21 days, during November, 1947, @ \$8.00 per day .....	168.00
(Travelling throughout British Columbia attending claimants meetings to fully inform and explain the Terms of Reference and related matters pertaining to the submission of claims for property losses to the Commission).	
8. B. C. JCCA General Secretary - 3 mons., Jan., 1948, to June, 1948	450.00
(Attending to the work of providing assistance to claimants prior to claimants' hearings before the Commission including the providing of interpreters and enabling the function of the B. C. JCCA machinery which has greatly assisted the work of the Commission during claimants' hearings).	
TOTAL .....	\$ 6,268.00

GT/nf



May 12, 1949.

MEMORANDUM RE ATTACHED STATEMENT

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It has been necessary for the JCCA organization to employ in British Columbia, on paid salary and per diem basis, members of its Provincial Chapter executive to carry on the work with respect to presentation of claims, etc., due to the magnitude of claims in the Province and the geographical nature of the Province which makes difficult close and ready contact with the various centres.

While the aforementioned completes the extent of the paid time work and expenses incurred by the National JCCA, it is desirable to state that a tremendous amount of voluntary work has been contributed by a large number of JCCA executive and committee members in the various Provinces which has contributed to the completion of presentation of claims and the submission of claimants' evidence to the Commission.

Yours truly,

GEORGE TANAKA,  
National Executive Secretary.

GT/nf



RE: Japanese Claims Commission

Breakdown of expenses for which the Committee billed  
to April 28, 1949 by Campbell Brazier & Co  
and Estimate of further expenses.

	<u>Billed to</u> <u>Apr. 28/49</u>	<u>Estimate</u> <u>Additional</u>	<u>Total</u> <u>Estimated</u>
Interpretors	\$ 748.56	\$ 51.44	\$ 800.00
Transcript	73.00	nil	73.00
Supplies	69.50	230.50	300.00
Stenographic & clerical	59.05	1500.00	1559.05
Clerical (Leckie)	3247.54	1252.46	4500.00
Bank Exhcange	31.03	18.97	50.00
Searches	1027.35	247.65	1275.00
Witness Fees	128.60	71.40	200.00
Tel & Tel	219.87	130.13	350.00
Postage	12.39	87.61	100.00
Transportation	670.68	29.32	700.00
Travelling, Living expenses & meals	2202.35	147.65	2350.00
Appraisals	12,446.45	3553.55	16,000.00
Statistical (Drummond, Farr % Clerical)	308.79	3941.21	4,250.00
	<u>\$ 21,245.16</u>	<u>\$ 11,261.89</u>	<u>\$ 32,507.05.</u>

*Copy  
for funds*

*2118.75  
800  
1318.75*

*4857.47  
1559.05  
3298.42*



# EXPENSES INCURRED RE JAPANESE CANADIAN CLAIMS COMMISSION

by

Co-Operative Committee on Japanese Canadians

✓ Appraisals	\$16,000.00
Audit 1947-48 Accounts	75.00
✓ Bank Exchange	102.00
✓ Caretaker & Hall Rental	70.50
✓ Clerical & Stenographic	4,857.47
✓ Clerical (Leckie)	4,500.00
✓ Express	19.30
✓ Incidentals	40.04
✓ Interpreters	2,118.75
✓ Machine Rentals (Typewriter)	115.50
✓ Postage	293.30
✓ Searches	1,275.00
✓ Statistical	4,250.00
✓ Supplies (printing & stationery)	1,189.05
Telephone & Telegraph	615.92
✓ Transcripts	73.00
Transportation	707.85
Travelling & Hotels	4,439.80
✓ Witness Fees	200.00

\$40,942.48 A

\* Includes additional \$11,261.89 additional expenses estimated (as per statement from Campbell, Brazier, Fisher & McMaster)

10.5.49

32 507.05  
8435.43

*Margaret K. Boon*  
Secretary, Co-operative  
Committee on Japanese  
Canadians

51 47.65  
3050  
2097.65



Re: Japanese Claims Commission.

Statement received from Virtue of  
Expenses.

Travelling expenses Virtue & Russell to Ottawa May 6 to 11, 1947	299.40
Miscellaneous disbursements V & R May 6 /47 to Nov. 30/47	3.60
Travelling expenses V & R. to Vancouver Nov. 30/47 to Dec. 4/47	195.20
Paid Misc. disbursements V & R Nov/47 - Jan 6 /48	8.44
Travelling expenses V & R. to Vancouver Jan 7/48 to Jan 12/48	140.00
Misc. disbursements V. & R. Jan/48 - Sept. 19/48	96.98
Travelling expenses V & R. to Vancouver Sept. 19/48 to Sept. 25/48	116.25
Disbursements V. & R. Sept 19/48 -Jan 31 1949	66.26
Travelling expenses to V. & R. to Vancouver Jan 31, 1949 to Feb. 16/49	295.35
Disbursements V & R. Jan31/49 -Mar12	1.40
Travelling expenses V & R. to Vancouver <del>Jan</del> 12/49 to Mar. 18/49 Mar	142.25
Disbursements V. & R. Jan 12 to Mar22/49	.77
Committee in connection with making up of claims	586.20
Telephoning and like expenses of committee including travelling	103.00
Paid by Committee wages of Harry Aoki (clerk employed in preparing claims etc)	1500.00
Expenses of Harry Aoki	121.54
Printing	372.24
Expenses of Taber District Committee re claims, travelling expenses etc.	26.50
Contribution Committee to Toronto Committee re appraisal etc.	3000.00
Portion of counsel fee paid by Southern Alberta Committee to V. & R.	5000.00
	\$12075.38

4075.38



Co-Operative Committee on Japanese Losses,  
c/o Cameron, Weldon & Brewin,  
Barristers etc.,  
Stirling Tower,  
Toronto, Ont.

IN ACCOUNT WITH

NORRIS & MACLENNAN  
BARRISTERS AND SOLICITORS

311 BANK OF NOVA SCOTIA BLDG.  
602 HASTINGS STREET WEST

VANCOUVER, B. C.

MAY 18 1949

MAY 13th 1949  
CAMERON WELDON  
& BREWIN

IN THE MATTER OF

	ITEMS	F E E S	DISBURSEMENTS
1948 May 31	To balance of account rendered	\$756.59	
	NORRIS & MacLENNAN		
	Per: <i>R. MacLennan</i>		
	Liquidator		



May 16, 1949.

The Honourable Mr. Justice Bird,  
Park Plaza Hotel,  
Bloor Street West,  
Toronto, Ontario.

Re: Japanese Canadian Claims Commission

Dear Mr. Justice Bird:

I am writing to confirm the information which I gave you yesterday in regard to the proposals for dealing with this matter.

We submitted a summary of the proposals to all of our clients by letter. In addition, Mr. George Tanaka who is the Executive Secretary of the Japanese Canadian Association, visited various centres throughout the country and discussed the proposals with claimants, and a number of meetings of the claimants were held. No doubt you will fully appreciate the difficulty of securing full and adequate consultation with our clients in view of the facts that they are scattered across the country and there are so many of them. It is not easy to insure that they have a complete and adequate understanding of the proposals.

It was also necessary that their views be obtained without delay.

It would appear that all of the claimants whom we represent were agreeable to the proposed method of dealing with the matter, namely, that instead of the detailed hearing of individual cases, the claims be dealt with within categories on the basis of the evidence already heard except in special instances.

Some 428 claimants have replied to us authorizing us to accept the proposal. Some of these claimants have wished us to indicate various degrees of qualifications of their acceptance.



The Honourable Mr. Justice Bird

May 14, 1949.

Some 57 claimants have either written or indicated by petition that they do not wish us to accept the proposals. Of these, as I told you, quite a large number are in the City of Toronto and no doubt part of the reason for this is that many of these claimants are owners of Vancouver properties and feel that the allowance of 5% is inadequate.

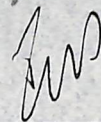
As you know, the Co-operative Committee and their counsel have recommended to the claimants the acceptance of the method of dealing with the matter proposed, and in general outline the proposals actually made. We have, however, been instructed to make representations to the Government and to yourself in respect to the Vancouver properties. We appreciate that Mr. McMaster has already discussed this matter fully with you, and there is probably nothing to be gained by further representations. However, we have indicated to the Government our view that the increased allowance might be justified outside the terms of reference altogether by reason of the fact that many of the properties, which being occupied by tenants, inevitably achieved a considerably lower sale price than they would have done if they could have been sold with vacant possession.

Our clients have also wished us to make the reservation in accepting the proposed method of settlement, that they have not abandoned their submission to the Government that the terms of reference were too narrow. We fully appreciate that this does not concern you as Commissioner, but nevertheless we have been asked to record our view on this, in case it become timely at a later date to discuss with the Government a proposal that might be made, to allow compensation on a basis not covered by the terms of reference. As you know the Co-operative Committee were instructed when the original terms of reference were announced, to seek broader terms of reference, and while the Government has been unwilling to accede to our request, our contention that a greater measure of justice could be done if the terms were broader, has never been withdrawn, and our clients wish us to maintain this position.

We presume that in view of the overwhelming acceptance by the claimants, the Commission will continue to deal with the matter on the basis of the proposals made.

We think that perhaps in the past we have not sufficiently emphasized to the claimants that although the method proposed was agreed to by counsel for both the Government and the claimants, the recommendations to be made by the Government within these terms, will be your recommendations as Commissioner, and we propose to inform our clients of this, so that they will recognize that the matter is not being based upon a settlement between the Government and the claimants as such.

Yours sincerely,



FAB:NC



STUART RYAN, K.C.

Barrister & Solicitor

~~XXXXXX~~ - PHONE 11

PORT HOPE, ONTARIO

(#2 Cavan Street)

May 16th, 1949.

MAY 17 1949

CAME WELDON  
& BREWIN

Messrs. Cameron, Weldon & Brewin,  
Barristers, etc.,  
Stirling Tower,  
TORONTO 1, Ontario.

Attention - Mr. Brewin.

Dear Andrew:

Re - Kohy & Tada.

I received from the Secretary of The Japanese Property Claims Commission a letter asking whether I intend to present argument on behalf of these claimants, whose file Numbers with the Commission are 1007 and 1056 respectively.

I have replied that I do not intend to present argument, but that possibly the Co-operative Committee on Japanese Canadian may do so on their behalf.

It seems that if argument is to be presented, a date for the hearing of argument will be set after May 16th next and the hearing will be at Vancouver.

Government counsel has informed the Commission that the Government will rely on the documentary evidence which was brought before the Commission as well as evidence of general application which has been introduced since September, 1948, this latter evidence being of a general character relating to the administration of the Custodian's office and the conduct of sales of evacuee property by the Custodian. The Government does not propose to bring forward other specific evidence relating to these claims.

I do not suppose that there is any specific advantage in engaging somebody to present argument.

Yours very truly,

*Stuart Ryan*  
per A

HRSR:FA



May 17, 1949.

Mr. Stuart Ryan K.C.,  
2 Cavan Street,  
Port Hope, Ontario.

Re: Kohy & Tada.

Dear Stuart:

We have your letter of May 16th.

We have arrived at a general basis which the Commissioner is going to recommend for the settlement of claims. It involves a different percentage over-all allowance in different classes of claims.

My recollection is that the two cases you were interested in were V.L.A. properties in Vancouver. If this is so, the allowance should be 80%.

Under this arrangement, cases with special features may have special evidence presented. If you like, I will ask Mr. McMaster who represents us in British Columbia, look at the files to see if any special argument is required for the presentation of any further evidence.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC



H. R. S. RYAN

Barrister & Solicitor

~~XXXXXXXXXX~~ - PHONE 11

PORT HOPE, ONTARIO

(#2 Cavan Street)

RECEIVED  
MAY 20 1949  
CAMERON WELDON  
& BREWIN

May 19th, 1949.

Messrs. Cameron, Weldon & Brewin,  
Barristers, etc.,  
Stirling Tower,  
TORONTO 1, Ontario.

Attention - Mr. Brewin.

Dear Sir:

Re - Kohy & Tada

Thanks for your letter of May 17th,.

These two claims were for property at Haney, British Columbia,  
and were for small holdings of about 5 acres which the claimants  
had cleared and planted with fruit trees and small fruits. I  
do not know what happened to the land when The Custodian sold it.

Yours very truly,

*H. R. S. Ryan*  
A.

HRSR:FA



May 28, 1949.

Miss Margaret Boos,  
67 Riverdale Avenue,  
Toronto, Ontario.

Dear Miss Boos:

Owing to particular circumstances in our office, we would be glad if it were possible for the Co-operative Committee to pay \$1500.00 on account of our fees.

We believe that it is a long time since we have rendered any account at all, and that a detailed account will exceed this sum by a fairly considerable amount.

We will, of course, account for monies received.

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

per:

FAB:HC

*LW*



May 28, 1949.

Mr. S. M. Cherniack,  
c/o Messrs. Cherniack & Cherniack,  
Barristers,  
31-460 Main Street,  
Winnipeg, Canada.

Dear Mr. Cherniack:

RE: Japanese Claims Commission

You may have heard that it is hoped to shorten the proceedings in this matter by having the Commissioner recommend a percentage allowance in different categories of claim, e.g. properties sold to the V.L.A. 80%, automobiles 25%, Vancouver properties 5%, real estate outside Vancouver and not V.L.A. 12½%, chattels sold by auction 30% of claim.

The precise formulations to be arrived at are somewhat complicated, and the Commissioner has said that he will hear special claims in special cases. The total result should be, exclusive of corporation claims, in the neighbourhood of \$800,000.00.

We have recommended to our clients that they acquiesce in this method of proceeding, as we fear that otherwise the proceedings may take two or three more years, and in addition that there will be considerable added expense.

Mr. McMaster in Vancouver has had a tremendous amount of work done by valuers, statisticians and otherwise and is satisfied that the proposals made will secure the best obtainable results.

There is some prospect that the matter may be concluded towards the end of the year.

We are very anxious to have in all accounts for legal services, so that we may know the amount of our liabilities. We would therefore be much obliged if you could send us your account. We have suggested the following schedule of fees:



Mr. S. M. Cherniack

May 23, 1949.

\$5.00 per day on preparation of individual cases.  
\$50.00 per day on presentation of individual claims.  
\$75.00 per day on presentation of corporate claims  
\$10.00 per hour on preparation in respect to general evidence and preparation for settlement discussions.  
\$100.00 per day in respect to general evidence hearings, presentation of arguments and discussion on settlement, and attendances upon the Government and/or the Minister of Justice.  
\$5.00 per hour with respect to general attendances including correspondence.  
\$50.00 for a full day on travelling time.

This schedule has been suggested by Mr. McMaster. We are anxious to have all solicitors' accounts in. It may then be that the total amount of the accounts will appear disproportionate to the amounts recovered, in which event it may be necessary for us to ask the various solicitors involved to reduce their accounts proportionately. However, at this stage we suggest that an account should be based on more or less the above schedule.

With kindest personal regards.

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

per:

FAB:HC





May 28, 1949.

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

Dear Mr. Ouimet:

Re: Japanese Claims Commission

You may have heard that it is hoped to shorten the proceedings in this matter by having the Commissioner recommend a percentage allowance in different categories of claim, e.g. properties sold to the V.L.A. 80%, automobiles 25%, Vancouver properties 5%, real estate outside Vancouver and not V.L.A. 12½%, chattels sold by auction 30% of claim.

The precise formulations to be arrived at are somewhat complicated, and the Commissioner has said that he will hear special claims in special cases. The total result should be, exclusive of corporation claims, in the neighbourhood of \$300,000.00

We have recommended to our clients that they acquiesce in this method of proceeding, as we fear that otherwise the proceedings may take two or three more years, and in addition that there will be considerable added expense.

Mr. McMaster in Vancouver has had a tremendous amount of work done by valuers, statisticians and otherwise, and is satisfied that the proposals made will secure the best obtainable results.

There is some prospect that the matter may be concluded towards the end of the year.

We are very anxious to have in all accounts for legal services, so that we may know the amount of our liabilities. We would therefore be much obliged if you could send us your account. We have suggested the following schedule of fees:



Roger Ouimet Esq.,

May 28, 1949.

\$5.00 per day on preparation of individual cases.  
\$50.00 per day on presentation of individual claims.  
\$75.00 per day on presentation of corporate claims.  
\$10.00 per hour on preparation in respect to general  
evidence and preparation for settlement discussions.  
\$100.00 per day in respect to general evidence hearings,  
presentation of arguments and discussion on settle-  
ment, and attendances upon the Government and/or  
the Minister of Justice.  
\$5.00 per hour with respect to general attendances in-  
cluding correspondence.  
\$50.00 for a full day on travelling time.

This schedule has been suggested by Mr. McMaster.  
We are anxious to have all solicitors' accounts in. It may then  
be that the total amount of the accounts will appear disproportion-  
ate to the amounts recovered, in which event it may be necessary for  
us to ask the various solicitors involved to reduce their accounts  
proportionately. However, at this stage we suggest that an account  
should be based on more or less the above schedule.

With kindest personal regards.

Yours very truly,

CAMERON, WELDON, BREWIN & McCALLUM

per:



FAB:HC