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TORONTO, 1, CANADA

December 4, 1950.

Mr. Kunio Hidaka,
Economic and Legislative Counsel,
200 Bay Street,
Toronto, Ontario.

Re: Iwasaki, Case No. 415

Dear Mr. Hidaka:

At your request, I wrote to Mr. McMaster about this case.

Mr. McMaster says that at the time of obtaining the special award from the Commission in this case, he went into the question of the Judgment obtained against the claimant. He ascertained at that time that the solicitor who acted for Mr. Iwasaki had died, and he got in touch with his brother who told him it is impossible to obtain the file.

A search made in the Court Registry indicated that proceedings had been properly conducted in accordance with the rules of the Court, and that it was Mr. McMaster's opinion that it would not be possible unless some new information came to light, to set aside the Judgment.

Mr. McMaster points out that even were there any possibility of setting aside the Judgment, that it would not effect his award in any way whatsoever, and would not enable the claimant to recover the amount paid from the Custodian, as on the face of the Judgment it was in order, and that the Custodian was entitled if not obliged to pay the amount of the Judgment.

In these circumstances, we assume that there is no practical action that Mr. Iwasaki can take, and we suggest that he might be well advised to proceed to secure the award made to him, by completing the release.

I am returning to you herewith the documents relating to the case which you left with us.

Yours very truly,

F. A. Brewin