

TORONTO CLAIMANTS COMMITTEE PROTESTS CUSTODIAN'S RELEASE FORM

Claimants are advised by the Toronto Claimants Committee to withhold signing the Custodian's "Release" form because of an objectionable section which states that, in consideration of the payment received, the claimant agrees to release the Government and the Custodian from all further claims in respect of all real and personal property.

By agreeing to such a condition, the claimant will bar himself from making further claims for economic losses suffered as a result of the Government's actions during the evacuation. No action can be taken on other claims.

Protests against the "Release" were sent by the Claimants Committee to the Custodian and a request was made that the form be revised to serve only as a receipt. The Committee therefore considers it inadvisable to sign the "Release" before a reply is received from the Custodian.

The objectionable section reads as follows:

"in consideration of the premises and the sum so paid by the Custodian, the Releasor (claimant) hereby releases His Majesty The King in the Right of Canada and the Custodian from all actions, claims and demands whatsoever in respect of real and personal estate of the Releasor and the rents, profits and income thereof respectively, or any part or parts thereof or in respect of any act, deed, matter or thing whatsoever done or omitted to be done by the Custodian in or about the administration, sale or disposal of the Releasor's property or in respect of any of the matters above recited."

In the letter of protest the Claimants Committee stated their opinion that it was not compulsory for claimants to sign the form in order to receive payment. Furthermore, they said: "As it now reads, it appears that the purpose of the "Release" is to secure from the property owner, in return for the payment, an agreement to make no further claims. Should you make such an agreement a condition of payment, we protest in the strongest way against your attempt to secure the agreement by payment of monies which are long over-due, and which are rightfully owed to us."