RECORD GROUP 117

VOLUME 1

FILE 1
PART 5

3880 West 12th Avenue
Vancouver 8 B.C.
December 23rd. 1958

K.W.Wright Esq., Q.C.
Chief Counsel
Office of the Custodian
Victoria Building
7 O'Connor Street
Ottawa 4 Ontario.

Dear Mr Wright,

This will acknowledge receipt of your letter of the 17th enclosing cheque for $50.00 for services from November 1956 to December 1958 in connection with Japanese matters in which the Vancouver Office was formerly concerned.

Any further co-operation which at any time might be needed, will of course be available.

Thanking you,

Yours very truly,

J.G.Shears

J.G.Shears

OFFICE OF THE CUSTODIAN
RECEIVED
DEC 29 1958
PASS TO Mr Derre
FILE

CHEQUE No. A 31673
DATE DEC 17 1958
BANK Montreal
(Cashier's Initials)

KWW/g

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.

December 17th, 1958.

F. G. Shears, Esq.,
3880 West 12th Avenue,
Vancouver, B.C.

Dear Mr.Shears:

Re: Vancouver Office.

I have for acknowledgment your communication of 12th instant, with enclosure.

I enclose herewith cheque in your favour in the amount of $50.00, covering payment for services rendered from November 1956 to December 1958 in connection with Japanese matters in Vancouver.

Kindly acknowledge receipt.

Yours very truly,

K. W.Wright,
Chairman of the Administration Board
and Chief Counsel.

Encl.

CERTIFIED CORRECT:

DATE DEC 17 1958

(Accountant in Charge)

APPROVED FOR PAYMENT:

DATE 16/12/58

(Assistant Director, Custodian)

for

CASHIER'S MEMO.

CHEQUE NO. A 31673

DATE DEC 17 1958

BANK Montreal

(Cashier's Initials)

DEPARTMENT OF SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

REQUISITION FOR CHEQUE

OTTAWA, December 16th, 1958.

FILE NO.

SECTION Cash

CHEQUE PAYABLE TO F. C. Shears

RE Services rendered

ADDRESS

CHEQUE TO BE FORWARDED TO F. C. Shears, (Name)

3380 West 12th Avenue, Vancouver, B.C. (Address)

IN THE AMOUNT OF
CAN. $ 50.00
U.S. $
£

PARTICULARS Services rendered from November 1956 to December 1958 in connection with Japanese matters in Vancouver.

CHARGE TO Administration. Japanese Evacuees Section

(Requisitioned by)

BALANCE OF ACCOUNT AS AT
CAN. $
U.S. $
£

CERTIFIED CORRECT:
DATE DEC 17 1958
(Accountant in Charge)

APPROVED FOR PAYMENT:
DATE 16/12/58
(Assistant Deputy Custodian)

CASHIER'S MEMO.

CHEQUE NO. A 31673

DATE DEC 17 1958

BANK Montreal

(Cashier's Initials)

3880 West 12th Avenue

Vancouver 8 B.C.

December 12th. 1958

K.W.Wright Esq. Q.C.
Counsel to The Custodian,
Victoria Building,
7 O'Connor Street
Ottawa 4

Dear Mr Wright,

I have your letter of the 9th instant asking me to submit an account for services over the past two years.

The amount must be somewhat arbitrary but I feel an amount of say $50 would be quite conservative for various correspondence, enquiries and the inspection and final disposal of the Frederick Field records. On this basis I am enclosing a certified account for the attention of your Administartion Board.

Yours very truly,

F.G.Shears.

OFFICE OF THE CUSTODIAN
RECEIVED
DEC 16 1958
PASS TO.....
FILE

The Custodian,
Ottawa.

In Account with
F.G.Shears
3880 West 12th Avenue
Vancouver, B.C.

RECEIVED
DEC 16 1958
PASS TO
FILE

To services rendered from

November 1956 to December 1958.

Fifty dollars

Certified correct.

F.G.Shears

K. W.Wright,
Chairman of the Administration Board
and Chief Counsel.

KWW/g

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.

December 9th, 1958.

F. G.Shears, Esq.,
3880 West 12th Avenue,
Vancouver 8, B.C.

Dear Mr. Shears:

Re: Vancouver Office.

Reference is made to your recent letter requesting me to submit the matter of your remuneration for services rendered to the Administration Board.

This is to advise that the question was discussed at today's meeting and it was agreed that you should be paid.

Will you be kind enough to send me your account from the date of the previous payment (November 1956) to date and specify the amount you consider fair and reasonable.

Yours very truly,

K. W.Wright,
Chairman of the Administration Board
and Chief Counsel.

DEPARTMENT OF THE SECRETARY OF STATE
SECRÉTARIAT D'ÉTAT

KWW/E

MEMORANDUM

FILE NO.
Nº DE DOSSIER

DATE December 8th, 1958.

FROM CHAIRMAN, ADMONISTRATION BOARD TO FILE
DE

RE: Vancouver Office.

The following is an excerpt from the Minutes of Meeting of the Administration Board Monday, December 8th, 1958.

PRESENT: Messrs.Wright, Robitaille and Serre

Memorandum from the Chairman incorporating Mr. Shears' request that we consider payment of his account for attending to Custodian matters in Vancouver, was read.

It was agreed that the Chairman should ask Mr. Shears to render an account and specify the amount he believes is reasonable.

K. W.Wright.

KWW/g

Ottawa, December 2nd, 1958.

MEMORANDUM TO THE ADMINISTRATION BOARD

Re: Vancouver Office

Mr. Shears sent me a personal letter some days ago which reads in part as follows:

> "The Post Office records here are certainly good in that even at this time when the odd correspondence comes addressed to the Custodian Office, it reaches me. I think it was nearly three years ago that Ottawa made a financial acknowledgment for various matters that I had dealt with. I imagine that the inspection and destruction of Field's records really puts "finis" to any Vancouver work. It may be in order for your administration Committee to vote a final honorarium but this is left entirely to their good judgment. There is nothing that can be related to particular files, and only that I have remained something in the nature of a clearing house for enquiries."

Mr. Leblanc advises that a cheque for $150.00 was sent to Mr. Shears on November 6, 1956.

Submitted for the Board's consideration.

Ck requested to write Mr. Shears & ask him to resubmit his account

K. W. Wright.

Vancouver File
EA/RF

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.
November 7th, 1956.

F. G. Shears, Esq.,
4615 West 9th Avenue,
Vancouver, B.C.

Dear Mr. Shears:-

I am directed to send you the Custodian's cheque No. A 29674 of today's date, in your favour, for $150.00 Can., in payment of services covering the period of August 1953 to December 1955, as per statement received with your undated letter.

I hope that this will find you in the very best of health and with kindest personal regards, I remain,

Yours very truly,

B. Arpin,
Vice Chairman of the Administration Board
and Comptroller.

CERTIFIED CORRECT:

DATE NOV - 6 1956

(Accountant in Charge)

APPROVED FOR PAYMENT:

DATE NOV - 6 1956

(XXXX Deputy Custodian)
For

CASHIER'S MEMO.

CHEQUE No. A-29674

DATE NOV - 6 1956

BANK Montreal

(Cashier's Initials)

DEPARTMENT OF SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

REQUISITION FOR CHEQUE

OTTAWA, NOV - 6 1956

FILE NO.

SECTION Administration

CHEQUE PAYABLE TO F. G. Shears,

RE Vancouver Japanese Evacuees Section

ADDRESS

CHEQUE TO BE FORWARDED TO Payee, (Name)
4615 West 9th Avenue, Vancouver, B. C. (Address)

IN THE AMOUNT OF
CAN. $ 150.00
U.S. $
£

PARTICULARS Vancouver Japanese Evacuees Section as per statement received Oct. 31, 1956.

CHARGE TO Japanese Evacuees Section.

(Requisitioned by)

BALANCE OF ACCOUNT AS AT
CAN. $
U.S. $
£

CERTIFIED CORRECT:
DATE NOV - 6 1956
(Accountant in Charge)

APPROVED FOR PAYMENT:
DATE NOV - 6 1956
(~~XXXX~~ Deputy Custodian)
For

CASHIER'S MEMO.

CHEQUE NO. A-29674

DATE NOV - 6 1956

BANK Montreal

(Cashier's Initials)

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN
JAPANESE EVACUATION SECTION

506 ROYAL BANK BLDG.
HASTINGS AND GRANVILLE

Ottawa, November 2nd, 1956.

MEMORANDUM FOR FILE

Re: Japanese Evacuees

The following is an excerpt from the Minutes of Meeting of the Administration Board Friday, November 2nd, 1956.

Present: Messrs. Wright, Arpin & Robitaille.

A copy of an undated letter received from F. G. Shears received October 31st, 1956, together with statement of account amounting to $150.00, were read.

The Board approved payment.

K. W. Wright,
Chairman of the Administration Board
and Chief Counsel.

KWW/G

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

506 ROYAL BANK BLDG.
HASTINGS AND GRANVILLE
VANCOUVER, B. C.

4615 West 9th Avenue

Vancouver B.C.

K.W.Wright Esq Q.C
Chief Council
Office of the Custodian
Victoria Building
Ottawa

Dear Mr Wright,

I enclose herein brief statement of matters which I have dealt with on behalf of the Custodian during the past three years. Will you kindly have this considered by the Administration Board and arrange for payment to be made at your convenience,

Yours very truly,

F.G.Shears

F.G.Shears

Paid approved by Adm Bd
Nov 2/56

OFFICE OF THE CUSTODIAN
RECEIVED
OCT 31 1956
PASS TO MR. Leblanc
FILE

chq to Vancouver Dep Evac Sect

pensation for previous services was for period April 1 1952 to June 19 1953

dication of matters since dealt with,-

August 1953		Tasoji Umakoshi Obtaining release for payment of Commissioner's award-previously refused.
"	"	Enquiry from R J.McMaster re Haney Box Company and concerning Income Tax
Sept.	"	Enquiry from Embassy Republic of Germany- Ottawa referred to Arpin
November	"	Reed Phipps re cancellation of Surety Bonding
March	1954	Canadian Legion re Uegama
"	"	Information re Mukai Fishing Vessels
May	"	Canada Mio Sonjinkai- File from Ottawa Interviews with J. A.MacLellan and Young concerning release of funds and advice to Ottawa
May	"	Kagetsu & Lynmore Saw Mills & correspondence Legault
June	"	Correspondence re Mukai Fishing Vessels
August	"	Interview with Fred Fiels & correspondence re Mukai
August	"	Massa Shin refundable portion of taxes paid
August	"	Cor espondence re Shoji and Kelowna Growers Company
Sep.	"	Review of Mukai matter & information for Mr Cameron
November		Otsuji Several interviews with Pierre Paris and with auctioneer Binnington and correspondence
December		Otsuji Further interview with above . Attending at Cour House and obtaining copy of Conditional Bill of Sale
December		Minami Trading Co Correspondence- Information from Bank and Dun & Bradstreets re Ford Import Co
December		Enquiry from Hama- & correspondence re War savings certificates
January	1955	Further interviews with J.M.Ford re Minami Trading. Securing payment of $2,848.36 and full report
January	"	Otsuji Summary of correspondence & interviews
April	"	Minami Trading. Final interview & letter to Ford.
June	"	Fusa Tanaka. Telegraph enquiry Legault and investigation & reply
July	"	Mimori deceased enquiry & reply Fillmore Hayman-Lelowna
October	"	Kaminishi Estate re credit $2,250
December	"	Kaminishi Estate-Attending Land Registry Office & obtaining Certificate of Incumbrance

1956 Present negotiations with Field re destruction of records

Certified correct

Fee for above services $150.00

J.G. Thears

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.

October 11th, 1956.

F. C. Shears, Esq.,
4615 West 9th Avenue,
Vancouver 8, B.C.

Dear Mr. Shears:

Re: Compensation for services

The statement outlining matters which you have dealt with since August 1953 was presented to the members of the Administration Board yesterday.

The Board requested me to return the statement and ask you to send it back to us with a notation at the end as follows:

Certified correct

Fee for above services $

_____

F. C.Shears

Following receipt the Board will give the matter of payment immediate attention.

Yours very truly,

K. W.Wright,
Chairman of the Administration Board
and Chief Counsel.

KWW/G
Encl.

January " Otsuji Summary of correspondence & interviews

April " Minami Trading. Final interview & letter to Ford.

June " Fusa Tanaka. Telegraph enquiry Legault and investigation & reply

July " Mimori deceased enquiry & reply Fillmore Hayman-Lelowna

October " Kaminishi Estate re credit $2,250.

December " Kaminishi Estate-Attending Land Registry Office & obtaining Certificate of incumbrance

1956 Present negotiations with Field re destruction of records.

Compensation for previous services was for period
April 1 1952 to June 19 1953

Indication of matters since dealt with,-

August 1953 Tasoji Umakoshi Obtaining release for payment of Commissioner's award-previously refused.

" " Enquiry from R.J. McMaster re Maney Box Company and concerning Income Tax

Sept. " Enquiry from Embassy Republic of Germany - Ottawa, referred to Arpin

November " Reed Phipps re cancellation of Surety Bonding

March 1954 Canadian Legion re Uegama

" " Information re Mukai Fishing Vessels

May " Canada Mio Sonjinkai - File from Ottawa Interviews with J.A. MacLellan and Young concerning release of funds and advice to Ottawa.

May " Kagetsu & Lynmore Saw Mills & correspondence Legault

June " Correspondence re Mukai Fishing Vessels

August " Interview with Fred Field & correspondence re Mukai

August " Massa Shin refundable portion of taxes paid

August " Correspondence re Shoji and Kelowna Growers Company

Sept. " Review of Mukai matter & information for Mr. Cameron

November " Otsuji Several interviews with Pierre Paris and with auctioneer Binnington and correspondence

December Otsuji Further interview with above -Attending at Court House and obtaining copy of Conditional Bill of sale

December Minami Trading Co Correspondence - Information from Bank and Dun & Bradstreets re Ford ImportCo.

December Enquiry from Hama- & correspondence re War Savings Certificates

January 1955 Further interviews with J.M. Ford re Minami Trading. Securing payment of $2,848.36 and full report.

January " Otsuji Summary of correspondence & interviews

April " Minami Trading. Final interview & letter to Ford.

June " Fusa Tanaka. Telegraph enquiry Legault and investigation & reply

July " Mimori deceased enquiry & reply Fillmore Hayman-Lelowna

October " Kaminishi Estate re credit $2,250.

December " Kaminishi Estate-Attending Land Registry Office & obtaining Certificate of incumbrance

1956 Present negotiations with Field re destruction of records.

Ottawa, February 7, 1956.

MEMORANDUM for Mr. K. W. WRIGHT.

I refer to the third paragraph of a letter, attached hereto dated December 19, 1955, from Mr. F. G. Shears.

It is correct that I have corresponded with him on several occasions during the years 1954 - 1955 concerning Japanese matters which were previously handled by our Vancouver Office.

Matters concerning the Estate of K. Kaminishi, (File no. 58613), Deep Bay Logging Company (File no. 16700) and Rito Otsuji (File no. 16756, Volume 5) are only a few of the numerous cases on which Mr. Shears was asked to render his assistance during the above mentioned period.

OFFICE OF THE CUSTODIAN
RECEIVED
FEB 8 1956
PASS TO MR. HARPIN
FILE

L. Lapointe,
Administrative Officer.

LL/EMM.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

508 ROYAL BANK BLDG.
HASTINGS AND GRANVILLE
VANCOUVER, B. C.

6131

To

OFFICE OF THE CUSTODIAN
RECEIVED
JAN 23 1956
PASS TO MR ARPin
FILE

4615 "est 9th Avenue
Vancouver B.C.
January 21st 1956

W.W.Wright Esq., Q.C.
Office of the Custodian
Victoria Building
Ottawa

Dear Mr Wright,

Thank you very much for your letter of Dec. 29th enclosing copy of Administration Board minute of December 28th.

I have not yet looked into the matter of making an analysis of work done on behalf of the Custodian but I will be pleased to do so and let you have a statement in due course,

Yours very truly,

F.G.Shears

F.G.Shears

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.

December 29th, 1955.

F. G. Shears, Esq.,
4615 West 9th Avenue,
Vancouver, B.C.

Dear Mr. Shears:

Re: Compensation for Services

I have for acknowledgment your communication of 19th instant.

I enclose herewith copy of minute of the Administration Board under date of 28th instant. Will you be kind enough to let me have the required information in order that I may bring the matter to the attention of the Board early in the New Year.

Yours very truly,

K. W. Wright,
Chairman of the Administration Board
and Chief Counsel.

KWW/G
Encl.

K. W. Wright,
Chairman of the Administration Board
and Chief Counsel.

KWW/G

Ottawa, December 28th, 1955.

MEMORANDUM FOR FILE

Re: F. G. Shears
Compensation for Services

The following is an excerpt from the Minutes of Meeting of the Administration Board Wednesday, December 28th, 1955.

Present: Messrs. Wright, Beckett, Arpin and Robitaille.

A letter dated December 19th, 1955, from Mr. F. G. Shears, was read.

The Chairman reported that he had discussed this matter with Mr. Legault with a view to obtaining information in connecton with the cases which Mr. Shears has been asked to look into.

The only record of such assignments appear on our individual files and we do not have a list of these. The Board decided that under the circumstances it would be necessary for the Chairman to request Mr. Shears to examine his copies of reports submitted and furnish us with a statement as to the time spent on each case. Mr. Shears should also express an opinion as to what he considers would be a fair charge in each case. When this report is received the Board will give careful consideration to payment of the account.

It was agreed that Mr. Shears is entitled to be paid for the reason that if he had not been retained it would have been necessary for us to engage the services of solicitors or agents. Mr. Shears is familiar with our work and it is doubtful if reports from others would have proved as satisfactory for our purposes.

K. W. Wright,
Chairman of the Administration Board
and Chief Counsel.

KWW/G

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

[illegible] BLDG.
[illegible] GRANVILLE
VANCOUVER, B. C.

OFFICE OF THE CUSTODIAN
RECEIVED
DEC 22 1955
PASS TO MR. Legault
FILE

4615 West 9th Avenue

December 19th 1955

K.W.Wright Esq.,
Office of the Custodian,
Ottawa

Dear Mr Wright,

On Sepember 28th 1953 the Secretary of State approved a payment to me covering about 15 months services, subsequent to the closing of the Vancouver office. When I express my thanks at that time I indicated that while I anticipated that the 'end' had about been reached, that I would still be glad to be of any assistance possible at any time, and this of course still remains true.

In regard to what has transpired since that time,if it were thought that this could be put to the credit of our fine personal relations with you and the Ottawa office during the time of our employment, I would be quite content and not press the matter. However, if the Custodian's office felt that it had any obligation and wished to recognize this in any way, you might think it in order to take the matter up with the Administration Board.

I am afraid that I have not kept any very accurate record of the time I have spent on Custodian matters. As you know, there have been requests that you have made from time to time and I have also had letters from Mr Legault and others. Correspondence in reply to letters from your office, do of course, require some investigation apart from the actual writing of the letter in reply. I have arranged and had interviews with various people including visits to the Court House and Land Registry office, &c. However, I would think that any recogintion would have to be on a purely arbitrary basis for services in a general way. I am not submitting this as a formal request but any consideration which may be given to this would be appreciated.

May I extend to you and others at the office, sincere Chritsmas greetings and kind regards,

Yours very truly

F.G.Shears

F.G.Shears

Mr. Legault
Please speak to me re this
K.W.W.
23/12/55

CASHIER'S MEMO.

CHEQUE NO. A-24540

DATE SEP 25 1953

BANK C n/c

(Cashier's Initials)

Victoria Bldg., 7 O'Connor Street,
Ottawa 4, November 19th, 1953.

Financial Section
EA/AB.

Messrs. Reed, Phipps & Davies Ltd.,
829 West Hastings Street,
Vancouver, B.C.

Dear Sirs,

I am returning herewith, duly signed, cancellation form which you have sent Mr. Frank G. Shears on November 3rd, 1953.

Yours very truly,

E. Arpin,
Member, Administration Board
and Comptroller.

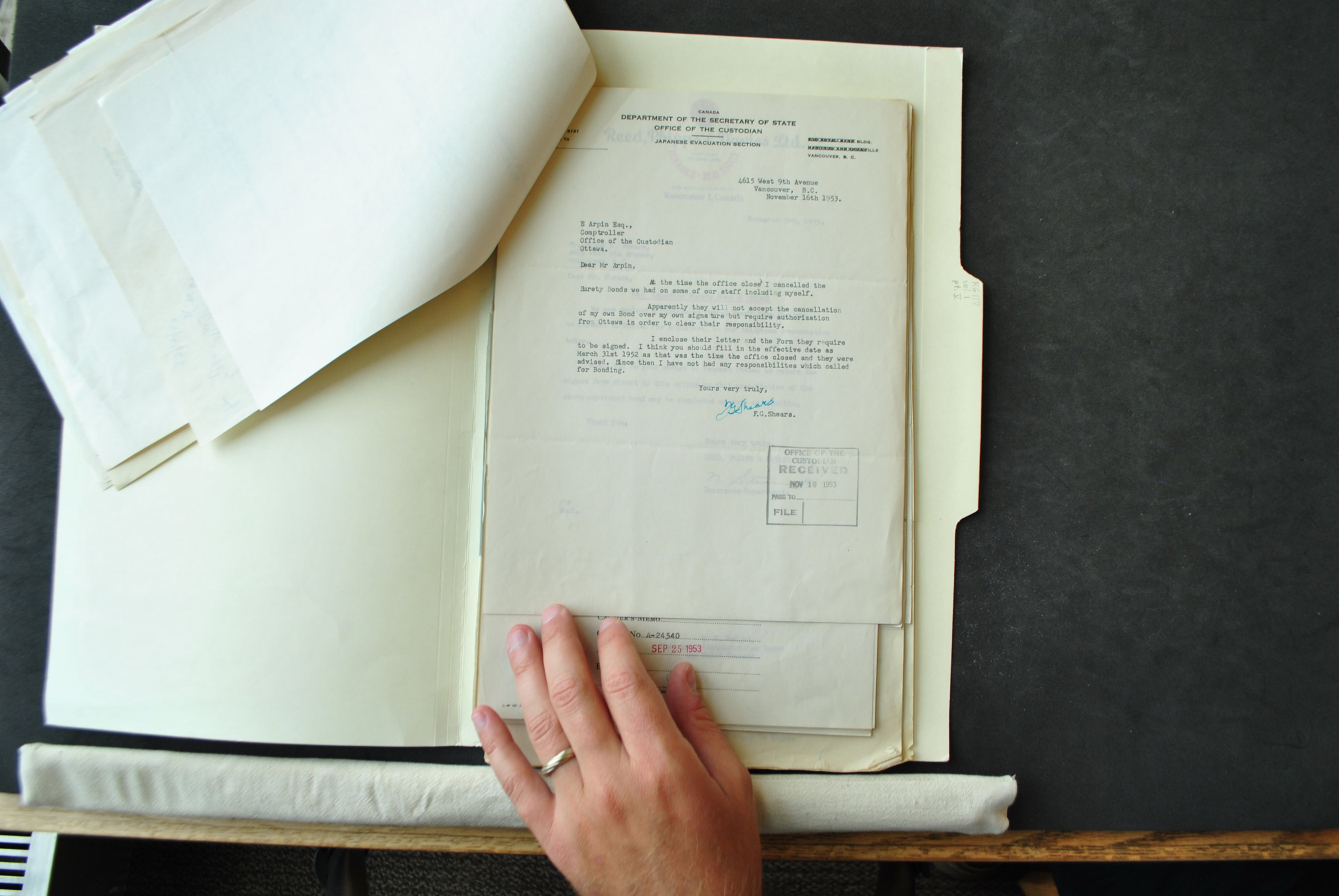
CASHIER'S MEMO.

CHEQUE NO. A-24540

DATE SEP 25 1953

BANK C n/a

(Cashier's Initials)



CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN
JAPANESE EVACUATION SECTION

[redacted] BLDG.
[redacted] AND [redacted]
VANCOUVER, B. C.

4615 West 9th Avenue
Vancouver, B.C.
November 16th 1953.

E Arpin Esq.,
Comptroller
Office of the Custodian
Ottawa.

Dear Mr Arpin,

At the time the office close I cancelled the Surety Bonds we had on some of our staff including myself.

Apparently they will not accept the cancellation of my own Bond over my own signature but require authorization from Ottawa in order to clear their responsibility.

I enclose their letter and the Form they require to be signed. I think you should fill in the effective date as March 31st 1952 as that was the time the office closed and they were advised. Since then I have not had any responsibilites which called for Bonding.

Yours very truly,

F.G.Shears.

OFFICE OF THE CUSTODIAN
RECEIVED
NOV 19 1953
PASS TO.....
FILE

No. A-24540
SEP 25 1953

Reed, Phipps & Davies Ltd.

TELEPHONE
MA RINE 1245

INSURANCE · REAL ESTATE

639 WEST HASTINGS ST
Vancouver 1, Canada

November 3rd, 1953.

Mr. Frank G. Shears,
4615 West 9th Avenue,
Vancouver, B.C.

Dear Mr. Shears,

Re: Canadian Surety Bond # 181961

We now enclose a "Notice to Cancel Bond" form for you to forward to Ottawa for signature, as per telephone conversation today.

Would you be good enough to request Ottawa to return the signed form direct to this office so that cancellation of the above captioned bond may be completed as soon as possible.

Thank you.

Yours very truly,
REED, PHIPPS & DAVIES LTD.,

Insurance Department.

/ns
Encl.

CASHIER'S MEMO.
CHEQUE No. A-24540
DATE SEP 25 1953
BANK C n/c
(Cashier's Initials)

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

506 ROYAL BANK BLDG.
HASTINGS AND GRANVILLE
VANCOUVER, B. C.

Dear Ken.

Put this aside unless you or Mr Arpin think it falls into a routine matter for consideration.

In effect the compensation now paid to me is equal to seven months service at the rate of my final salary. If my pension was computed on these revised figures I presume that it would have increased somewhat. I am afraid that I dont know whether it would only make a difference of a dollar or so a month or whether it might change it by several dollars a month and which if I live for a number of years might be a worth while difference.

I arrive at 7 months as follows.-

Now paid	3	"	1/2	"	"	1575	
"	3	"	1/2	"	"	760	(Should have been $787.50)
"	6	"	1/3	"	"	1050	
"	3	"	1/6	"	"	260	(" " $262.50)
						3645	
The two differences noted						30	
This is 7 months at $525						3675	

It may be that the Superannuation Act has some provision for a change in the rate established if further employment would change the amount. You have reimbursed the Superannuation Branch the amount of $682.12 on account of this extra service so by the same token perhaps the extra service should be computed to arrive at the pension rate.

However sometime when Mr Arpin is not too busy he might give the matter the once over and dispose of it one way or another.

OFFICE OF THE CUSTODIAN
RECEIVED
OCT 5 1953
PASS TO MR ARPIN
FILE

CASHIER'S MEMO.

CHEQUE No. A-24540

DATE SEP 25 1953

BANK C a/c

(Cashier's Initials)

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

508 ROYAL BANK BLDG.
HASTINGS AND GRANVILLE
VANCOUVER, B. C.

CUSTODIAN
RECEIVED
OCT 5 1953
PASS TO
FILE

4615 West 9th Avenue
Vancouver-8 B.C.
October 1st 1953

K.W.Wright Esq., Q.C.
Chief Counsel
Office of the Custodian
Ottawa.

Compensation for services.

Dear Mr Wright,

I am in receipt of your letter of September 28th., enclosing cheque for $2,962.88

The consideration which has been given to this matter by the Administration Board is appreciated, and I would also like to thank the Deputy Custodian for his approval of the settlement.

From the start of my connection with the Vancouver office in war time, while the matter of remuneration was of course necessary, it has always been my aim to render a service to the full extent of my energy and ability.

Having reached the present time, I do not imagine there can be many matters which will crop up, which cannot be dealt with in a routine manner at Ottawa. In so far as the outstanding Deep Bay settlement, I cannot see what they hope to gain by further delay. I feel that the whole matter has been carefully reviewed. We have made our position perfectly plain and their disagreement with Government policy is a matter to which they will have to reconcile themselves. However you may rest assured that if I can give help at any time in regard to this or any other matter, I will be very glad to do so.

I am happy to thank you for your co-operation during the years, both at Vancouver and Ottawa. Kindly give my regards to other members of your staff with whom I am acquainted.

Yours sincerely,

F.G.Shears

F.G.Shears.

CASHIER'S MEMO.

CHEQUE NO. A-24540

DATE SEP 25 1953

BANK C n/c

(Cashier's Initials)

Financial Section
EA/RF

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.
September 28th, 1953.

A. Gagnon, Esq.,
Chief,
Superannuation Branch,
Tunney's Pasture,
O t t a w a.

Dear Mr. Gagnon:-

Re: Suggested compensation to F. G. Shears for services rendered by him to the Custodian since the closing of the Vancouver Branch of the Custodian's Office (April 1, 1952) to end of June 1953.

Further to my interview with you last August, I attach hereto copy of my memorandum for your file; also the Custodian's cheque No. A24540 of the 25th of September, 1953, in favour of "The Receiver General of Canada", for $682.12 Can., being the amount required to adjust Mr. Shears' superannuation at your Branch.

Hoping that this will be found satisfactory,

I remain,

Yours very truly,

E. Arpin,
Member, Administration Board
and Comptroller.

CERTIFIED CORRECT:

DATE SEP 25 1953

(Accountant in Charge)

APPROVED FOR PAYMENT:

DATE SEP 25 1953

for XXXXXXXXX (Custodian)

CASHIER'S MEMO.

CHEQUE No. A-24540

DATE SEP 25 1953

BANK C a/c

(Cashier's Initials)

DEPARTMENT OF SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

REQUISITION FOR CHEQUE

OTTAWA, SEP 25 1953

FILE NO.

SECTION Administration

CHEQUE PAYABLE TO The Receiver General of Canada ---

RE Refund to Superannuation Branch ---

ADDRESS Tunney's Pasture, Ottawa ---

CHEQUE TO BE FORWARDED TO The Superannuation Branch, (Name)
Tunney's Pasture, Ottawa. (Address)

IN THE AMOUNT OF
CAN. $682.12---
U.S. $
£

PARTICULARS Refund of annual allowance paid to Mr. S.G. Shears from the 1st April, 1952, to 19th June, 1953. (Deducted from $3,645.00 payable to Mr. S.G. Shears, cheque #A-24539)

CHARGE TO Japanese Evacuation - Administration Section ---

(Requisitioned by)

BALANCE OF ACCOUNT AS AT
CAN. $
U.S. $
£

CERTIFIED CORRECT:
DATE SEP 25 1953
(Accountant in Charge)

APPROVED FOR PAYMENT:
DATE SEP 25 1953
for ~~XXXXXXXX~~ Custodian)

CASHIER'S MEMO.
CHEQUE NO. A-24540
DATE SEP 25 1953
BANK C a/c
(Cashier's Initials)

Victoria Building,
7 O'Connor Street,
Ottawa 4, Ontario.

September 28th, 1953.

F. G. Shears, Esq.,
4615 West 9th Avenue,
Vancouver, B.C.

Dear Mr. Shears:

Re: Compensation for services from April 1, 1952 to June 19, 1953.

The Secretary of State has approved payment of your account in the sum of $3,645.00 for services rendered from April 1, 1952 to June 19, 1953.

Enclosed you will find cheque for $2,962.88. You understand that the balance $682.12 is due to the Superannuation Branch to adjust your account. A cheque for this amount is also being forwarded to them.

Although it has been possible to clear recent correspondence without troubling you for information, doubtless some problems may arise which will entail your advice and in such event we will not hesitate to communicate with you.

There are still outstanding awards in connection with Mr. Justice Bird's enquiry including the Deep Bay Logging Company. We will get around to these as soon as time permits, and I believe that this is one field in which your assistance may be required.

We have been unduly pressed with so many other matters that the problem of fixing a cut off date for acceptance of such awards has not been determined. My own view is that in the not too distant future we should inform the few remaining claimants that unless they are prepared to take the awards and sign releases the Government will erase their decision to abide the recommendation of the Commissioner.

If you could unofficially suggest this to Mr. T. G. Norris, Q.C. at an appropriate time without disclosing that you have heard from me, they might decide to take our offer speedily. I am sure you would be as happy to see the end of it as we would be

You will observe that the Income Tax has not been deducted.

Again thanking you for your cooperation which has proved so helpful to the office and to me personally.

Cordially yours,

K. W. Wright,
Chairman, Administration Board
and Chief Counsel.

KW*/C
Encl.

DEPARTMENT OF SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

REQUISITION FOR CHEQUE

OTTAWA, SEP 2 1953

FILE NO.

SECTION Administration

CHEQUE PAYABLE TO F. G. Shears ---

RE Administration ---

ADDRESS Vancouver, B.C. ---

CHEQUE TO BE FORWARDED TO Payee --- (Name)

(Address)

IN THE AMOUNT OF
CAN. $ 2,962.88---
U.S. $
£

PARTICULARS Payment of services rendered from 1/4/52 to 19/6/53 (As per memorandum by the Deputy Custodian (21/9/53) approved by the Custodian 24/9/53)..... $3,645.00
Less refund to Superannuation Branch..... 682.12
Net amount..... $2,962.88

CHARGE TO Japanese Evacuation - Administration Section ---

(Requisitioned by)

BALANCE OF ACCOUNT AS AT
CAN. $
U.S. $
£

CERTIFIED CORRECT:
DATE SEP 25 1953
(Accountant in Charge)

APPROVED FOR PAYMENT:
DATE SEP 25 1953
for ~~Assistant~~ Deputy Custodian)

CASHIER'S MEMO.
CHEQUE NO. A-24539
DATE SEP 25 1953
BANK C a/c
(Cashier's Initials)

DEPARTMENT OF THE SECRETARY OF STATE
OF CANADA

OFFICE OF THE CUSTODIAN
RECEIVED
SEP 25 1953
PASS TO MR ARPIN
FILE

Ottawa, September 21, 1953.

MEMORANDUM

FOR THE SECRETARY OF STATE AND CUSTODIAN

Re: Suggested compensation to Mr. F.G. Shears for services from April 1, 1952 to June 19, 1953.

The Vancouver Branch of the Custodian's Office was closed on 31st March, 1952, but the closing of the office did not bring an end to every matter which had been dealt with in thousands of files during the 10 years of administering the affairs of Japanese enemies and evacuees.

It was therefore deemed necessary to retain the services/of Mr. F. G. Shears, who had served as Director up to the closing of the office for the reason that outstanding matters could best be dealt with locally. Although the question of remuneration for such services was not specifically arranged, it was understood that Mr. Shears would be compensated on the basis of time expended on our behalf. The members of the Administration Board and Mr. Shears agree that the work is now virtually completed and Mr. Shears has therefore recently submitted a statement of account amounting to $3645. for his services from April 1, 1952 to June 19, 1953, which is drawn on the basis of his former salary of $525. per month, detailed as follows:

3	months	at	former	rate	$1575
3	"	1/2	"	"	760
6	"	1/3	"	"	1050
3	"	1/6	"	"	260
			Total		$3645

The material submitted by Mr. Shears in support of the account discloses that for the first three months Mr. Shears devoted practically all of his time to the work, but that as it gradually tapered off it appears appropriate to adopt a sliding scale.

I wish to point out that, due to such arrangement, office rental and other expenses were eliminated, while the matters were more satisfactorily handled and disposed of by reason of Mr. Shears' presence in Vancouver and of his experience and knowledge of the problems raised. There was the claim by Mrs. Masuye Jinnouchi (one of the few

...

claimants who pressed for special treatment and compensation after and notwithstanding the report of Mr. Justice Bird as commissioner under the Inquiries Act). In that case your predecessor authorized the making of a compromise settlement for an amount of compensation not exceeding $3842.55 (to be paid by the Custodian) and Mr. Shears succeeded in settling the claim for $1942.55.

As Mr. Shears has been receiving a retiring allowance under the Civil Service Superannuation Act, it was necessary to confer with the Superannuation Branch of the Department of Finance to determine the amount which should be deducted in accordance with Superannuation Regulations. I have received a report indicating that on the basis of the foregoing $682.12 should be deducted.

I recommend payment of the account in the sum of $3645.00 through the issuance of two cheques, one payable to Mr. Shears for $2962.88, and the other to the Receiver General of Canada for $682.12 to be furnished to the Superannuation Branch of the Department of Finance for the purpose of adjusting Mr. Shears' account.

C. Stein,
Under Secretary of State
and Deputy Custodian.

Approved
24.9.53

Chairman Alien Bd.:
Please now carry out the decision.
25/9/53 C. Stein.

Ottawa, August 21st, 1953.

MEMORANDUM

FOR THE DEPUTY CUSTODIAN

Re: Suggested compensation to F. G. Shears for services rendered by him to the Custodian since the closing of the Vancouver Branch of the Custodian's Office (April 1,1952) to end of June,1953.

Reference is made to your memorandum of 17th. instant, relative to the above.

In accordance with your suggestion, the Comptroller discussed this matter with an officer of the Superannuation Branch and submitted the attached report to the Administration Board.

In view of this, the Board recommends that you authorize the issue of two cheques - one payable to Mr. Shears for the sum of $2812.88 and another to the Receiver General of Canada for $682.12, and that the latter cheque be sent to the Superannuation Branch to adjust Mr. Shears account.

As the correspondence relative to Japanese matters is being dealt with by this office, we do not expect that it will be necessary to retain Mr. Shears in the future. He has not performed any services for which he would expect remuneration since June 19, 1953, therefore the payment recommended covers his account to this date.

K. W. Wright
Chairman, Administration Board
and Chief Counsel

KWW/K

Ottawa 4, August 20th, 1953.

MEMORANDUM FOR THE CHAIRMAN,
ADMINISTRATION BOARD
AND CHIEF COUNSEL:-

Re: Suggested compensation to F. G. Shears for services rendered by him to the Custodian since the closing of the Vancouver Branch of the Custodian's Office (April 1, 1952) to end of June, 1953.

As suggested in the Deputy Custodian's memorandum of August 17th, 1953, I have called at the office of the Superannuation Branch on August 19th and I wish to report that the following section of the Civil Service Superannuation Act applies to Mr. F. G. Shears' case:-

"46. (1) Where a retired contributor to whom an annual allowance is being paid, is again employed in the public service but does not again become a contributor, the allowance shall be discontinued until he ceases to be so employed except that

(a) while the total of his annual rate of allowance and annual rate of compensation does not exceed eighteen hundred dollars, the allowance shall not be discontinued, and
(b) while the total exceeds eighteen hundred dollars the allowance shall not be discontinued if the excess does not exceed the annual rate of allowance but the annual rate of allowance shall be reduced by the amount of the excess.

(2) Where a retired contributor to whom an annual allowance is being paid is employed in the public service or receives remuneration for services performed in the public service for which he is paid at a rate of compensation established with reference to the time worked by him in the performance of services but for which no annual rate of compensation can be computed, there shall be deducted from subsequent payments of his allowance the amount by which the allowance and compensation paid to him in any month exceeds one hundred and fifty dollars, but not in excess of the allowance for that month."

.....2

On question No. 1 above, you may find that if the Superannuation Act and regulations allow payment of any remuneration to Mr. Shears, it is only on condition that his superannuation be discontinued for the period during which his services are to be remunerated. If so, you will have to ask the Superannuation Branch of the Department of Finance whether this can be done retrospectively in a sence, through deducting his pension from the amount of the remuneration that we may wish to pay him.

C. Stein

C. Stein,
Deputy Custodian

Per: M. Lamont

On the strength of this section I have prepared the following statement:-

6 months at former salary rate	$1,575.00
2 months at 1/2 former salary rate	$ 760.00
6 months at 1/3 former salary rate	$1,050.00
3 months at 1/6 former salary rate	$ 260.00
	$3,645.00

Mr. Shears is not entitled to allowance during 3 months at former rate ($94.04 x 3) $282.12

3 months at 1/2 of former rate, $760.00 represents $253.33 per month,- allowed $150.00 per month,- so Mr. Shears is to be deducted $83.33 per month ($83.33 x 3).....$250.00

6 months at 1/3 of former rate, $1,050.00 represents $175.00 per month,- as the amount allowed under section 46. (1), (a) & (b) is $150.00 - subsequently, there is the difference of $25.00 per month to be deducted (6 x $25.00).....$150.00

Total amount to be deducted	$682.12	$ 682.12
Amount to be remitted to Mr. Shears		$2,962.88

2,962.88

Note 1:-

3 months at 1/6 of former rate represents $86.66 per month, while entitled to $150.00 per month, so no allowance deductible.

Note 2:-

A cheque for $682.12 will be sent to the Superannuation Branch to adjust Mr. Shears' account.

E. Arpin,
Comptroller.

EA/RF

...June 19, 1953?

On question No. 1 above, you may find that if the Superannuation Act and regulations allow payment of any remuneration to Mr. Shears, it is only on condition that his superannuation be discontinued for the period during which his services are to be remunerated. If so, you will have to ask the Superannuation Branch of the Department of Finance whether this can be done retrospectively in a sence, through deducting his pension from the amount of the remuneration that we may wish to pay him.

C. Stein,
Deputy Custodian

Per: M. Lamont

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

CS/MD

RECEIVED
AUG 18 1953
FILE

Ottawa, August 17, 1953.

MEMORANDUM

FOR THE CHAIRMAN, ADMINISTRATION BOARD

Re: Suggested compensation to F. G. Shears for services rendered by him to the Custodian since the closing of the Vancouver Branch of the Custodian's Office (April 1, 1952) to end of June 1953

Please refer to your memorandum of the 9th ultimo, to the letter from Mr. Shears to you dated June 19th last and to its enclosure.

It appears to me quite fair to remunerate the services in question of Mr. Shears, but we shall have to bear in mind the two following points:

1. speaking from memory, I think there is a provision in the C.S. Superannuation Regulations fixing a ceiling on the annual remuneration or compensation which a retired civil servant may be paid out of Government funds over and above his pension. This you will have to please look into and if necessary discuss with the Superannuation Branch of the Department of Finance;

See CS $ Regs. 46 (1)(a)(b)

2. have the services of Mr. Shears come to an end, at least services for which he would expect remuneration, or are we liable to be presented later with a similar claim for services rendered since the end of June 1953? - Incidentally, I gather, but this should be checked, that his claim covers services up to the end of June 1953, though his letter is dated June 19th and his statement attached thereto covers the period from April 1, 1952 to June 19, 1953. Has he in fact rendered services after June 19, 1953?

On question No. 1 above, you may find that if the Superannuation Act and regulations allow payment of any remuneration to Mr. Shears, it is only on condition that his superannuation be discontinued for the period during which his services are to be remunerated. If so, you will have to ask the Superannuation Branch of the Department of Finance whether this can be done retrospectively in a sence, through deducting his pension from the amount of the remuneration that we may wish to pay him.

C. Stein

C. Stein,
Deputy Custodian

Per: M. Lamont

Ottawa, September 11th, 1953.

MEMORANDUM FOR FILE

Re: Suggested Compensation to Mr. F. G. Shears for services from April 1, 1952 to June 19, 1953.

The following is an excerpt from the Minutes of Meeting of the Administration Board Thursday, September 10th, 1953.

"A memorandum from the Deputy Custodian dated September 1st, 1953, was read.

The Board approved the memorandum to the Minister which the Chairman prepared for Mr. Stein's signature."

K. W. Wright.

KWW/G

G.G. Beckett,
Vice Chairman, Administration Board
and Associate Counsel.

"D R A F T"

GGB/AD

OTTAWA, September 3rd, 1953.

MEMORANDUM

FOR THE SECRETARY OF STATE AND CUSTODIAN

RE: suggested compensation to F.G. Shears for services rendered by him to the Custodian since the closing of the Vancouver Branch of the Custodian's Office (April 1, 1952 to end of June 1953

Mr. F.G. Shears joined the Vancouver office of the Custodian on the 1st of April, 1942 and was Director of that office at the time it was closed March 31st, 1952.

It became necessary almost immediately for this office to request Mr. Shears to attend to a number of matters which had been before the Vancouver office and which were not settled when that office was closed. Mr. Shears' close association, particularly with the whole Japanese situation, particularly the position of the evacuees and the activities of the Bird Commission made his continued help in dealing with these unfinished cases really invaluable to this office.

In addition and at that time, unknown to this office, Mr. Shears was being continually approached, for example by Solicitors in Vancouver who had dealt with him prior to March 31st, 1952. As Mr. Shears had given very considerable of his time, this office felt that he was entitled to some remuneration. I accordingly attach a statement dated August 20th, 1953, prepared by our Comptroller showing an amount of $2,962.88.

In all the circumstances, the Administration Board recommends that this amount be paid to Mr. Shears.

G.G. Beckett,
Vice Chairman, Administration Board
and Associate Counsel.

CS/MD

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

Ottawa, September 1, 1953.

MEMORANDUM

FOR THE ACTING CHAIRMAN, ADMINISTRATION BOARD

Re: suggested compensation to F. G. Shears for services rendered by him to the Custodian since the closing of the Vancouver Branch of the Custodian's Office (April 1, 1952) to end of June 1953

Please refer to my telephone conversation with you to-day and to the Chairman's memorandum for me of the 21st ultimo, also to the memorandum therein referred to of the Comptroller, dated the 20th ultimo.

Please submit for my signature a memorandum addressed to the Minister summarizing as briefly as possible the background, the question at issue and the solution recommended.

In preparing such memorandum you should bear in mind the following points:

1. there is a clerical error in the figures submitted by Mr. Shears (p. 3 of his letter of June 19th last) which the Comptroller repeats on p. 2 of his memorandum of the 20th ultimo, namely the remuneration for three months at the rate of $525 is given as $1525, whereas this should be $1575. - I had made the correction in red pencil on the copy of the said letter of Mr. Shears which was attached to the Chairman's memorandum for me of July 9th last, but I realize now that this copy has remained in my office since the receipt of that memorandum and that I omitted to mention this correction in my memorandum for the Chairman of the 17th ultimo;

2. if as stated in the last paragraph of the Chairman's memorandum of the 21st ultimo (see in this connection paragraph 2 of my memorandum of the 17th ultimo) Mr. Shears worked for the Custodian only up to June 19, 1953, his proposed remuneration should not go beyond that date, whereas the Board's recommendation to me is for remuneration

....

covering fifteen full months, in other words and more precisely, including the whole month of June 1953.

Please confirm my understanding that the Board has applied subsection (1), not subsection (2), of s. 46 of the Superannuation Act, quoted in the Comptroller's memorandum of the 20th ultimo.

It would appear that the basis of remuneration recommended by the Board is one for which an annual rate can be computed and that it is therefore subsection (1) which governs the case. — It may be that the result would be the same (or almost) under subsection (2), but I have not checked this. — At the moment of dictating this memorandum I note that on p. 2 of the Comptroller's memorandum of the 20th ultimo reference is made specifically to subsection (1) (a) and (b) of s. 46 in connection with the proposed remuneration of $175 per month for six months (1/3 of what used to be the salary of Mr. Shears) from which $25 per month is to be deducted.

C. Stein

C. Stein,
Deputy Custodian.

August 21, 1953.

MEMORANDUM FOR FILE

Re: Suggested compensation to F.G.Shears for services rendered by him to the Custodian since the closing of the Vancouver Branch of the Custodian's Office (April 1, 1952) to end of June, 1953.

The following is an excerpt from the Minutes of Meeting of the Administration Board held Friday, August 21st.,1953.

"A memorandum from the Deputy Custodian dated August 17,1953 was read. The Comptroller also submitted a report of his interview with the Superannuation Board.

The Board decided that in view of this report the Deputy Custodian should be asked to authorize the issuance of two cheques, one payable to Mr. Shears for $2,812.88, and the other to the Receiver General of Canada for $682.12, and that the latter cheque be sent to the Superannuation Branch to adjust Mr. Shears' account.

The Board approved the Chairman's memorandum of to-day's date to the Deputy Custodian, to which was attached copy of the Comptroller's report of his interview with the Superannuation Branch."

K. W. Wright
Chairman, Administration Board
and Chief Counsel

Your approval of this recommendation would be appreciated.

K. W. Wright,
Chairman, Administration Board
and Chief Counsel.

KWW/G
Encls.

Ottawa, July 22nd, 1952.

F. C. Shears, Esq.,
4615 West 9th Avenue,
Vancouver, B.C.

Dear Mr. Shears:

I regret that there has been some delay in writing relative to the termination of your services, but understand that arrangements have now been completed in connection with your Superannuation and that, as of July 1st, 1952, you are on the rolls of the Superannuation Branch.

I wish to take this opportunity on behalf of the Minister and the Custodian's Organization as a whole, to express appreciation for your co-operation and the splendid service rendered during the many years you were associated with us.

I have no doubt that you welcome the rest and freedom afforded now that you have been relieved of solving the variety of problems and performing the enumerable tasks which were assigned to you as Director of our Vancouver Branch.

It is my privilege to record that you successfully carried your full share of these responsibilities, and I wish to extend to you my very best wishes for success and happiness in the future.

Yours sincerely,

C. Stein,
Under Secretary of State
and Deputy Custodian.

Your approval of this recommendation would be appreciated.

K. W. Wright,
Chairman, Administration Board
and Chief Counsel.

KWW/G
Encls.

Ottawa, July 9th, 1953.

MEMORANDUM FOR FILE

Re: F. G. Shears - Compensation

The following is an excerpt from the Minutes of Meeting of the Administration Board Thursday, July 9th, 1953.

"A letter from Mr. F. G. Shears dated June 19th, 1953, with copy of report relative to compensation for services rendered since the Vancouver Office closed, were read.

Mr. Shears had been requested by this office to attend to enumerable matters, and his report shows the amount of correspondence and interviews carried on by him since the Vancouver Office closed.

The Board agreed that the best interests of the office have been served through the engagement of Mr. Shears instead of retaining local solicitors or agents leas experienced in our type of work.

A memorandum was sent to the Deputy Custodian recommending that the sum of $3312.88 be paid to Mr. Shears. This amount is arrived at by deducting three month's pension (Mr. Shears received $94.04 per month pension) from the amount named in the alternative claim, viz. 3595."

K. W. Wright.

KWW/G

alternative claim, viz. $3595.

Your approval of this recommendation would be appreciated.

K. W. Wright,
Chairman, Administration Board
and Chief Counsel.

KWW/G
Encls.

Ottawa, July 9th, 1953.

MEMORANDUM FOR THE DEPUTY CUSTODIAN

Re: F. G. Shears - Compensation

I attach copy of communication and enclosure received from Mr. F. G. Shears under date of 19th ultimo relative to compensation for services rendered since the Vancouver Office was closed.

As you are aware, the Board found it necessary to request Mr. Shears to attend to enumerable matters and unquestionably his services have proved invaluable in clearing up problems that could best be dealt with "on the spot" by one with complete knowledge, not only of the background of individual cases but office policy as well.

As indicated during earlier conversations it was understood that due consideration would be given to the matter of compensation for such services at the appropriate time.

Your attention is drawn to the fact that the settlement effected in the Jinnouchi case in itself resulted in a saving of $1,942.55 in so far as our Administration Fund was concerned, as the Minister approved negotiating a settlement up to $3,842.55.

In the Board's opinion the best interests of the office have been served through engagement of Mr. Shears, instead of retaining local solicitors or agents less experienced in our type of work.

As Mr. Shears points out there appear to be very few outstanding matters and after careful study the Board has agreed to recommend for your consideration payment of the sum of $3312.88. This amount is arrived at by deducting three month's pension (Mr. Shears receives $94.04 per month pension) from the amount named in the alternative claim, viz. $3595.

Your approval of this recommendation would be appreciated.

K. W. Wright,
Chairman, Administration Board
and Chief Counsel.

KWW/G
Encls.

Ottawa, July 8th, 1953.

MEMORANDUM FOR FILE

Re: F. G. Shears - Compensation

The following is an excerpt from the Minutes of Meeting of the Administration Board Wednesday, July 8th, 1953.

"A communication from Mr. F. G. Shears dated 19th ultimo, was read.

It was agreed that the Chairman should prepare a memorandum to the Deputy Custodian and attach copy of Mr. Shear's letter for his consideration."

K. W. Wright.

KWW/G

motto "Multum in Parvo"

" 6 Reply to Takanabe
" To New Canadian- re Custodian subscription
" To K.W.Wright re error in B.C Telephone account
Further correspondence -securing refund and settlement.
" 5 From Norwich Union Agencies- re Fidelity Bonds
" Replies concerning same
" 10 From D.Sinclair re Marpole Japanese Language School
Letter and several interviews with Mr Sheppard-Locke Lane Co-
From Mr Sheppard with Legal opinion
TO K.W.Wright re above.
" 12 Request from Tagashira re funds
" 16 To K.W.Wright re above.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

VANCOUVER, B. C.

RECEIVED
JUN 23 1953
FILE

4615 West 9th Avenue
Vancouver- 8 B.C.
June 19th 1953.

K.W.Wright Esq., Q.C.
Chief Counsel,
Office of the Custodian,
Ottawa.

Dear Mr Wright:

It is now practically fifteen months since the office was closed in Vancouver. You are aware however that, as was expected, the closing of the office did not completely bring an end to every matter which had been dealt with in thousands of files during ten years of administration. There was no doubt also, that the handling of such matters could best be dealt with locally. For this reason I have been at your service since that time.

In the initial period especially, I very frequently felt that it would have been advantageous to have kept the office open for five or six months longer, for practically speaking I was fully engaged in Custodian matters during the whole of that time. Numerous enquiries came to me by telephone from various sources. Mr R.J.McMaster, who as you know, represented many hundreds of Japanese, continued to bring matters to my attention. By interviews with him and knowledge of the issues raised, these matters were satisfactorily dealt with and further consideration or action became unnecessary in so far as Ottawa was concerned.

I am enclosing something in the way of a list of correspondence during the time that has elapsed but it is not entirely complete. I think you will agree that the mere record of a letter being written, does not in itself, convey the amount of work or time involved. It is true to say, as would be expected in the nature of things, that correspondence and matters coming to the Custodian during this period, would fall outside the orbit of routine transactions and relate for the most part to matters which would require special consideration. This of necessity has entailed investigation and analysis before many of these letters could be properly dealt with. To list down "Letter to Mr Wright,-re Deep Bay" which for example occurs several times, has necessitated the study of hundreds of pages of transcript of evidence and exhibits, as well as calling on my memory of things which transpired during the presentation of this case before the Commissioner.

Whether I succeeded in epitomizing the subjects being dealt with, in letters of five or six pages, is for you to judge, but to be of the greatest help to you I considered that I should strive to fulfil the motto "Multum in Parvo"

" 6 Reply to Takanabe
" To New Canadian- re Custodian subscription
" To K.W.Wright re error in B.C Telephone account
Further correspondence -securing refund and settlement.
" 5 From Norwich Union Agencies- re Fidelity Bonds
" Replies concerning same
" 10 From D.Sinclair re Marpole Japanese Language School
Letter and several interviews with Mr Sheppard-Locke Lane Co-
From Mr Sheppard with Legal opinion
TO K.W.Wright re above.
" 12 Request from Tagashira re funds
" 16 To K.W.Wright re above.

Due to the fact that some matters had previously come under the administration of P.S.Ross & Sons, I have had to spend time at Mr Field's office, gathering information and discussing questions with him.

The friendly relationship which grew up between this office and the Custodian's legal adviser, Mr Sheppard, made it possible for me to call upon him from time to time. These extended interviews and his advice were not given to me on a professional basis, and no legal fees were involved

Some matters of a special nature took up considerable time and attention. You may remember the Jinnouchi case which had to be dealt with in view of the Commissioner's recommendation, and we were left open to a possible and probable award of over $3800. I feel that by your agreement to instruct me to handle this matter in the way I suggested, the settlement arrived at was most satisfactory, and effected a saving of over $1900 and yet at the same time left the claimant reasonably satisfied.

Tagashira who was associated with the Jinnouchi case, sought to have his own case re-opened and engaged Mr Arthur MacLennan as his Solicitor to act for him. I am positive that my personal interviews with Mr MacLennan, and being able to show that Tagashira's claim had no merit for being re-opened, caused them to drop the matter, otherwise I think it possible that you would have been pestered at Ottawa by political or other sources, as you have been in the Deep Bay case. In this and some other matters I have had informal talks with the Honourable Mr Justice Henry Bird, who always received me very kindly in his chambers.

I do not think that I wrote you regarding a legal suit which Tsuida brought against a Mr Arithison. Mr LeFeaux, acting for Tsuida was hoping to bring the Custodian into the picture, claiming that a Float House had been sold at a fraction of its value and that the Custodian should be held responsible. I was able to show Mr LeFeaux that there had been collusion between these two men of which we were not aware at the time of the sale, and that as a result of Arithison's undoubted double-crossing of Tsuida, that Tsuida had been "hoist by his own petard" due to his having witheld certain facts from us. LeFeaux sought to prove that the Float House vested in us and that we made the sale. I was able to convince him that in effect we divested when we allowed Tsuida to make his own arrangements for sale even although we prepared the Bill of Sale for Tsuida's signature. It was definitely Mr LeFeau's intention if at all possible to get the Custodian involved in this case. I had several lengthy interviews with him and went over our Orders-in-Council and he finally realized that he could not win any case against the Custodian and turned his attention on Arithison. I agreed to go into Court as a witness and do the best for his client in line with the facts. I could tell by the remarks made by the Judge that he appreciated my presentation of the Custodian's position.

Some Ottawa matters have been referred to me and I have made several trips to Haney and district, consulting with Mr Hal Menzies and inspecting the Draeger farm and reporting and also investigating on your behalfconcerning the righ-of-way for a Trans-Mountain Pipe line over Custodian property.

" 6 Reply to Takanabe
" To New Canadian- re Custodian subscription
" To K.W.Wright re error in B.C Telephone account
Further correspondence -securing refund and settlement.
" 5 From Norwich Union Agencies- re Fidelity Bonds
" Replies concerning same
" 10 From D.Sinclair re Marpole Japanese Language School
Letter and several interviews with Mr Sheppard-Locke Lane Co-
From Mr Sheppard with Legal opinion
TO K.W.Wright re above.
" 12 Request from Tagashira re funds
" 16 To K.W.Wright re above.

I have not kept any itemized list of all matters which I have dealt with, but I think the foregoing will give you an over-all picture and indicate the continuity of my service since the end of March 1952.

The question of remuneration for these services was not specifically arranged. I would think that we have now practically come to the end of the road in so far as any matters which will require much research. I would therefore appreciate consideration being given to the payment of an emolument at this time.

I realize that it will have to be computed on a somewhat arbitrary basis but I think it should be arrived at in relation to my former salary which was $525 a month or a total of $7875 for a fifteen month period. I do not think it would be at all out of line if I were compensated on an half time basis, which would amount to $3900.

It might be considered more desirable in view of the fact that the work has tapered off to compute it as follows,-

4 months	at former	rate	2100
6 "	1/3 "	"	1050
5 "	1/4 "	"	650
		Total	3800

I do feel that my former salary should continue for the first few months. If more of a sliding scale was thought necessary it might be figured,-

3 months	at former	rate	1525
3 "	1/2 "	"	760
6 "	1/3 "	"	1050
3 "	1/6 "	"	260
		Total	3595

Office rental and other office expenses have been eliminated and I believe that you folk at Ottawa will recognize that in effect the Custodian's office has continued in Vancouver and has performed a service, the value of which would at least be somewhat in line with the figures set out above.

I would therefore appreciate this matter being considered, with the assurance of my continued co-operation.

Yours very truly,

F.G.Shears

F.G.Shears

" 6 Reply to Takanabe
" To New Canadian- re Custodian subscription
" To K.W.Wright re error in B.C Telephone account
further correspondence -securing refund and settlement.
" 5 From Norwich Union Agencies- re Fidelity Bonds
" Replies concerning same
" 10 From D.Sinclair re Marpole Japanese Language School
Letter and several interviews with Mr Sheppard-Locke Lane Co-
From Mr Sheppard with Legal opinion
TO K.W.Wright re above.
" 12 Request from Tagashira re funds
" 16 To K.W.Wright re above.

<u>ef list of Custodian correspondence-</u> F.G.Shears.

1922

April 1. From J.C.C.A. re sporting trophies in Storage.
" 5 To " advising to whom delivered.
" 1 From Shumiatcher & McLeod, Regina- re Victor Wholesale cleaners
" 4 Reply regarding Release for Commissioners award.
" 3 To E.Arpin re contents Filing cabinets
" 4 Attending at Crone Storage.
Preparation _ typing list of contents sent E. Arpin.
" 3 To E.Arpin Information concerning Tagashira Account and Bonds
" 1 From Yonemotsu
" 5 Reply to Yonemotsu
" 5 To K.W.Wright re above concerning Power of Attorney & Enemy accounts
" 5 To E.Arpin re Electric light accounts
" 2 From Nagata
" 5 Reply to Nagata
" 5 To K.W.Wright concerning $39,000 held at Ottawa & Queen Charlotte Timber Co.
" 5 From Hidaka
" 8 Reply to Hidaka
" 8 To K.W.Wright concerning $28,000 held at Ottawa and Kasho Co.
" 12 From J.M.Gauthier re Electric light account
" 12 Correspondence and interview with J.A.MacLennan re B.C.Purchasers Association
" Interview with Fred Field re above
" 28 To K.W.Wright setting out position B.C.Purchasers & Wakabayashi
" 4 From Geo Tanaka re Aoka
" 28 To K.W.Wright with information re above
" 15 From P.S.Ross with enclosures from Japan re Shimotakashi loan to McNeil Co
Analysis of Files re above
" 28 To K.W.Wright re above
" 22 From Hidaka concerning previous correspondence
" 28 To J.C.C.A. re Victor Wholesale Cleaners
" 28 To Miss Boos- re Co-operative Committee charges
" 20 From Sakamoto Toronto re Furuya Trading Co Charter
Interview with Locke Lane Guild & Sheppard re above
" 28 To Sakamoto re above
" 21 From Uyeda Montreal-re Father's sale of Boat
" Reply to above- Repatriate.
" To K.W.Wright re disposition of funds from sale of above Vessel
" To K.W.Wright re Tagashira's request for release of funds
" 18 From Uyeda
" 27 Reply to Uyeda
" 28 To K.W.Wright suggesting reply to be sent to Uyeda
" Correspondencefrom Tanaka re Marpole Japanese Language Association
concerning distribution of Assets- Brief supporting same.
" Reply to Tanaka indicating our position
To K.W.Wright setting out the situation and referring to Files
" 26 From R.A.Hutchon-Ottawa with correspondence & request to inspect Draeger property
Arranging for inspection with Hal Menzies
Trip to Haney & Draeger property
K.W.Wright re the above
Full report to Mr R.A.Hutchon
" 29 From Reid Phipps re Fidelity Bonds
May 1 Reply to Reid Phipps
" 3 From Reid Phipps
" 1 From K.W.Wright concerning Japanese Language School
To K.W.Wright reporting various matters
" 5 From Cameron & Brewin-correspondence re Yamanaka- Claim for Accounts Receivable
TO K.W.Wright replies to above
" 1 From Takanabe re funds in his account
" 6 To K.W.Wright re above- funds previously refused.
" 6 Reply to Takanabe
" To New Canadian- re Custodian subscription
" To K.W.Wright re error in B.C Telephone account
Further correspondence -securing refund and settlement.
" 5 From Norwich Union Agencies- re Fidelity Bonds
" Replies concerning same
" 10 From D.Sinclair re Marpole Japanese Language School
Letter and several interviews with Mr Sheppard-Locke Lane Co-
From Mr Sheppard with Legal opinion
TO K.W.Wright re above.
" 12 Request from Tagashira re funds
" 16 To K.W.Wright re above.

May	17	From K.W.Wright re Deep Bay-Yamanaka-Campbell Brewin
"	25	To K.W.Wright Analysing correspondence and memos-suggesting attitude to take
"	20	From K.W.Wright re Tagashira
"	20	From Ohashi with correspondence re chattels
		Explanatory letter in reply
		To K. W.Wright with information re above.
June	5	From Nakagawa- Japan
		To K.W.Wright with reference to Enemy file re above matter
"		From Chindahl- Florida
		Reply to Chindahl
"	23	To K.W.Wright concerning the above
"	19	From Montreal Trust re Hirota & B.C.Pulp & Paper
"	23	Reply to Montreal Trust
		To K.W.Wright concerning above enquiry & enemy funds involved.
"	23	From K.W.Wright re disposition of Japanese Assets
		From K.W.Wright Correspondence re Deep Bay- Yamamota & Jinouchi
"		From Davis Hossie & Coy. Japan & Canada Trust & Kido
		Interview with Davis & Co
		TO K.W.Wright re above
"	24	From Davis & Co concerning missing payments transferred to Treasury Department
"	26	Reply to above
		Interview with Treasury Department securing information
July	19	To Davis & Co regarding cheques sent to Treasury Department
		From Davis & Co
"	7	From D.Sinclair re Hirota
	10	From D.Sinclair re Nakagawa
		Replies to above
"	11	Correspondence from K.W.Wright re Yamanaka-Jinnouchi & Brewin
"	16	From Chindagl Florida and reply.
"		To K.W.Wright re disposition of records received from Ross & Sons at
		Campbells Storage- Schedule of Records
"		From D.Sinclair re shipment.
"	31	From Davis & Co further information re Kido
		Interview with Mr Fred Field
Aug.	8	To Davis & Co concerning distribution made
"	11	From Davis & Co re above
		From Takimoto
"	6	To Takimoto in reply
		To K.W.Wright with information concerning above
"	14	From K.W.Wright re Douet
	16	To K.W.Wright in reply
"	28	From P.Douet & reply in detail
"	29	To E.Arpin re Salary sheets
"	18	From Reid Phipps re Fidelity Bonds
"	23	To Reid Phipps in reply
"	5	From K.W.Wright re Auditor Generals request for information concerning
		Suspence accounts and certain properties.
"	8	To K.W.Wright reply in full dealing with properties referred to.
"	30	From Umezuki re Newspaper files
"		To Umwzuki in reply
		From K.W.Wright re Jinnouchi claim - Authority to effect a settlement up
		to $3842-55. Several interviews with H.Clyne-Yorkshire Trust Co.
		Joint interviews with Clyne- Jinnouchi & family and Tagashira.
		Secured acceptance of $1900 in full settlement
		Prepared Form of Release and execution thereof by Jinnouchi
"	6	To K.W. Wright Reporting re above
"	12	From K. W. Wright concurring in settlement & forwarding cheque.
"	8	From D. Sinclair concerning enemy files.
"	13	Attending Campbells Storage & shipping records.
"	25	To E.Arpin re Allen and Norrington.
Sep.	8	From P. Douet.
"	17	To E. Arpin reviewing the above matter
"	27	From K. W. Wright with statements and memorandum re above
		To K.W.Wright in answer to above.
"	11	From K.W.Wright correspondence from External Affairs re Release of Assets
"	12	To K. W.Wright Analysis of correspondence relating to Assets held by
		Nationals and Naturalized Japanese.
"	12	From H.Clyne-Yorkshire Trust re Tagashira & Nishimura
		Reply to Clyne concerning chattels.
"	12	From H.Clyne re Watanabe
		Reply with information concerning Government policy
"	12	From H. Clyne re Onaka
		Reply to Clyne in regard to Enemy property
"	22	To K. W. Wright with information for reply to Clyne.

52		
Sep.	19	From Royal Bank- Nelson re Inouye
"		Interview with Royal Bank- Vancouver re Stale dated cheque
Oct.	14	To Royal Bank Nelson
		To E. Arpin re Outstanding Cheque
"	20	From E. Arpin re above
"	22	To Royal Bank Nelson.
"	16	From J.M.Gauthier re P.H.Russell
		Contacting Russell and reply
"	8	From D. Sinclair re Onaka Power of Attorney & assignment
		Reply to above
"	14	From Tamaru Japan re Life Insurance
		Interview with Sun Life Co re above
		To K. W. Wright with information and location of documents required
"		Interview with Mr Field and letter to K.W.Wright re Staff Records
Nov.		From Wakita re transfer of funds
"	6	To Wakita in reply
		To E. Arpin with information re above.
"		From Broomfield re Morino
"	4	To Broomfield re Income tax refunds & Treasury Department
"	6	To Broomfield re credit in Ledger
		To E. Arpin re above
"	20	From Broomfield re above
"	1	From Cohu & Co New York enquiring re status of company
"		Reply to above
"	6	To Registrar of Companies Victoria re above.
"	20	From First California Coy.re status of company
"		Reply to above
"	25	To Registrar of Companies Victoria re above.
"		From Manufacturers Life Toronto re Kinoshita
		Interview with Manufacturers Life Vancouver.
		To Manufacturers Life Toronto
		To K. W. Wright with information concerning the above
"	15	From D. Sinclair re Yada & Claims Commission
		Interview with Pratt Mitchell Barristers
		Interview with Braidwood- Gov, Counsel- perusing transcript
"	25	To D. Sinclair reporting fully on above
"		To D. Sinclair with information concerning legal fees -Claims Commission
Dec.	2.	From Matsushita- Japan concerning sale of property
		To K. W. Wright with information re above
"	2	From K. W. Wright re Sinclair's illness and files being handled.
		Reply to K. W. Wright re above
"	8	From K.W.Wright Further to above
"	11	From K.W.Wright re Tagashira
		Interview with J.A.MacLellan Barrister.
		To K.W.Wright re above.
"	16	From K. W. Wright enclosing correspondence Angus McInnes re Deep Bay claim
		Interview with Mr Justice Bird.
"	29	To K.W.Wright Analysis of above correspondence
"	2	From K W.Wright with correspondenec J.A.MacLellan re Tagashira for review of Commissioners award
"	11	To K. W. Wright Analysis of whole case
		Interview with Mr Justice Bird.
Jan	9	From K. W.Wright further to above
		Interview with J. .MacLellan
"	5	From K. W. Wright & correspondence Nasmyth & Maywood re Wakita
		Study of Commissioners reasons for award
		Interview with Mr Nasmyth & supplying information satisfactory to him
"	8	To K. W. Wright concerning the above.
"	6	From Bank of Montreal Hney- re Maple Ridge Co-op
		Interview with Mr Fred Field & examination of file & Winding up Report
"		To Bank of Montreal for further information and cheque
"	8	From Bank enclosing cheque
"	10	To K.W.WRIGHT concerning above, sending cheque & distribution suggested.
"	15	From Fred Field concerning above
"	12	From K. W. Wright re Wakita
"	15	From Accounting section re above
"	5	To Wakabayashi re B.C.Purchasers- Custodians interest in distribution for Enemy accounts.
"	16	From J.A.MacLellan Barrister concerning the above
"	8	From K.W.Wright re Deep Bay claim
"	19	From K.W.Wright re Sinclair- Deep Bay & other matters.
"	14	From Mr Napier re R.G.Bell
"	21	From K.W.Wright re Maple Rideg Co-op funds
"		From Nakagawa-Japan re Insurance policy

53		
Jan.	21	To Nakagawa re Insurance policy
		To K.W.Wright concerning above
"	21	From K.W.Wright re Sajiro Nose & Prudential Insurance
		Interview with Treasury Department (Miss Jackson)
		To K.W.Wright concerning advances made to Repatriates
"	19	From Johnston Garson Winnipeg re Canada Mio Coy.
"	28	To Johnston Garson concerning Winding up & distribution
		From Johnstone Garson enclosing Certificate
Feby	13	To Johnstone Garson re acceptability of Assignment
		Reply to above
		To K.W.Wright with summary of above & reference to Ledger account.
"	5	From K.W.Wright with further correspondence Angus McInnes Deep Bay
"	9	To K.W.Wright concerning Timber quantities Deep Bay
"	3	From Legault re Sadijiro Nose & Prudential Insurance
"	12	From Unakoshi Port William concerning Father's account
		Preparation of Form of Release
		To Unakoshi concerning availability of Credit balance & Commissioners award.
"	16	To K.W.Wright Full report re Tagashira & suggesting reply to J.A.MacLellan
"		From K.W.Wright re above & letter to McLellan concluding the matter
March	28	From K.W.Wright re Annual Report
"	17	To E.Arpin forwarding Index of Microfilm files
		Interview with W.W.Lefeaux re Tsuida. reviewing Custodian's position
		Further interviews and attendance at Court as Witness.
April	23	From Legault re Nikko Co-operative Books.
		Interviews with Mr Fred Field
		To Legault re above
May	14	To Legault re Japan & Canada Records.
		From K.W.Wright with further correspondence Angus McInnes re Deep Bay
"	7	To K.W Wright Final summary of the above
"	11	From K.W.Wright re above
"	13	To K.W.Wright concerning same
"	19	From K.W.Wright with reply to Angus McInnes.
"	27	From K.W.Wright re Nikko Co-operative
June	11	Interview Colonel Norris
"		To K.W.Wright re Nikko Co-operative
"	18	To Norris & Cumming Minshu Association & Nikko
"		From Hunter & Hunter re Christies Ltd.
"	19	To K.W.Wright Concerning Certificate of Title
"		To Hunter & Hunter- re the above.

Extract from the minutes of a meeting of the Honourable the Treasury Board, held at Ottawa, on the THIRTIETH day of JULY, 1952.

1952 AUG 5 AM 9 17
SECRETARY OF STATE

M.C.

T.B. 432287

SECRETARY OF STATE

The Board find that the undermentioned employee, having reached retirement age, is eligible, under the provisions of the Civil Service Superannuation Act, for retirement and to receive an allowance calculated on the following basis; and they approve the retirement of this employee and grant this allowance:

NAME	Frank Gould Shears
CLASS	Director, Office of the Custodian, Vancouver, British Columbia
AGE	67 years
DATE OF RETIREMENT	July 1, 1952
SERVICE	10 years, 3 months
AVERAGE SALARY PAST 10 YEARS	$5505.00
ANNUAL ALLOWANCE	$1128.52

(Monthly - $94.04)

D.M. Watters
Secretary.

Ottawa, March 21st, 1952.
Victoria Bldg., 7 O'Connor Street.

Financial Section
EA/AB.

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B.C.

Dear Mr. Shears,

Contents of your letter of March 6th, addressed to Mr. K.W. Wright, have been carefully noted.

I attach, hereto, a copy of Treasury Board letter dated November 17th, 1950, which is quite explanatory.

Furthermore, I am giving you below figures that speak for themselves:

Had you retired on April 1,1952, your yearly allowance would have been	$1,087.50
Retiring on July 1st, 1952, your yearly allowance will be	1,128.52
an increase of	41.02

I think you will readily see that ultimately you will benefit from the superannuation allowance based on the longer service.

Yours sincerely,

E. Arpin,

following examples show the tax payable in respect of the taxation year 1950, under each plan, by a married man without dependents, who retires on December 1st, while in receipt of a salary of $6,000 per annum and whose superannuation allowance is $3,600 per annum. For purposes of the illustration it is assumed that the employee's income in 1949, for purposes of the Income Tax Act, was $5,700 (net, after deducting $300 Superannuation Fund contributions) on which he paid a tax of $648.

COPY/CT
COPY/AB

TREASURY BOARD
CANADA

950-23

November 17, 1950.

The Under Secretary of State,
Department of the Secretary of State,
West, Block,
OTTAWA, Canada.

Dear Sir,

Order-in-Council of October 17th, 1950, P.C. 4701, amends the Civil Service regulations by addint a new Section 75A to authorize payments of cash gratuities in lieu of retiring leave where employees are retired under certain specified circumstances. The gratuity is the difference between the amount the employee would have received if he had been granted retiring leave and the amount he will receive as superannuation allowance for the same period. Before the Treasury can compute the gratuity, it will be necessary to know, first, the period of retiring leave for which the employee would have been eligible under Section 75, and, second, the monthly superannuation allowance he will receive.

In order that these cash gratuities may be paid promptly on cessation of service, departmental personnel officers should see that superannuation forms, Schedule A, are in the hands of the Superannuation Branch at least three months before the date the employee will cease active duty. Personnel Officers should also allow sufficient time to obtain the certificate of the Civil Service Commission as to the amount of retiring leave for which the employee would have been eligible under Section 75.

The se gratuities are liable for income tax in the year in which payments are made. In the interests of administrative simplicity, the Central Pay Office has been instructed to deduct tax at source by the use of the same formula as is currently employed for taxing retroactive pay increases paid to employees receiving salaries in excess of $5000 per annum.

In this connection, however, retiring employees should be reminded that when filing their T.1 returns they may exercise the option granted by Section 34 of the Income Tax Act for computing the tax payable on the gratuity. Under Section 34, a taxpayer may declare a gratuity of this kind not to be income for purposes of Part 1 of the Act, in which the tax payable on the gratuity is computed as described in the Section. The following examples show the tax payable in respect of the taxation year 1950, under each plan, by a married man without dependents, who retires on December 1st, while in receipt of a salary of $6,000 per annum and whose superannuation allowance is $3,600 per annum. For purposes of the illustration it is assumed that the employee's income in 1949, for purposes of the Income Tax Act, was $5,700 (net, after deducting $300 Superannuation Fund contributions) on which he paid a tax of $643.

Plan A If gratuity is treated as income in 1950:

Salary - 11 months @ $500 -	$5,500.00
Less: Superannuation @ 5%	275.00
	$5,225.00
Gratuity - 6 months @ $200 -	1,200.00
Superannuation Allowance December	300.00
Income	$6,725.00
Less: Married Exemption	2,000.00
Taxable Income	$4,725.00
Tax payable	$ 859.50

Plan B If gratuity is taxed under Section 34:

Salary - 11 months @ $500 -	$5,500.00
Less: Superannuation @ 5%	275.00
Income	$5,225.00
Less: Married Exemption	2,000.00
Taxable Income, 1950	$3,225.00
Tax on $3,225	$ 552.75
Plus: Tax on Gratuity of $1200 @ 11.28% (N.B.)	135.36
Total Tax payable	$ 688.11

N.B. The ratio of the employee's tax in 1949 to his income for 1949 is as $643 is to $5,700, or 11.28%. The word "income" as used in Section 34 means the taxpayer's income from all sources, less his contribution to the Superannuation Fund but not his statutory exemption or any other deductions.

The retiring employee should be advised to consult his loca Income Tax Office if he requires advice or assistance in compiling his T.1. Return to take advantage of the provisions of Section 34.

Yours truly,

(Signed) K. W. Taylor,
for Secretary.

MEMORANDUM FOR MR. MATHIEU:

Re: Mr. Frank Gould SHEARS

Length of Service: 10 years, 3 months
(From 1st April, 1942 to 30th June, 1952)

Monthly Salary: $525.00

Retiring Bonus: 0 years, 0 months, 0 days @ 00 $ .00

Annual Leave Credit 00 days @ $525.00 a month $ .00

Special Leave Credit 30 days Max.
Sick " " 220½ "

250½ days

Max. 3 months' salary @ $525.00 a month

Note: Elected to receive leave with pay for 3 months commencing 1st April, 1952 under Sect. 73.A. of the Civil Service Regulation.

SUMMARY

Retiring Bonus	$ .00
Annual Leave Credit	.00
Special Leave and Sick Leave Credits	.00
Cheque	$ .00

Certified _____
Comptroller

Recommended for payment F.G. Shears
Director.

APPROVED FOR PAYMENT:

_____
Deputy Custodian

MEMORANDUM FOR MR. MATHIEU:

Re: Mr. Frank Gould SHEARS

(Continuously employed from - 1st April 1942)

(Date of Resignation - 30th June, 1952)

Length of Service: 10 years, 3 months

Period of Employment	123 months
Less Leave of Absence without pay	00 "
	123 months
Statutory Leave - 123 months @ 1½ days	184½ days
" " taken	184½ "
Statutory Leave Credit Balance	00 days
Sick Leave accumulated	226½ days
" " taken	6 "
Sick Leave Credit Balance	220½ days
Special Leave accumulated	61½ days
" " taken	11 "
Special Leave Credit Balance	50 days
Maximum	30 days

B. GOOD
O/C ATTENDANCE RECORDS

Approved for adjustment:

J.G. Shears
Director.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.

506 Royal Bank Bldg.,
Vancouver 2, B.C.,
March 6, 1952.

PERSONAL

K. W. Wright, Esq., Q.C.,
Chief Counsel,
Office of the Custodian,
Victoria Bldg.,
7 O'Connor St.,
Ottawa, Ontario.

Dear Ken: Re: F. G. Shears

In line with the procedure in regard to other employees, I am enclosing a record of service and computation for special and sick leave.

It is my understanding that I will not be paid the maximum of 3 months' salary to which I am entitled when this office closes at the end of March, but will be paid monthly for April, May and June. I am not sure therefore whether the enclosed forms will be required; if not however, you will destroy same.

According to my figuring, by electing to receive leave with pay for 3 months commencing the 1st of April, my superannuation monthly payment will be increased from $86.00 to $89.75, but instead of commencing on the 1st of April, it will not come into effect until the 1st of July, so I will miss 3 months' superannuation at $86.00, or a total of $258.00 in order to receive $89.75 starting the 1st of July. I will therefore have to live about 7 years before any advantage actually starts. Ha! ha!

Yours very truly,

F. G. Shears

F. G. Shears,
Director.

FGS/GN
Encl.

being satisfactory). I wish the position made clear to him (in writing), so that no misunderstanding will arise in this connection.

C. Stein

C. Stein,
Under Secretary of State and
Deputy Custodian.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

URGENT

Ottawa, March 17, 1952.

MEMORANDUM

FOR THE ASSISTANT DEPUTY CUSTODIAN:

Re: B. Good, Vancouver Branch

Herewith letters from Mr. Shears and Mr. Good to the Chief Counsel dated the 6th (with enclosures) and 13th instant, respectively, also telegram from Mr. Shears to the Chief Counsel of the 13th instant, which were passed to me by the Comptroller to-day, with reference to a conversation he had with me last week. I to-day discussed the contents of this correspondence with the Chief Counsel and the Comptroller by telephone.

I understand that we could with advantage use Mr. Good's services in the Comptroller's branch of the office here, quite apart from the useful work he could do in connection with the accounts and files of the Vancouver Branch. However, I shall require a definite recommendation in this respect, including the position, duties and salary it is felt he might be given. A classification would have to be assigned to the position in the establishment, after comparing the duties with those of other "comparable" positions. The salary range would be that attached to the particular position and grade (as recently revised effective December 1, 1951).

I should like the Comptroller to obtain, if possible, the opinion of Mr. Grenier, of the C.S.C., as to the classification of the position. I also wish the Comptroller to inquire as to what the C.S. Regulations and practice allow, if anything, in the way of moving expenses (see 4th and 5th paragraphs of Mr. Good's letter). He might inquire of the Chief of Accounts and Personnel of this Department in this latter connection.

We cannot give Mr. Good any firm undertaking as to the length of his service here, - except perhaps for a year if we are quite satisfied that we shall need him that long (and subject, of course, to his services being satisfactory). I wish the position made clear to him (in writing), so that no misunderstanding will arise in this connection.

C. Stein

C. Stein,
Under Secretary of State and
Deputy Custodian.



Victoria Building,
7 O'Connor Street,
Ottawa, 4, Ontario.

February 12th, 1952.

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver 2, B.C.

Dear Mr. Shears:

Re Superannuation.

I enclose herewith, in duplicate, a statement of Estimate re Superannuation Allowance payable to you.

This for your information.

Yours very truly,

K. W. Wright,
Chief Counsel.

KWW/G
Encl.

PGS/PMH

Director.

Victoria Building,
7 O'Connor Street,
Ottawa, 4, Ontario.

CONFIDENTIAL

October 3rd, 1951.

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Building,
Vancouver, B.C.

Dear Mr. Shears:

Re: Superannuation

Following your inquiry as to the amount of superannuation you will be entitled to, I asked Mr. Gauthier to prepare a statement outlining the pension you would receive if you retired at the end of the year, as well as the amount payable if you completed 10 years of service. Enclosed statement is self-explanatory.

I am also advised that it would not be possible to add unexpired sick leave to your term of service. Therefore in order to get the ten year's benefit it would be necessary for you to remain on the payroll until the end of March of next year. I believe that you were engaged by the office 1st April, 1942, and you might let me know if this is correct. As to payment for unexpired sick leave you will be entitled to 30 days for each 5 years of service, in other words at the end of March 1952 you would receive a cheque for 2 month's pay if you have 60 days sick leave credit.

It occurs to me there will be considerable unfinished business at the end of the year. If it is decided to close the office at that time I feel that it will be necessary for you to spend some time in order to finalize the work.

Let me know if you require any further information.

Yours very truly,

K. W. Wright,
Chief Counsel.

KWW/G

FGS/FMH

...Shears,
Director.

...ECTIVE CONNECTION WITH WESTERN UNION CABLE SERVICE FORM 6109-B

CANADIAN NATIONAL TELEGRAPHS

W M ARMSTRONG, GENERAL MANAGER
TORONTO

CLASS OF SERVICE DESIRED
FULL RATE MESSAGE
DAY LETTER
NIGHT MESSAGE
NIGHT LETTER
EVENING 6 SUNDAY
PLACE X OPPOSITE SERVICE DESIRED

CHECK | RECEIVERS NO. | TIME FILED | CHARGE TO DEPT. OR ADDRESS

Veuillez expedier la dépêche suivante aux conditions mentionnées au verso auxquelles je consens par les présentes
Send the following message, subject to the terms on back hereof, which are hereby agreed to

MOA176 36/34=FD VANCOUVER BC 8 946A=
K W WRIGHT QC CHIEF COUNSEL OFFICE OF THE CUSTODIAN
VICTORIA BLDG 7 OCONNOR ST OTTAWA
REGARDING GRATUITY IN LIEU OF RETIRING LEAVE I DESIRE
TO ELECT UNDER SECTION 73A CIVIL SERVICE REGULATIONS
TO RECEIVE LEAVE WITH PAY FOR THREE MONTHS COMMENCING
FIRST APRIL STOP KINDLY ARRANGE THIS IF SATISFACTORY
F G SHEARS

73A

...you would ... along with the ... should dismiss any ... Mr.
if you like make Mr. Fletcher a definite proposition of
some sort, say a contract for five years. Think this
matter over, Frank, as I know you belong in the fish
business - you like it and we would like to have you."

I am merely acknowledging same.

Hoping that Mrs. McPherson and yourself are well and enjoying Ottawa.

Yours very truly,

Frank G Shears

F. G. Shears,
Director.

FGS/PMH



CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

506 Royal Bank Building,
Vancouver, B.C.

3rd July, 1943.

File

G.W. McPherson, Esq.,
Executive Assistant to the
Secretary of State of Canada,
Office of the Custodian,
Victoria Building,
Ottawa, Ontario.

Dear Mr. McPherson:

Thank you for your letter in which you enclosed a copy of correspondence from Dr. Coleman, this is appreciated. The title is not so very important but we will gladly use same.

I had previously written to Winnipeg declining their offer and today received a reply as follows:

"Thanks for your letter of June 15th. Really Mr. Fletcher and I are both disappointed. From the tone of your letter it looks as though you are very definite, and that you have decided against returning to Winnipeg. Of course Mr. Fletcher would like to know if we should dismiss any thought of you going along with the Booth Fish Company. Wish you would give further thought to same, Frank, and if you like make Mr. Fletcher a definite proposition of some sort, say a contract for five years. Think this matter over, Frank, as I know you belong in the fish business - you like it and we would like to have you."

I am merely acknowledging same.

Hoping that Mrs. McPherson and yourself are well and enjoying Ottawa.

Yours very truly,

Frank G Shears

F. G. Shears,
Director.

FGS/FMH

CONFIDENTIAL

Victoria Building,
7 O'Connor Street,
Ottawa, Ontario.

June 24, 1943.

F. G. Shears, Esq.,
Director,
Office of the Custodian,
506 Royal Bank Bldg.,
Vancouver, B.C.

Dear Mr. Shears:

I have your confidential letter of June 15th and took the liberty of showing it to the Deputy Custodian who, in turn, discussed the matter with Mr. McLarty.

I have today received a memorandum from Dr. Coleman and I am enclosing a copy of same which will be of interest to you.

I would be greatly concerned if you were to leave the Vancouver office at this time and I can assure you that the Deputy Custodian appreciates the good work you are doing.

No doubt you will be pleased to drop the word "Acting".

Yours very truly,

GWMcP/FC.

(G. W. McPherson)
Executive Assistant.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

MEMORANDUM

FOR MR. McPHERSON :

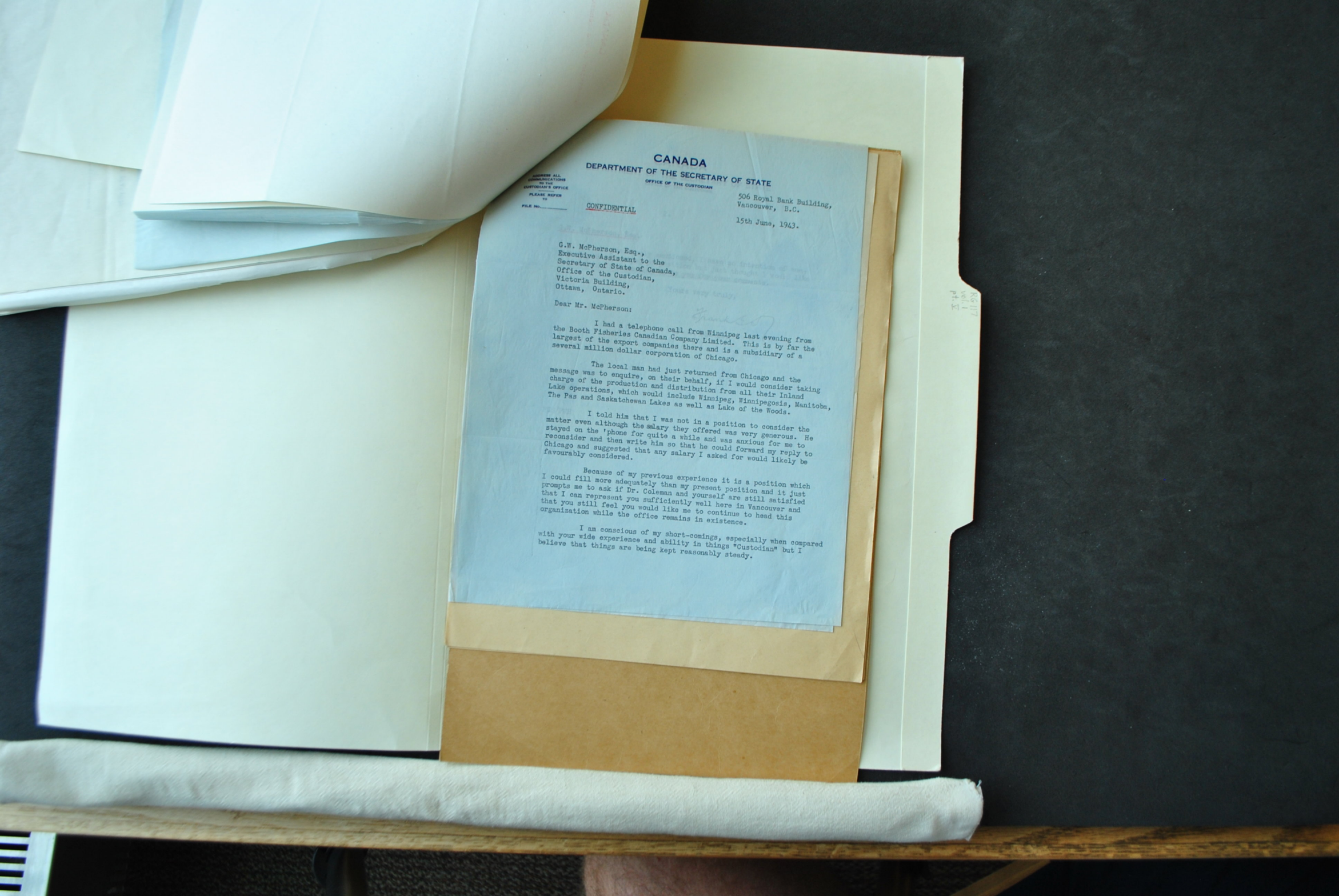
Thank you for letting me read the attached letter to you from Mr. Shears, dated 15th June. I have taken the liberty of showing it to the Honourable Mr. McLarty, the Secretary of State and Custodian.

I wish you would tell Mr. Shears that we are all appreciative of his very efficient and conscientious work in Vancouver. While, if he has a strong desire to accept the appointment offered him, we would naturally not feel disposed to stand in his way, we would feel his loss very keenly in the administration of the Vancouver Office and would deprecate a change. I know from your conversations with me that this also represents your own view. I suggest that you write Mr. Shears accordingly.

I recollect that on the occasion of your departure from Vancouver to take up your duties here it was decided that we would ask Mr. Shears to take the title of "Acting Director". The Custodian and I both feel that the time has come when the prefix "Acting" might very well be eliminated. May I suggest, therefore, that you communicate this view to Mr. Shears.

E. H. Coleman
Deputy Custodian.

Ottawa, June 22, 1943.



CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.

CONFIDENTIAL

506 Royal Bank Building,
Vancouver, B.C.

15th June, 1943.

G.W. McPherson, Esq.,
Executive Assistant to the
Secretary of State of Canada,
Office of the Custodian,
Victoria Building,
Ottawa, Ontario.

Dear Mr. McPherson:

I had a telephone call from Winnipeg last evening from the Booth Fisheries Canadian Company Limited. This is by far the largest of the export companies there and is a subsidiary of a several million dollar corporation of Chicago.

The local man had just returned from Chicago and the message was to enquire, on their behalf, if I would consider taking charge of the production and distribution from all their Inland Lake operations, which would include Winnipeg, Winnipegosis, Manitoba, The Pas and Saskatchewan Lakes as well as Lake of the Woods.

I told him that I was not in a position to consider the matter even although the salary they offered was very generous. He stayed on the 'phone for quite a while and was anxious for me to reconsider and then write him so that he could forward my reply to Chicago and suggested that any salary I asked for would likely be favourably considered.

Because of my previous experience it is a position which I could fill more adequately than my present position and it just prompts me to ask if Dr. Coleman and yourself are still satisfied that I can represent you sufficiently well here in Vancouver and that you still feel you would like me to continue to head this organization while the office remains in existence.

I am conscious of my short-comings, especially when compared with your wide experience and ability in things "Custodian" but I believe that things are being kept reasonably steady.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.

G.W. McPherson, Esq.

As previously mentioned, I have no intention of considering the Winnipeg proposition but just thought I would like to pass this information on to you for your comments.

Yours very truly,

Frank G. Shears

F. G. Shears.

FGS/PmH

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

OFFICE OF THE CUSTODIAN

ADDRESS ALL COMMUNICATIONS TO THE CUSTODIAN'S OFFICE

PLEASE REFER TO

FILE No.

G.W. McPherson, Esq.

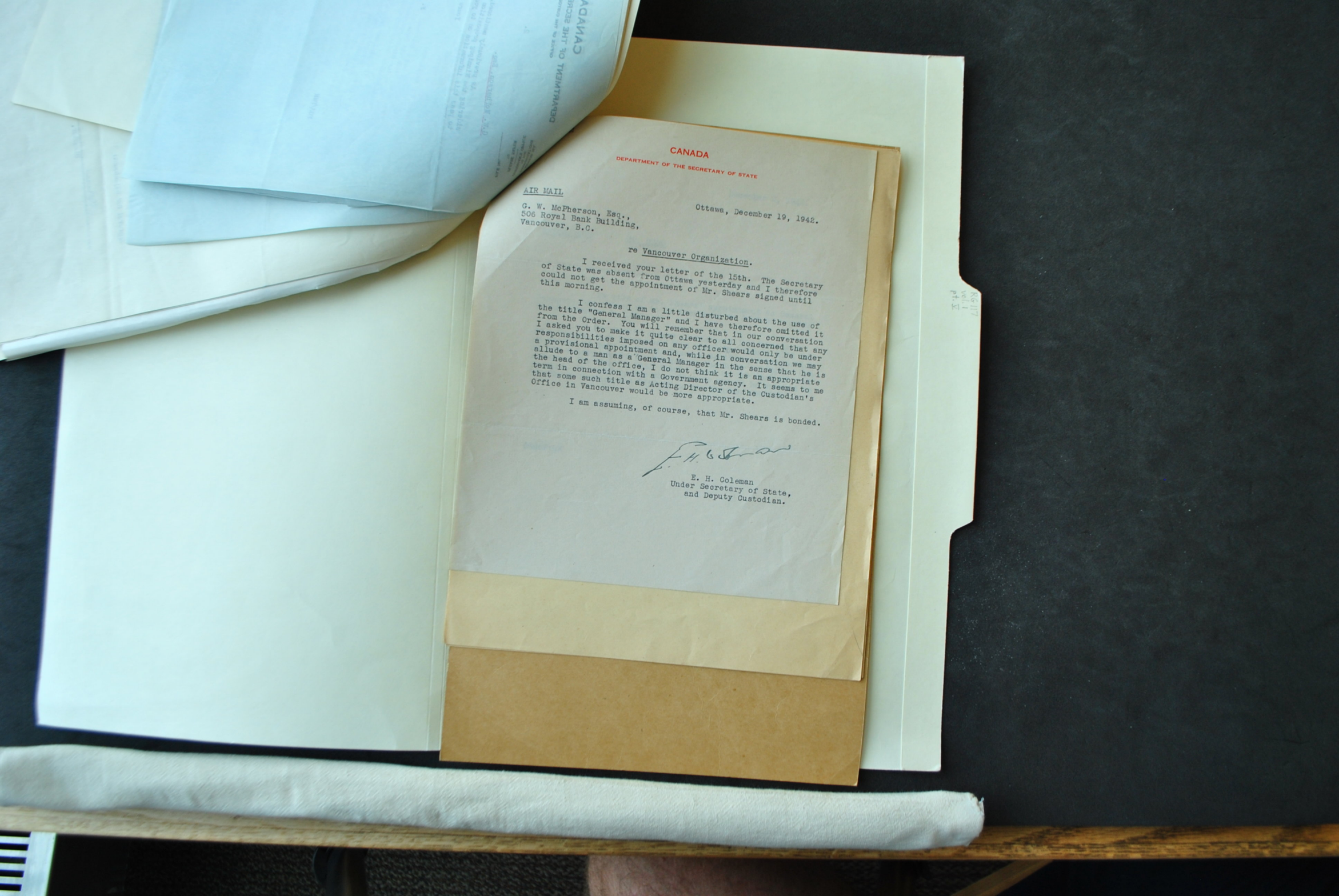
As previously mentioned, I have no intention of considering the Winnipeg proposition but just thought I would like to pass this information on to you for your comments.

Yours very truly,

Frank G. Shears

F. G. Shears.

FGS/PmH



CANADA

DEPARTMENT OF THE SECRETARY OF STATE

AIR MAIL

G. W. McPherson, Esq.,
506 Royal Bank Building,
Vancouver, B.C.

Ottawa, December 19, 1942.

re Vancouver Organization.

I received your letter of the 15th. The Secretary of State was absent from Ottawa yesterday and I therefore could not get the appointment of Mr. Shears signed until this morning.

I confess I am a little disturbed about the use of the title "General Manager" and I have therefore omitted it from the Order. You will remember that in our conversation I asked you to make it quite clear to all concerned that any responsibilities imposed on any officer would only be under a provisional appointment and, while in conversation we may allude to a man as a General Manager in the sense that he is the head of the office, I do not think it is an appropriate term in connection with a Government agency. It seems to me that some such title as Acting Director of the Custodian's Office in Vancouver would be more appropriate.

I am assuming, of course, that Mr. Shears is bonded.

E. H. Coleman
Under Secretary of State,
and Deputy Custodian.

December 2, 1942.

MEMORANDUM - MR. GOOD

In view of Mr. Shears' appointment as General Manager, his salary is to be increased to $400.00 a month as of December 1, 1942.

Mr. Read's salary in the past has been paid from Ottawa, but it appears that since Mr. Shears will be in charge of both Enemy and Evacuee Sections, a proportion of his salary should be charged to the Enemy Section. Considering the time he will likely spend on the work of each section, it would appear that $150.00 should be charged to the Enemy Section and $250.00 to the Evacuee Section.

GWMcP:MA

G u n.

December 2, 1942.

MEMORANDUM TO STAFF

As a result of Mr. Edgar T. Read's pending departure for Ottawa, it has been necessary to make certain changes in the Executive. As from the first of December Mr. F. G. Shears has been appointed General Manager replacing Mr. Read and Mr. K. W. Wright has been appointed Counsel to the Custodian.

GWMcP:MA

506 Royal Bank Building,
Vancouver, B. C.,
December 2, 1942.

Mr. F. G. Shears,
Office of the Custodian,
506 Royal Bank Bldg.,
Vancouver, B. C.

Dear Mr. Shears:

As a result of our conversations concerning Mr. Read's departure for the East, I am pleased to confirm your appointment as General Manager of the Custodian's organization in Vancouver. The appointment to be effective as from December 1st.

I am advising Mr. Good that as of that date your salary is set at $400.00 per month.

It is my intention to leave for Eastern Canada before the 25th and I would appreciate it if you could so arrange your Administration Department to allow us to spend as much time as possible together discussing the permanent setup and making such additional changes as may be necessary to increase the efficiency in the organization. A memorandum is being circulated today advising the staff of your appointment and also to the effect that Mr. Wright has been appointed Counsel to the Custodian. Mr. Wright will act in an advisory capacity in all matters pertaining to the legal interpretation to the various Orders-in-Council affecting this organization. Mr. Alexander will assist you as Manager of the Evacuation Section and all departments of that section will be responsible direct to him and he will be responsible to you.

I am unable to advise you at the moment what the situation will be upon my return to Ottawa, but this is a matter which will be discussed just prior to my leaving here.

I wish to thank you for having accepted the position of General Manager which I know you are capable of handling and to the entire satisfaction of the Custodian.

Yours very sincerely,

G. W. McPherson
Authorized Deputy of the Secretary
of State and/or Custodian

GWMcP:MA

Mr. K. W. Wright,
Office of the Custodian,
912 Royal Bank Building,
Vancouver, B. C.

Dear Mr. Wright:

As a result of discussi
changes have been necessitated here,
the departure of Mr. Read for the Ea

In accordance with our e
advise you that Mr. Sheers has been appoin
of the Vancouver office of the Custodian's
also wish to confirm your appointment as C
Custodian in accordance with the Deputy Min
tions.

It would be appreciated if you would p
correspondence as Counsel and your advice on all le
matters and interpretations will be greatly appreciat
Mr. Sheers, in having been advised of your appointment.

you for your co-operation in the past, and I have no doubt that
with Mr. Sheers as General Manager the position will be handled in a manner satisfactory
affairs of this office will be handled in a manner satisfactory
to all.

Yours very truly,

G. W. McPherson
Authorized Deputy of the Secretary
of State and/or Custodian

GWMcP:MA

2

I wish to thank you for having accepted the position of General Manager which I know you are capable of handling and to the entire satisfaction of the Custodian.

Yours very sincerely,

GWMcP:MA

G. W. McPherson
Authorized Deputy of the Secretary
of State and/or Custodian

506 Royal Bank Building,
Vancouver, B. C.,
December 2, 1942.

Mr. K. W. Wright,
Office of the Custodian,
912 Royal Bank Building,
Vancouver, B. C.

Dear Mr. Wright:

As a result of discussions in Ottawa, certain changes have been necessitated here, the major change being the departure of Mr. Read for the East.

In accordance with our conversations, I wish to advise you that Mr. Shears has been appointed General Manager of the Vancouver office of the Custodian's organization, and also wish to confirm your appointment as Counsel to the Custodian in accordance with the Deputy Minister's instructions.

It would be appreciated if you would sign your correspondence as Counsel and your advise on all legal matters and interpretations will be greatly appreciated by Mr. Shears, he having been advised of your appointment.

I would like to take this opportunity of thanking you for your co-operation in the past and I have no doubt that with Mr. Shears as General Manager and yourself as Counsel the affairs of this office will be handled in a manner satisfactory to all.

Yours very truly,

G. W. McPherson
Authorized Deputy of the Secretary
of State and/or Custodian

GWMcP:MA