

NATIONAL JAPANESE CANADIAN CITIZENS ASSOCIATION

MEETING OF THE NATIONAL EXECUTIVE COMMITTEE

Central YMCA,  
36 College St., Toronto.

August 5, 1949,  
9.00 p.m.

A G E N D A

- I. ATTENDANCE
- II. CALL TO ORDER
- III. PURPOSE OF MEETING
- IV. BUSINESS:
  1. Draft Letter to Claimants
  2. Report on Claims Commission Hearings being held in Vancouver.
  3. Question Period
    - Discussion on future action re Claims

APPRECIATION

ADJOURNMENT

MINUTES OF THE JCCA NATIONAL EXECUTIVE COMMITTEE MEETING, August 5, 1949

Vol. II, #17

A special meeting of the National Executive Committee was held Friday, August 5, 1949, at 9.00 p.m., at the Central YMCA, Toronto.

I. ATTENDANCE:

Those Present - K. Tanaka, T. Kameoka, T. Umezuki, J. Oki, Y. Hyodo, M. Sato, K. Hidaka, R. Obata, M. Kitagawa, G. Tanaka, N. Fujita, Mr. R. J. McMaster and Mr. A. F. Brewin.

Absentees - T. Tsuji, K. Shimizu, P. Yamada, J. Ide, I. Kawajiri, S. Shinobu, T. Sagara, I. Uchida, E. Nose, F. Nogami.

II. CALL TO ORDER - Acting Chairman, K. Tanaka, called the meeting to order.

III. PURPOSE OF MEETING - Taking advantage of the opportunity presented during Mr. McMaster's short stay in Toronto in August, a meeting of the Executive Committee was held to which both Mr. McMaster and Mr. Brewin were invited.

The purpose of this meeting was to hold discussions between the members of the Committee and Mr. Brewin and Mr. McMaster with regard to aspects of the Claims question and also to have the opinions of both Mr. Brewin and Mr. McMaster on the proposed draft letter to Claimants (which was submitted by the sub-committee responsible for drafting the letter to the Executive Committee meeting held on July 12th) given to the members of the National Executive Committee.

With regard to this proposed letter to Claimants, it was Mr. Brewin's very emphatic opinion that the letter should not be sent to the Claimants. Mr. Brewin was of the opinion that the points 1. to 6. as raised in the letter which represents the views of some of the Claimants in favour of rejection of the Commissioner's proposal were misrepresentations of fact in some parts and some others were totally wrong in the conclusions made, etc.

The Executive Secretary, at the previous meeting of the Executive Committee, had been instructed to meet with Mr. Brewin and obtain his views regarding the draft letter to Claimants. At this meeting, Mr. Brewin very strongly recommended that the Executive Secretary inform the Committee that it was his opinion the letter in question should not be sent to the Claimants. At this time, he very clearly stated his objections to the letter in detail covering the points 1. to 6. stated in the above paragraph.

The Executive Secretary had asked Mr. Brewin to inform the Executive Committee members at this meeting with regard to his views on the draft letter to Claimants.

In discussions held by the Executive Secretary with Mr. McMaster on the subject of this draft letter to Claimants, Mr. McMaster expressed his views to the Executive Secretary that, in his opinion, it would not be advisable to send such a letter to Claimants.

IV. RECORD OF PROCEEDINGS:

1. Draft Letter to Claimants

Mr. Brewin - When making representations to the Government, we should make certain of proper timing and the gaining of fruitful results.



There is no use carrying out a protest campaign unless it is a properly co-ordinated one. We should learn from Mr. McMaster whether such a letter would affect the present state of the work of the Commission. We should not make a protest if there is little hope of a favourable response. We should also consider what other efforts are to be made to make any campaign effective.

2. Report on Claims Commission Hearings Currently Being Held in Vancouver

Mr. McMaster - Our problem has been in relation to submitting proof before the Commission. Progress is being made in arriving at some agreement. It is difficult for a lay person to understand the difference between proving a case and what is considered right. The greater the length of time between the incident and the time of proving it, the more difficult it is to substantiate your case with adequate proof.

While the Commissioner is appointed under the Public Enquiries Act and given instructions as to the types of claims to be heard, it has to be proven to his satisfaction as to the amount of loss suffered. While it is true the loss has been greater than what is proven, the Commissioner will go on the basis of what is proved. We have been exceptionally fortunate on the VLA properties, e.g., Maple Ridge - 1/5 of the property was owned by Japanese, they were not in one section but spread throughout Maple Ridge. We could take as a measuring rod similar properties owned by Occidentals and sold in 1943 to compare with properties to be dealt with. Because of this, we have been able to persuade the Commissioner to come closer to the real losses suffered.

A similar opportunity with regard to automobiles was gained. Reasonably large quantities of automobiles were sold by Occidentals at that time. The evidence gained was not as good as VLA but better than other types.

There are other properties where we are stymied, e.g., boats. A great deal of damage was done to the boats and the Commissioner has recognized this fact. These claims are not technically within the terms of reference but are to be considered. There were no boat brokers as in the case of the used car market. Selling was carried on among the fishermen themselves. There was not the same evidence of sales among Occidentals. A large number of the boats were sold to fishing companies. The best place to get records of boat sales is from the fishing companies but they are not anxious to talk and we could not get evidence from them.

In the case of Chattels, the Claimant is trying to remember an accurate description six or seven years later. This is probably the weakest point when it comes to the matter of giving proof on these cases. Auction sheets bear out this point.

With regard to City Property, I feel badly about the whole transaction. The problem is different from VLA farmland property. We hoped that we could use some technique as in farmland areas, relating Occidental and Japanese sales. We found this impossible in Vancouver where large areas were owned by Japanese. Not a sufficient number of Occidental sales to make a comparison with former Japanese properties. No sound basis could be found of comparison. Kitsilano and Fairview districts might have been taken as a basis of comparison if we could be satisfied that assessments were the same throughout Vancouver. We found the Powell street area over-assessed. The City Assessor's



evidence was that in Vancouver, assessments had caught up to prices and exceeded prices by the time sales took place. The Custodian should have got near the assessment price. The assessors employed to appraise the Vancouver area state that property was over-assessed. The Custodian used practically all competent appraisal firms in Vancouver which made it difficult for us to obtain the services of competent appraisers. We have not been able to satisfy the Commission that the appraisers took into consideration the general attitude towards the Japanese people. We have hired Toronto General Trust appraisers but they did not give encouragement. Their report indicated the over-all increase would not be over 10 to 15% of Custodian's sales. We tried to use the point of "conservative" appraisal in our favour, but the Commissioner respects the evidence of the Custodian's appraisers. The sale prices of a good many were very low. All of us, claimants and counsel, started out thinking in terms of property sales made by the owner himself, presuming delivering the premises as vacant. 99% were rented and rental regulations were in effect from 1943 on, requiring from 6 months to one year's notice to vacate tenants. Finally, regulations prohibited forcing tenants to vacate, except in cases of failure to pay rent or for being obnoxious tenants. The Japanese people tried to rent their houses to people suitable to them and thus rented at very low rates. There is a difference as to whether or not a buyer could get possession. I have suggested to the Minister of Justice that, in recognizing the Commissioner's ruling that property be taken as it was, dealing with property as tenanted, the Government should add something to the awards to make allowances for the depreciation on market value of tenanted properties.

Proposed Awards - We did persuade the Commissioner and Government to change their attitude to the claims:

With regard to VLA property, the Commissioner realized there would have to be some adjustment from the 25% proposed by Crown Counsel. Negotiations resulted in increasing the awards to about 80%.

On motor cars, we influenced the Commissioner and Crown Counsel to increase awards up to 25%.

On nets we may succeed in raising the amount.

On city property and chattels, we were unable to obtain an increase other than to get a concession that the Custodian's fees deducted would be rebated.

With boats, the same treatment applies but with a little allowance for depreciation.

Arriving at Proposed Awards on Individual Cases - We are at present working with Crown Counsel on the application of the settlement award to individual cases, and have recently completed B. C. and Alberta cases. In working out these individual cases, the Custodian's office work out a formula, and strike off figures they think ought to apply. This is checked with our files, e.g., sale price, etc. Special points are looked for and if found, are set aside. There are special cases of green houses and poultry farms. When the proposed award was discussed, it was on a total of \$800,000. There is a reasonable chance that it will be increased from \$90,000 to \$100,000.

At this present time, Some Manitoba cases have been checked through. We expect to begin checking through the Ontario cases next month.

At one stage, it looked possible to be through at the end of October but it is now more likely to be the end of the year.



There is the question of what we do from the point of the Commissioner making a report to the Government. A large number of claimants, with some reluctance and on the advice of counsel decided to acquiesce to the Government proposal. In individual cases, I do not know what we can do whether a particular claimants has acquiesced or refused. If there is a special case, I will see to it that it is made a special case. Unless I have further evidence to call, the cases will have to go on the evidence before the Commissioner. There is a certain amount of good faith to keep in this. We have acquiesced to the proposed awards, having regard to the problems confronted with and to other factors. We will do as well under the present awards, under the present terms of reference, as well or possibly better than if we were to fight this to the bitter end. But I can realize that where claimants have claimed 5 million or 7 million, with awards of one million, is not good. The position we have to take is that, with the Government having set up a Commission under the terms of reference, with cases which are difficult to prove after 6 or 7 years, we have gone ahead and proved that there was at least 1 million in losses (possibly that is all we have proved). Having regard to the difficulty of proof, the Government should do more than compensate for the amounts proved as losses. Whether they do so or not is a matter which gets into the political field, e.g., whether there is pressure exerted in the country on the Government. We are not attacking the awards - we cannot turn around and attack the awards, which are what we were able to prove as a substantial loss. The Government should go further than that by recognizing the circumstances of evacuation and making some kind of awards to those people not within the terms of reference. We have shown that the Custodian sold in the same kind of market as did the persons forced to sell their own property, who also suffered losses for which they should be compensated. The important evidence re the Custodian is that they encouraged the Japanese at the time of evacuation to sell property. As to timing of such a move, it is a matter that has to receive careful attention and with those people who are closer to our Government works.

### 3. Question Period

J. Oki - Have you any idea as to when the Commissioner will approach the Government formally with the proposals.

Mr. McMaster - Afraid it will not be till the end of the year. We would like to have the hearings through by the end of November. Giving him some chance to write up the report, it would be early in January, possibly before Parliament sits next year. That is speaking most optimistically.

M. Kitagawa - What would constitute a special case in terms of city property?

Mr. McMaster - There were three or four in the B. C. cases where claimants had fine houses situated in a part of the city where the other dwellings were nowhere near the same value as theirs. We raised the award by \$500.00 - although, of course, that amount may not be appreciated by the claimants.

There was a store in Maple Ridge on which the claimant had good proof that the property was bought for \$2,100. It was sold by the Custodian for \$1,350. The man who bought it sold it four months later for \$2,400. The award was raised.

There are several cases of re-sales within a period of 4 months or one year. The Judge considers it reasonable to take into account only those re-sales up to four months. For any longer periods, he will not budge very much.

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In some cases the Custodian had higher bids than for what he sold the property.

There are cases where the revenue produced from the property would justify a higher price. Where this was not considered by the appraiser, the Commissioner could be asked to consider that.

The Commissioner has softened a little after your delegation interviewed him in Toronto and is now more ready to hear special cases.

R. Obata - You stressed the necessity to prove a case and provide concrete evidence. Is that just Justice Bird's interpretation - would another Judge have required the same?

Mr. McMaster - The difference would be that some would accept points in proof that others will not. In some things the Judge has leaned our way and in others has stayed close to the technical line. It is the duty of the Commissioner, under the Public Enquiries Act to require proof. How strong a proof is considered necessary is partially up to the Commissioner himself. He must have some kind of proof before him before he can make an award.

R. Obata - It seems to me they must have recognized the difficulty and for that reason conducted hearings throughout the country. People substantiated in their submissions that they had claims. The claimants made their claims on that basis. But the awards are based on the evaluations and concrete evidence presented. The claimants are therefore reasonably dissatisfied. What was the point of the hearings if no attention is to be paid to them?

Mr. McMaster - At the time, the Government and we were probably not entirely aware of the part the hearings would play in the compensating of the involuntary taking away of property. The hearings were only for the two purposes of getting the description of the property and setting the limit of the claims. The only way to do that was to interview the claimants. The Judge cannot place very much emphasis on the claimants' estimate of value. He would have to have the value proved by those who are considered experts. We might have recognized at the beginning how difficult it would be but none of us knew. It was necessary for the Government to get the claimants evidence.

R. Obata - I understand that unless the property is recorded on the "M" forms, they are not considered.

Mr. McMaster - Unless you told the Custodian that you had chattels and if the Custodian did not go there and find them, then it is not strong evidence to say that "I had these chattels." That is what the Commissioner is saying. We are trying to get evidence. Crown Counsel has gone quite a long way for he is conceding the existence of claims if the Custodian had some information before filing of the claims. We are not tied exactly to the "JP" forms.

R. Obata - The Government would have to prove that they sold at fair market value?

Mr. McMaster - In compensation cases, the onus is on the claimant to prove.

Mr. Brewin - The Government did call on a number of witnesses to state that the method of sales was the best possible method. There was a terrific amount of evidence which claimed that every precaution was taken, that the goods were put on the market under the best possible conditions during the time and what they actually received as being the best possible evidence. In that way, the Government has made some effort to establish that they did sell at fair

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market value. The Custodian has attempted to justify that the sales were the best possible under the circumstances.

Mr. McMaster - You have reputable people giving evidence whom the Judge accepts as being honest. In dealing with the sales by auction and having regard to the circumstances, it is obvious to us the auctioneers could not get the fair market value - they say as much was obtained in this way as would have been obtained if the sales were made by private individuals.

K. Hidaka - I would not accept the evidence of the person who sold the property.

Mr. Brewin - But supposing the person is an experienced auctioneer. He says that the sales were set up in the usual way, advertised and a good number of buyers attended the auctions. He states the sales were made under no exceptional circumstances. Perhaps there is not one sale out of a 100 that can be considered by us as having been sold at the market value. But almost in all cases like these, it has been the procedure that the opinion of the person whose property was taken away is not to be given major weight, e.g., in Ottawa if property is taken for building purposes, they always have to call in an expert. The claimant's own opinion is not given very much weight. The court wants to hear persons who are experts in placing values. It is not just being applied in this case, it is almost universally applied. It does not mean that when the Commissioner says that a lower value is correct that the claimant is a liar.

K. Hidaka - If your property were sold, would you accept the valuation?

Mr. Brewin - No, I would not have to "accept" that price.

K. Hidaka - They should not take the appraisers evidence alone.

Mr. Brewin - The Commissioner is not taking it alone.

Mr. McMaster - There are measures of fair market value according to law. As regards large chicken farms and large green houses, there is not a market for this type of property. If you take my house, there are a number very much the same. There is constant buying and selling of houses similar to mine which gives a measuring rod. With a large green house, the only time it is sold is when the owner goes bankrupt or if he becomes deceased and there is no one to carry on the business. It is easier if there is a market to test the worth of such property. The opinion of persons dealing in certain types of property is much higher than mine. The Custodian was actually selling the property, the auctioneer only handled the cases by auction. The appraisers get a higher commission on properties sold at a higher value.

J. Oki - The claim could be a fair indication of replacement value.

Mr. McMaster - We have had to get expert opinion. E.g., for the chicken ranch two people were called, the Dean of Agriculture at the University and the superintendent of a construction company, to estimate on building a ranch of similar nature in 1943 - to establish cost of replacement then allow for depreciation. Replacement costs must be proved.

J. Oki - Was information compared with that given by claimants?

Mr. McMaster - Certainly, we are using all the information brought before the Commission. When dealing for instance with a fruit farm, there was the fact that a person bought it in 1936 and added several buildings.

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Properties other than Japanese owned could be found very much like this claimant's which could indicate what people were paying for that kind of thing. What is paid for property originally does not have much relevance to the fair market value.

J. Oki - There were not many Strawberry Farms other than Japanese.

Mr. McMaster - Whereas the over-all recovery is 80%, recovery in Maple Ridge would average 100%. There are several approaches to the Maple

Ridge property:

- comparative sales have indicated a 120% increase.
- Dean Clement did an independent study, expressing opinion as to value of about 100% increase.
- sampling and figures of production studies done at the university were studied.
- farm appraisers' valuations were slightly less than other approaches.

Mr. Brewin - In many cases, we are being paid the market price of 1943, and values have increased since then. Claimants have been deprived the use of their property and money represented by the property for 6 or 7 years. It would be hard to satisfy a person when the property is taken away at 1943 values and is given back compensation at the market price of 1943 with a depreciated dollar - on that basis of appeal or something like that, we might be able to persuade the Government to do something more.

K. Hidaka - Could you give me the details of the poultry farm case.

Mr. McMaster - It is a very interesting case. The direct appraisal by Dean Clement checked with studies of investment in poultry farms - \$17,000.00 for land and buildings. A Dominion Construction man put replacement cost, less depreciation value, on buildings only (land value was not included and not including installations) at \$16,000. The Soldier Settlement Board people placed a value of \$10,000 and sold it at \$5,000.00 with the buildings as added to the land. The claimant has claimed \$20,000.

J. Oki - Regarding the matter of concrete evidence, the Japanese people left in good faith that they would return. If they knew they would not return, they would have secured evidence. Those that had evaluations made had special cases.

Mr. McMaster - A person who has had a valuation made on his property is in a better position regarding his claim. In using this conclusion, it should not be stated as a basis of attacking the award but to stress that this method is not adequate in compensating for loss.

Mr. Brewin - We lost on the point that we argued before the Commissioner, "that no conditions produced by the evacuation should be taken into account", e.g., the value of chattels would be lower at the time they were sold by the Custodian than at the time they were left by evacuees. We were not able to persuade the Judge to our view to exclude the element that the evacuation created the conditions. The Judge would not interpret the terms of reference on that basis.

J. Oki - Would consideration be given the fact that auctions were being held many times a day in one area?

Mr. McMaster - I do not think the auctioneers in the box played the game. We tried to call evidence on that. One auctioneer admitted that the place of sale would make a difference. We tried to call contrary evidence and got one witness but he was not actually at any of the auctions.



J. Oki - But would not circumstances locally not produce a fair market.

Mr. McMaster - But experts claimed on the contrary that there was a demand for that kind of goods.

Y. Hyodo - Were any buyers cross-examined?

Mr. McMaster - No, we did not succeed in getting any one.

R. Obata - The conditions of the market itself changed the value. Supposing it was another Commission and another Commissioner.

Mr. McMaster - If we had an appeal, we would have taken it.

R. Obata - Are we not in a position to demand another Judge?

Mr. McMaster - We would have to go to the Supreme Court of Canada and say that one of their Judges does not know the law.

Mr. Brewin - Pointing out another side to this matter, if at any stage of the Commission those responsible for representing the claimants felt that they were getting a real raw deal, perhaps it would have been possible to make a protest. A theoretical possibility that might have become a reality and it would have been our duty at a certain stage to protest. But the Commissioner was not all 'bad'. He decided some things in our favour. Our criticisms are intangible, not such that we can say that he has not done a proper job and we want to reject what he does now. We have to remember he still retains final discretion in marginal cases. Whether you like it or not you do not go out of your way to offend a man who has that power of decision in his hands. Lawyers are confronted with this situation in their cases all the time. We cannot go complaining about the case on hand because the court has to go on dealing with that case and other cases. Unless the point of our objection is clear, it would ultimately do damage to the interest of the client. If we had thought that throughout the whole problem, there was a possibility that he was too unamenable and we could not proceed before him, we might have taken action but you cannot do that unless you are definitely right. You would only get the Judge incensed and lose the Government's favour. It is not practical to start attacking the Commissioner without substantial grounds for protest. The Judge was never bad enough for us to have sufficient grounds for protest in these circumstances.

R. Obata - With respect to the Powell Street properties, the value of the properties depended on the people being there.

Mr. Brewin - Under the original terms of reference, we could only get something if it was proved the Custodian acted negligently. At that time, we interviewed the Minister of Justice and the Secretary of State and urged that the terms of reference be broad enough to include any lost property resulting from the evacuation, as borrowed from the draft Act of the United States, to cover these points we are now discussing. The question was whether we were continuing on the basis of fair market value or if the question was to be considered on the point of "negligence" - we succeeded in getting half a loaf, the terms of reference we now have. We have to make the very best out of the conditions we face: the Commissioner we have, the proposed awards, the marginal cases, and then examine what claims we can make for better allowance outside of the terms of reference, and concentrate on an effective campaign to do something about them. Anything that

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would be an attack on the Commissioner's proposed awards would not enable Counsel to go on, and would jeopardize claimants' chances which we already have, and in getting the best we can under the circumstances. We should concentrate on: Mr. McMaster obtaining as much as possible out of the Commissioner; and preparing very carefully for further action for supplementing the terms of reference.

K. Hidaka - Would a person's case not be affected.

Mr. Brewin - No. The following points could be brought out:

- difficulty of proof on cases,
- the terms of reference excluded the evidence that the conditions of the market deteriorated.
- the dollar now in 1950 has very much depreciated - no interest is being paid and not taking into any account the factor of the lower purchasing power. If the property was returned to the owners it would be worth more now than at the date of sale. We acquiesce to the proposal of settlement but would suggest, e.g., 50% adjustment on each claim.

K. Hidaka - If the terms of reference are extended, would it mean that persons would still have to prove losses.

Mr. McMaster - The last two years demonstrates that it would not be worth it to go after an extension of the terms of reference. Because of the cost to the Government it would not be permitted.

Mr. Brewin - We would ask for further allowances.

K. Hidaka - We are required to prove losses and cannot prove the losses to that extent. If ruling was less rigid, then more could be achieved.

Mr. McMaster - What we could say to the Government is that 'give us the award but we think you should give us in addition an allowance to compensate for factors the Commissioner could not take into consideration, on the basis of what is just and reasonable without a new Commission.

Executive Secretary - I have two points which I should like to raise at this time:

- (1) What future line of action is intended to be taken by the JCCA and the Co-operative Committee in view of the present situation with regard to the claims question and when the Commissioner submits his report to the Government. Speaking in general terms, I might add at this time that while speaking with Mr. McMaster before this meeting on the point of our taking further action; such as, making representations to the Government, contacting members of Parliament, the press and the public on the claims question, Mr. McMaster felt no action of this nature should be carried out before the Commissioner makes his report to the Government. Mr. McMaster also was of the view that when the opportune time presents itself for taking further action on our part, it might be necessary to take action almost immediately, due to factors which would limit the amount of time we would have. And for this reason it was his advice that we should be in readiness to take action at the opportune time.
- (2) While speaking to Mr. McMaster with regard to making representation for the widening of the terms of reference, it was his view that this would be difficult to request as the practical problem of either appointing a new Commission or to continue the present Commission in implementing this request, with what we would gain from this, would not, in his opinion, be worthwhile. Should

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this be the final conclusion which then would affect the future consideration of excluded claims, I would like to ask Mr. McMaster for his opinion as to whether it would be worthwhile to ask the Government for an outright, general indemnity to compensate evacuees whose claims are presently excluded under the terms of reference and others.

Chair - When should we time our future action?

Mr. McMaster - Groundwork should be done with Members of Parliament. There is a question as to whether we make our approach with the Cabinet when they are considering the Commissioner's report or wait until the Cabinet communicates what they intend to do with the Commissioner's report, to make sure that it is implemented. And while we can say that we are quite sure that the Commissioner has gone about his investigations properly, we should indicate that the awards recommended by the Commission do not cover the greater losses which are not compensated for in the recommendations.

Mr. Brewin - We should be ready with our first 'shot' immediately the report is presented - it is at the moment it is published that effective comments by the press and our organization can be made. We cannot allow any time to lapse between the Government's announcement that they have this report and their next move. They will not be publishing this report without a statement that they intend to implement it. I do not think there is any practical possibility of the Government doing less than what the Commissioner recommends. I do not regard that as a serious risk. We might make tactful enquiries as to how the Government proposes to implement it: by an Act of Parliament, new appropriations, or existing funds. We will have to act before the issue is dead. We will need to get our friends to speak almost simultaneously - might vary the arguments but have them trained in the same direction. We must beware of the possibility that the Government will take the point of view that they appointed the Commission, that the report is made (which in part represents the mode of approach agreed on by claimants' counsel and the Commissioner), and they will fulfil the terms, no more and no less. I know this to be possible from open argument with the Minister of Justice and the Deputy Minister. If we follow it at once with the view that we take what you (the Government) are giving us but want more on other grounds - unless we are very careful, it is conceivable that they might lop-off something we already have. We should have all our plans laid with appropriate comments. If it happens during Parliament's sitting we could contact our friends in the House. Our responsibility is to try to get something more from the Government.

Mr. McMaster - I have ascertained that the Veterans' Department and the Secretary of State Department will fight tooth and nail against such a move. Colonel Hunter (representing the Government) is of the attitude that the claimants should not get anything at all but might concede giving something paltry to whitewash the Government.

R. Obata - If a publicity campaign is conducted properly, the public should not take that attitude. We could compare our case with the American.

J. Oki - In the States the Custodian did not sell property without the consent of the owner.

Mr. Brewin - Another thing is that when we pressed for this Commission, we had at that time a year or two of public interest aroused based on the deportation proceedings and court proceedings and the issue was new. The public was interested and aroused. It will not be as easy now. From most of the comments we hear, they feel that people have settled down and this was a good thing. It may be a crude outlook but it is an attitude of mind that exists and it is not so easy to arouse them to the contrary now with the passing of these years.



Mr. McMaster - A certain type of person does not think too much on these matters. Once a Royal Commission is appointed, they conclude that it is out of the hands of the public.

Mr. Brewin - We might take the argument that the terms of reference were related to the price of land in 1943, payment is made without interest, that use of the money and equivalent was taken away and the people were not able to make use of it. We could ask that awards should be doubled because of the depreciated dollar. The Man-on-the-street may be able to appreciate it. They are now giving us not the value taken from us but value of what was taken from us when the value of the dollar was 50% higher than now.

Mr. McMaster - Today in Ottawa, in the Veterans' Department, I was speaking to a B.C. cabinet member. While he is terribly misinformed on the Japanese situation, he did not agree with the policy of evacuation that was followed. I think if the point of interest on the dollar is followed, you will not get anywhere with the Government but you might with the man-on-the-street.

K. Hidaka - You would not get anywhere with the claimants on that point.

R. Obata - The claims were not exaggerated.

Mr. McMaster - There are cases where the claim is conservative and others where it is exorbitant but the claimant himself does not believe that.

Mr. Brewin - It is difficult to know what is meant by an exaggerated claim. It is not altogether true that claimants had a clear idea as to what to put down. Japanese Canadians are the same as any other people. Some exaggerate, some put in reasonable amounts.

Executive Secretary - What is your opinion on the point of giving consideration in our future actions to appeal for a general indemnification for the compensation of excluded claims. Is that practical?

Mr. Brewin - Possibly, but we would have to see the ground work of it and whether it should apply to age, status, whether they owned property or not. Point most pressing is to show precedent. "It has been done before" seems to be the greatest argument to do it again.

Mr. McMaster - We must make sure that there is a fairly logical basis. Problem is to work out a basis for compensation that appears reasonable.

Mr. Brewin - What information do we have now with regard to forced sales? We might have an indemnity for the fact of evacuation payable to everybody.

J. Oki - The basis of argument should be the American Bill.

Mr. Brewin - You have to draw a happy line, but for more than you actually get. If two propositions are put up to them, you might get acceptance of one of them.

Mr. McMaster - I think you should set up a Committee to discuss this matter with Mr. Brewin.

Mr. Brewin - I would suggest that someone get all possible information as to what is proposed to be done or is being done in the United States.

APPRECIATION was expressed to Mr. McMaster and Mr. Brewin for their kindness in attending the meeting.

ADJOURNMENT - The meeting was declared adjourned at 11.30 p.m.