Corr. Feb 1948

1-19

Japanese Canadian

TELEPHONE: ADELAIDE 2547

JCCA

CITIZENS ASSOCIATION
NATIONAL HEADQUARTERS:
84 GERRARD ST. E., TORONTO 2, ONTARIO

RECEIVED
FEB. 2, 1948

January 29, 1948.

Mr. Andrew Brewin
Cameron, Welldon and Brewin
372 Bay Street
Toronto, Ontario

Dear Andy:

This is to inform you that during my absence from the National JCCA Office, please be advised to contact my brother, Kinzie Tanaka, who is the Chairman of the National Executive Committee here on any matters which you wish to bring to the attention of the National JCCA Office and the National Executive Committee.

You may get in touch with Kinzie during the day at his place of work, Radio Trade Supply, telephone - RA-1146, or in the evenings at his home, 2593 Yonge Street, telephone - HY-5543.

Yours very ~~truly~~,

George Tanaka.

GT/tes

George Tanaka,
National Executive Secretary

43 St George
5.00

on my cards stay close to my chest.
However, I'm not a good poker player

189 Elm St.,
Toronto, Ont.
February 2, 1948.

Mr. F. A. Brewin,
Cameron, Welldon & Brewin,
372 Bay St.,
Toronto, Ont.

Dear Sir:

In connection with the Claims of Japanese Canadians for Property Losses I have filed in your presence, I wish to notify you of my recent change of address from 117 John St. to 189 Elm St., Toronto.

Thanking you I am,

Yours truly,

Yutaka Hakoda

Yutaka HAKODA.

...of poker. From now on my cards stay close to my chest. However, I'm not a good poker player

February 3, 1948.

Mr. Y. Yamaga,
P. O. Box 874,
Hope, B.C.

Dear Mr. Yamaga: Re: Japanese Canadian Claims

I was very glad to receive your letter of January 24th and the assurance of your willingness to help us in this matter.

No doubt Mr. McMaster will be able to discuss the matter thoroughly with you on the 10th of February and I have no doubt that your experience will be of great value to the claimants.

Our lawyers in British Columbia are now seeking to work out a scheme for proving the values, and no doubt Mr. McMaster will discuss this with you.

With kindest regards.

Yours sincerely,

FAB:HC

February 3, 1948.

Messrs. Cherniack & Cherniack,
Barristers and Solicitors,
31-460 Main Street,
Winnipeg, Canada.

Re: Japanese Canadian Claims

Dear Sirs:

We beg to report further as follows in this matter.

Upon the instructions of Mr. McMaster who used a written form in the later hearings in British Columbia, we are preparing written forms to be completed before the oral hearing, and hope to have them sent to you in the near future.

We are informed by Mr. McMaster that the Commissioner was apparently pleased with the way in which the use of these forms shortened up the hearing.

If you have not already done so will you have copies of claim forms sent as soon as possible to Japanese Canadian Association, 84 Gerrard Street East, Toronto, so that they may be completed.

One further development is that the Minister of Justice has written to us stating that in his opinion it is not proper to refer to the Commissioner the question of whether or not commissions and expenses of real estate agents and auctioneers,etc. should be deducted from the claims. He states in his letter that this is a matter of policy. He accordingly has refused to amend the order-in-council or instruct the Commissioner to consider these commissions.

We have accordingly written to him and suggested to him that if the matter be regarded as one of policy, the Government should receive representations in regard to it. We have also pointed out to him that in our opinion it would also be considered a matter of law, so that if the Government is unwilling to consider our

Messrs. Cherniack & Cherniack February 3, 1946.

representations it may be necessary for test actions to be taken.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC

February 3, 1948.

Messrs. Ritchie & Huckvale,
Barristers, Solicitors,
Acadia Building,
612 Third Avenue S.,
Lethbridge, Alberta.

Re: Japanese Canadian Claims

Dear Sirs:

We beg to report further as follows in this matter.

Upon the instructions of Mr. McMaster who used a written form in the later hearings in British Columbia, we are preparing written forms to be completed before the oral hearing, and hope to have them sent to you in the near future.

We are informed by Mr. McMaster that the Commissioner was apparently pleased with the way in which the use of these forms shortened up the hearing.

I note that Mr. Wallace has a copy of all claims and that they were originally sent to Toronto but returned to him.

We would be very glad if you could get in touch with Mr. Wallace and have him send copies of the claims to Mr. Tanaka at 84 Gerrard Street East, Toronto.

One further development is that the Minister of Justice has written to us stating that in his opinion it is not proper to refer to the Commissioner the question of whether or not commissions and expenses of real estate agents and auctioneers, etc. should be deducted from the claims. He states in his letter that this is a matter of policy. He accordingly has refused to amend the order-in-council or instruct the Commissioner to consider these commissions.

We have accordingly written to him and sugg-

Messrs. Ritchie & Huckvale February 3/48.

ested to him that if the matter be regarded as one of policy, the Government should receive representations in regard to it. We have also pointed out to him that in our opinion it would also be considered a matter of law, so that if the Government is unwilling to consider our representations it may be necessary for test actions to be taken.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC

February 3, 1948.

Messrs. Shumiatcher & Shumiatcher,
Barristers,
2060 Rae Street,
Regina, Saskatchewan.

Re: Japanese Canadian Claims

Dear Sirs:

We beg to report further as follows in this matter.

Upon the instructions of Mr. McMaster who used a written form in the later hearings in British Columbia, we are preparing written forms to be completed before the oral hearing, and hope to have them sent to you in the near future.

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Messrs. Shumiatcher & Shumiatcher February 3, 1948.

our opinion it would also be considered a matter of law, so that if the Government is unwilling to consider our representations it may be necessary for test actions to be taken.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC

February 3, 1948.

Mr. R. A. Best,
Barrister,
15 Toronto Street,
Toronto, Ontario.

Re: Japanese Canadian Claims

Dear Sir:

We beg to report further as follows in this matter.

Upon the instructions of Mr. McMaster who used a written form in the later hearings in British Columbia, we are preparing written forms to be completed before the oral hearing, and hope to have them sent to you in the near future.

We are informed by Mr. McMaster that the Commissioner was apparently pleased with the way in which the use of these forms shortened up the hearing.

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Com. Feb 1948

Mr. R. A. Best February 3, 1948.

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Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC

Con. Feb 1948

February 3, 1948.

Roger Ouimet Esq.,K.C.,
152 Notre Dame, East,
Montreal, P.Q.

Re: Japanese Canadian Claims

Dear Sir:

We beg to report further as follows in this matter.

Upon the instructions of Mr. McMaster who used a written form in the later hearings in British Columbia, we are preparing written forms to be completed before the oral hearing, and hope to have them sent to you in the near future.

We are informed by Mr. McMaster that the Commissioner was apparently pleased with the way in which the use of these forms shortened up the hearing.

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February 3, 1948.

Roger Ouimet Esq.,K.C.

representations it may be necessary for test actions to be taken.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC

Com. Feb 1948

REID, ALLEN, HUNTER & CAMPBELL
BARRISTERS & SOLICITORS

THOMAS REID
JOHN W. G. HUNTER
JOHN B. ALLEN
ALAN R. CAMPBELL

38 KING STREET WEST
TELEPHONE ELGIN 3141

TORONTO 1

RECEIVED
FEB 4 1948

RECEIVED
FEB 4 1948

Custodian's Office,
Royal Bank Building,
Vancouver, B.C.

January 30th, 1948.

Messrs. Cameron, Weldon & Brewin,
Barristers & Solicitors,
Toronto 1, Canada.

Dear Sirs: Re: Japanese Property Claims Commission.

I am Dominion Government counsel on the above-named Commission. Pursuant to the direction of the Commissioner, the Honourable Mr. Justice H.I. Bird, I beg to advise you that insofar as I am able to determine at the present time, my reply to your client's claim will be based upon the following grounds:-

1. The real property was sold for its fair market value.

2. At present I have no record of the chattels claimed for and should appreciate particulars thereof.

Yours truly,

John W.G. Hunter

JOHN W.G. HUNTER

JWGH-s

on my cards stay close to my chest.
Hamuus, I'm not a good poker player
I prefer to [illegible]

Com. Feb 1948

TELEPHONE PACIFIC 9164

RECEIVED
FEB 5 1948

Campbell, Brazier, Fisher & McMaster
Barristers and Solicitors
A. T. K. CAMPBELL
C. W. BRAZIER
A. W. FISHER
R. J. McMASTER
A. J. P. JOHNSON
VANCOUVER, B.C.

February 4, 1948.

John W. G. Hunter, Esq.,
Custodian's Office,
Royal Bank Building,
Vancouver, B.C.

Re: Japanese Property Claims Commission

Dear Sir:

I have received a communication from you dated the 30th of January, in which without specifying any particular claim you state that pursuant to the direction of the Commissioner your reply to our claim will be based upon two grounds therein set out.

I assume that by an oversight the name of the actual claim with respect to which this communication was written was omitted.

I would be glad to be advised to what claim these grounds of objection are applicable.

Yours very truly,

FAB:HC

TELEPHONE PACIFIC 9164

# Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

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

A. W. FISHER
R. J. McMASTER

A. J. F. JOHNSON

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

RECEIVED
FEB 5 1948

OUR FILE No.

February 2nd, 1948.

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

Dear Andy:

Thanks for your recent letters. With regard to the forms, the changes which we would suggest are minor. In view of the fact that the type is set up here, we are wondering whether it would be cheaper to have the forms printed here and shipped out to the other centres if they are satisfactory. I spoke to MacLennan again Saturday about getting in touch with these Real Estate people and he has not done anything further than to have an informal chat with his Real Estate friend when he bumped into him on the street. He has promised to pursue the matter at an early date.

On the question of interpreters, apparently Mr. Justice Brewin is taking it upon himself to deal with the matter and has hired an Occidental woman who recently returned from Japan and suggested that we might use her services provided that we paid her travelling and living expenses. Some of the executive were down from Greenwood a few days ago and I took the matter up with them. My own reaction was that our clients would not feel free to disclose quite frankly to us certain information which we ought to know if they had to work through an Occidental interpreter. The Japanese fellows agreed with me in this and for the time being we have agreed that I will see Mr. Justice Bird and advise him that we will endeavour to make our own arrangements for interpreters.

We have about half of the claim forms copied and will send them to you under separate cover today or in the next few days.

I have written Ted a letter today re the United Steelworkers Appeal and advised him that I

on my cards stay close to my chest. However, I'm not a good poker player I prefer to have all the cards on the table.

Mr. Brewin: February 2nd, 1948.



will shortly send him a copy of my Argument and of the Appeal book, asking him to let you have a look at it in case it might be helpful to you in the Nanaimo Appeal in the event that you are permitted to proceed. We came across a reference in Salmond on Torts to the "much-criticized Taff-Vail case" (you should have seen O'Hallor-an squirm when we read that portion to him -- as a matter of fact, he got quite provoked). The foot-note to the reference in Salmond refers to Jenks History of English Law. We could not locate the textbook in the Library but from some other comment with respect to it which we read we take it that he assails the Taff-Vail case with some fervor. We thought perhaps you might be able to locate the reference. There have in recent times in the Toronto Quarterly Review been a number of articles of Finkleman on labour matters which are very good. Knowing the educational background of the members of our Court of Appeal we consider that there is little use referring them to learned authors. However, it is possible that the Judges of the Supreme Court of Canada might be interested in such things.

Yours truly,

CAMPBELL BRAZIER FISHER & McMASTER,

Per: K. J. McMaster

McM:MM

P.S. Would you be good enough to send your account re Nanaimo at your early convenience.

R.M.

on my cards stay close to my chest.
However, I'm not a good poker player
I prefer to have all the cards on the table.
You will shortly receive a

Feb 1948

January 29th, 1948.

Mr. I. B. Hewer,
Barrister, etc.,
3630 Cambie Avenue,
VANCOUVER, B.C.

Dear Mr. Hewer:

You will no doubt be surprised to hear from me after such a considerable lapse of time. However as you see I am back in my profession and been working rather diligently thereat since my discharge from the Army at the end of September 1946.

One of my associates is general counsel to a large percentage of the displaced Japanese persons who are presently claiming compensation from the Custodian of Enemy property and/or the Government.

One of the main contentions is the fair market value of their holdings at the time of sale and therefor as expert evidence is required thereon, I immediately thought of you.

Would you let me know whether you are already committed to the Crown or any of these cases and if not whether you would care to act. (There are a great number of claims and the overall financial implications are great.)

If you have already been retained by the Crown would you be good enough to advise and recommend others to take your place - particularly those who have a sound knowledge of your fair B.C. territory.

I trust that all goes well with you and May I hear from you at your earliest convenience. With kind personal regards.

Yours sincerely,

W. MARSH MAGWOOD, K.C.

WMM:AK

on my cards stay close to my chest.
However, I'm not a good poker player
I prefer to have all the cards on the table.

TELEPHONE PACIFIC 9164

Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

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

A. W. FISHER
R. J. McMASTER

A. J. F. JOHNSON

ROYAL BANK BUILDING

FORM 6122

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

# CANADIAN NATIONAL TELEGRAPHS

W M ARMSTRONG GENERAL MANAGER
TORONTO

STANDARD TIME

1948 FEB 3 PM 4 17

1948 FEB 3 PM 4 18

RECEIVED FEB 3 1948

VX18 45 DLC= =X VANCOUVER BC 3 1250P

W MARSH MAGWOOD KC=

1656 702 STERLING TOWER 372 BAY ST TOR=

=YOUR LETTER JANUARY TWENTY NINTH RECEIVED STOP UP TO
THE PRESENT TIME NOT COMMITTED TO THE CROWN TO ACT FOR
THEM IN RESPECT TO CASES MENTIONED IN YOUR LETTER STOP
WOULD GIVE SERIOUS CONSIDERATION TO ACT FOR YOU STOP
PLEASE FORWARD FURTHER DETAILS BEST REGARDS=

I B HEWER..

Air Office Crewman employed Army boy, Employed permanently by Army =

N.B. Under separate cover.
Rb

on my cards stay close to my chest.
However, I'm not a good poker player
I prefer to have all the cards on the table.
You will shortly receive a memorandum

TELEPHONE PACIFIC 9164

TELEPHONE PACIFIC 9164

# Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

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

A. W. FISHER
R. J. McMASTER

A. J. F. JOHNSON

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

February 3rd, 1948.

RECEIVED
FEB 5 1948

OUR FILE NO.
1742

Mr. Andrew Brewin,
Barrister & Solicitor,
Sterling Tower Building,
Toronto 1, Ontario.

Dear Andy:

Re: Japanese Claims.

N.B. We now enclose the copies of the claim forms, in duplicate, covering approximately one-half of the number of claims received by us. We shall forward you the remainder within the next few days.

Yours truly,

CAMPBELL BRAZIER FISHER & McMASTER,

Per:

MM
encls.

N.B. Under separate cover.
Rb

... game of poker. From now on my cards stay close to my chest. However, I'm not a good poker player I prefer to have all the cards on the table.

Campbell, Brazier, Fisher & McMaster
Barristers and Solicitors

A. T. R. CAMPBELL
C. W. BRAZIER
A. W. FISHER
R. J. McMASTER
A. J. F. JOHNSON

TELEPHONE PACIFIC 9164
ROYAL BANK BUILDING
675 WEST HASTINGS STREET
VANCOUVER, B.C.

RECEIVED
FEB 6 1948

February 4th, 1948.

OUR FILE NO.
1742

Andrew Brewin, Esq.,
Barrister, etc.,
Sterling Tower,
TORONTO, 1, Ontario.

Dear Andy:

With respect to your letter of the 26th ultimo, we have made arrangements to retain the services of Leckie and it was agreed that the salary would be $300.00 a month and that I would take up with the Committee the possibility of increasing this to $350.00. For the time being I am inclined to leave it at $300.00 until we see how he makes out in the actual presentation of claims.

Concerning the matter of interpreters, apparently Mr. Justice Bird, in what I am afraid may be typical fashion, proceeded to hire another interpreter, a Miss Smith, who has recently returned from Japan, and has suggested that if we would like to look after her travelling and living expenses during the period that the Commission is travelling throughout the Province, we might use her services. The members of the Greenwood Committee were in town over the weekend and I had an opportunity to discuss the matter with them. My own feeling was that many of our clients would not be as frank with us if we were using an Occidental interpreter who was hired by the Commission as they would be if they had one of their own fellows interpreting. The Committee felt that this was probably so and I believe that MacLennan feels somewhat the same way. Accordingly, I will get in touch with Mr. Justice Bird and communicate to him our opinion in the matter. I take it that this will mean that there will be no other assistance available for interpreters through the Commission and we

game of poker. From now
on my cards stay close to my chest.
However, I'm not a good poker player
I prefer to have all the cards on the table.

made arrangements with the local committee to try to set up local interpreters in the various centres. Where it is necessary to do so, we will have to pay these interpreters whatever wages they lose by giving their time to us. In some cases, this may not be necessary.

When we have arrived at Kamloops and Lytton we found that matters were not properly organized and we were unable to settle right down to work. Accordingly, we have arranged with the local committee that Mr. Homma stop off at Kamloops and make the necessary arrangements so that we will be able to get right down to business on arrival. As the B. C. Committee is in very poor financial circumstances and Mr. Homma will have to miss several days' work attending to this matter, we undertook to look after his expenses at a $5.00 a day allowance. We take it that either the Co-Operative Committee will look after this expense, or possibly, the National Committee will. However, there appeared to be no alternative.

There has been no indication yet as to the ruling by the Commissioner on our recent argument. Frankly, I think we might wait until we see what he says before we consider too seriously what we are going to do about it.

Concerning your proposed budget, insofar as it is possible from the indefinite state of affairs to anticipate, the line-up looks alright. It is my personal opinion that we will have to spend more money on the statistical work and less on real estate experts. It would seem to me that the fee that we would pay to Farr could easily be $2,000.00 and in addition to this, it would be necessary to maintain field men. However, as indicated in my recent letter, Farr would be prepared to function on a similar basis to the solicitors. At the first opportunity we get, we will take this matter up with Mr. MacLennan.

Subject to Mr. MacLennan being able to take any of

February 4th, 1948.

Mr. Brewin:



the main Commission hearings out of town, I have arranged to be relieved on these by my partner, Charlie Brazier, and Leckie will be at all the hearings through-out to assist. The plan with respect to sub-commissions has not yet been developed. If it works out in such a way that two or three are going on at the same time, then I will enlist the services of Alex MacDonald and perhaps Garfield King.

Yours truly,

CAMPBELL BRAZIER FISHER & McMASTER,

Per:

McM:MM

February 5, 1948.

Messrs. Campbell,Brazier,Fisher & McMaster,
675 West Hastings Street,
Vancouver, B.C.

Attention Mr. R. J. McMaster

Re: Japanese Canadian Commission

Dear Bob:

Thank you for your letter of February 2nd and also your letter of February 3rd, saying that you were enclosing forms under separate cover.

The Japanese Canadians have already made plans to print the forms here.

You will be receiving a letter about Mr. Hewer.

I hope the plans to have a staff on valuations and statitistics can be worked out and finally agreed on as soon as possible.

We were quite amused at the misprint in your letter in which you say that Mr. Justice Brewin is taking it upon himself to deal with the matter of interpreters. How simple your problems would be if it were in fact Mr. Justice Brewin who was disposing of these matters. We will, of course be interested to hear what final arrangements you make about interpreters as we will want to make arrangements in other provinces.

I will be interested to read a copy of your argument in the Steelworkers appeal and to turn up Jenks History of English Law which I am quite sure will be in the Osgoode Hall library. I will let you know what I can find out about it.

Yours sincerely,

FAB:HC

F.A. Brewin

on this as a game of poker. From now on my cards stay close to my chest. However, I'm not a good poker player I prefer to have all the cards on the table

February 5, 1948.

Messrs. Campbell,Brazier,Fisher & McMaster,
675 West Hastings Street,
Vancouver, B.C.

Attention Mr. R. J. McMaster.

Re: Japanese Canadian Commission

Dear Bob:

Mr. Marsh Magwood who shares office space with me was with the Canadian Army during the war and has advised me that Mr. I. B. Hewer a barrister of 3630 Cambie Avenue, Vancouver, was employed almost permanently by the Army, Air Force, Navy and the Crown in expropriation proceedings during the war, and that he is thoroughly familiar with real estate values in the Province of British Columbia.

Mr. Magwood wrote to Mr. Hewer on January 29th after I discussed the matter with him, and received information to the effect that he was not committed to the Crown to act for them in respect to any of the Japanese Canadian cases, and that he would give serious consideration to acting for us.

I put forward the suggestion that you might inquire as to Mr. Hewer's qualifications which on the face of them would seem good, and then if you see fit, consult Mr. Hewer with regard to retaining him for us. It seems to me that the fact that he had acted for the Crown in a large number of cases would give him some standing with the Commission.

Yours sincerely,

FAB:HC
cc- J.A.MacLennan.

February 5, 1948.

Messrs. Norris & MacLennan,
Barristers,
311 Bank of Nova Scotia Building,
Vancouver, British Columbia.

Attention Mr. J. A. MacLennan

-Re: Japanese Canadian Commission

Dear Mr. MacLennan:

Mr. Marsh Magwood who shares office space with me was with the Canadian Army during the war and had advised me that Mr. I. B. Hewer a barrister of 3630 Cambie Avenue, Vancouver, was employed almost permanently by the Army, Air Force, Navy and the Crown in expropriation proceedings during the war, and that he is thoroughly familiar with real estate values in the Province of British Columbia.

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Yours sincerely,

FAB:HC
cc-R.J.McMaster.

Com. Feb 1948

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

February 5, 1948.

Mr. I. B. Hewer,
Barrister,etc.,
3630 Cambie Avenue,
Vancouver, B.C.

Dear Mr. Hewer:

Mr. Magwood has spoken to me about his letter to you of January 29th and your reply in which you state that you are not committed to the Crown in respect to the Japanese Canadian cases, and that you would give serious consideration to acting for us.

The two firms which represent the Japanese Canadian claimants in Vancouver are those of Campbell,Brazier,Fisher & McMaster and Norris & MacLennan. Mr. McMaster and Mr. MacLennan are looking after these particular claims.

The organization which retains us is known as Co-operative Committee on Japanese Canadians, and represents a vast number of claimants.

We have naturally left to our British Columbia representatives the question of securing expert advice on valuations,etc. and I do not know what commitments if any they have as yet made. I have, however, written to both of them and taken the liberty of suggesting that they may wish to consult you in regard to these claims. No doubt you may expect to hear from them in the near future and they will be able to give you full details as to what sort of assistance we require, and the financial proposals that might be arrived at if your services were to be retained.

Yours sincerely,

FAB:HC

FAB

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

February 9, 1948.

Messrs. Virtue & Russell,
Barristers, Solicitors,
McFarland Building,
Lethbridge, Alberta.

Attention Mr. A. Gladstone Virtue, K.C.

Re: Japanese Canadian Property Claims Commission

Dear Sirs:

I have had some considerable correspondence with Mr. MacLennan and Mr. McMaster with a view to obtaining a staff that can look after the problem of valuations for us. I have suggested to them that we should have,

(a) A statistical expert with whatever assistance is necessary in collection of material.

(b) A real estate man from Vancouver.

(c) At least one and probably two men familiar with Fraser Valley property, one to be a Japanese Canadian. Mr. Yamaga who was on the Committee and who was Secretary of the local co-operative has already taken this.

(d) An expert on furniture.

(e) An expert on farm implements.

(f) An expert on motor cars.

(g) An expert on fishing vessels.

No doubt they will as soon as the plans are more definitely formulated write to you. We already have several competent men in mind.

The local Japanese Canadian Association here at 84 Gerrard Street East have undertaken to analyse the claim forms which we represent, and list them in regard to real-

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

CANADIAN NATIONAL



February 9, 1948.

Messrs. Virtue & Russell

estate claims by municipalities and in regard to personal property by the type of property claimed, e.g. cars, household furniture, fishing vessels, etc.

As I understand it is your intention to employ in respect to your clients claims, the same valuators, you might wish to have copies of your claims sent to be included in the analysis and summary to be made by the Japanese Association here.

As they are starting on this job very soon, if you wish to have this done, I would suggest you send the copies of the claims on as soon as possible.

With kindest regards.

Yours sincerely,

FAB:HC

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

# CANADIAN NATIONAL TELEGRAPHS

W M ARMSTRONG GENERAL MANAGER
TORONTO

STANDARD TIME

1948 FEB 6 PM 6 24

VA179 109/108 NL=VANCOUVER BC 6

ANDREW BREWIN=

2132 BARRISTER STERLING TOWER BLDG TOR=

JUST RECEIVED BIRD'S RULING HE REJECTS OUR ARGUMENT AND HOLDS MARKET VALUE IN PARAGRAPH A REFERS TO EXISTING CONDITION OF PROPERTY AT DATE OF SALE MAKES INTERESTING COMMENT AT THE END THAT DUE TO LONG PERIOD BETWEEN VESTING AND DISPOSAL SOME PROPERTY MAY HAVE SUFFERED SUBSTANTIAL DETERIORATION AND SAYS IF THAT BE SO IN SUCH EXCEPTIONAL CASES PROPOSES TO HEAR EVIDENCE RELATING TO LOSS ARISING THEREFROM SO AS TO PERMIT REPORT TO BE MADE TO GOVERNOR IN COUNCIL ALTHOUGH RECOGNIZING DOES NOT COME WITHIN TERMS OF REFERENCE STOP LEAVING FOR KAMLOOPS TONIGHT WILL TRY TO FOLLOW THIS UP WITH LETTER AT EARLY DATE SENDING COPY OF RULING AIRMAIL=

R J MCMASTER.

RECEIVED
FEB 7 1948

Japanese Canadian

TELEPHONE: ADELAIDE 2547

JCCA

CITIZENS ASSOCIATION
NATIONAL HEADQUARTERS:
84 GERRARD ST. E., TORONTO 2, ONTARIO

RECEIVED
FEB 13 1948

February 12, 1948.

Mr. Andrew Brewin
Cameron, Welldon and Brewin
372 Bay Street
Toronto, Ontario

Dear Mr. Brewin: Re: Information - Fishing Vessels

George wrote to Mr. K. Kimura regarding information on disposal of fishing vessels in British Columbia prior to the evacuation of the Japanese people. Following, in part, is his reply to this Office:

" With reference to your enquiry made through Dr. George Ishiwara, Greenwood, B.C., I wish to state that information and individual files pertaining to the fishing vessels were transfered to the Office of the Custodian when the Japanese Fishing Vessels Disposal Committee closed its office.

I presume, the Office of the Custodian would be quite willing to furnish you the information provided firstly you obtain permission to do so from the previous owners. "

It is probable that George will be contacting Mr. Kimura on his tour to the West, and he will have further information when he returns.

Yours very truly,

Kinzie Tanaka

KT/tes

Kinzie Tanaka, Chairman,
National Executive Committee

this deal now in progress, I
things. As far as he is concerned he looks
on this as a game of poker. From now
on my cards stay close to my chest.
However, I'm not a good poker player

Province of Saskatchewan

OFFICE OF THE CHIEF INDUSTRIAL EXECUTIVE

Legislative Building,
Regina, Saskatchewan.

RECEIVED
FEB 16 1948
REFER TO FILE

February 12th, 1948.

Mr. A. F. Brewin,
c/o Cameron, Weldon and Brewin,
Sterling Tower,
Toronto 1, Ontario.

Dear Mr. Brewin:-

Re: Japanese property claims commission.

I have been asked by certain shareholders, who are making claims on behalf of corporations who suffered loss on account of sale of their assets, for clarification of the release which they have been asked to sign before their claims could be heard by the Commission.

Apparently they have been asked to sign these releases although as yet they have not yet sent the amended terms of reference of the Commission.

It would appear that shareholders should not be asked to release their legal rights until they are assured that they will suffer no special limitations because a claim is made by a Corporation instead of an individual, and also unless they are assured that their release will not be effective until the commission's findings are accepted by the Government, and any amounts recommended to be paid to the shareholders or on their behalf.

I have not yet seen the amended terms of reference but if you have any information on this matter, I would appreciate receiving it.

Yours very truly,

G. Tamaki.

George Tamaki.

things. As far as he is concerned he looks on this as a game of poker. From now on my cards stay close to my chest. However, I'm not a good poker player I'd like to lay all the cards on the table.

CAMERON, WELDON & BREWIN
BARRISTERS & SOLICITORS

A. J. P. CAMERON, K.C. ROY WELDON
F. A. BREWIN

CABLE "RUERMAS" TORONTO
TELEPHONE ADEL. 4391

STERLING TOWER
TORONTO 1, CANADA

RECEIVED
FEB 16 1948

February 4, 1948.

John W. G. Hunter, Esq.,
Custodian's Office,
Royal Bank Building,
Vancouver, B.C.

Re: Japanese Property Claims Commission

Dear Sir:

I have received a communication from you dated the 30th of January, in which without specifying any particular claim you state that pursuant to the direction of the Commissioner your reply to our claim will be based upon two grounds therein set out.

I assume that by an oversight the name of the actual claim with respect to which this communication was written was omitted.

I would be glad to be advised to what claim these grounds of objection are applicable.

Yours very truly,

F. A. Brewin

FAB:HC

Plaza Hotel,
Kamloops, B.C.,
Tues. 10/2/48

Dear Judge: After working very hard for over a week I managed to get out just under 150 such letters. It was physically impossible to complete the task. Also to get, even as many as I did, out in such hurry, they were of necessity superficial. I did not feel that they were worth while. Now after application to the Judge, he has waived the letters, and ordered me to announce prior to my cross examination, my grounds of defence. This enables you to re-examine & obviates surprise. Sincerely, John W. G. Hunter

[illegible] things. As far as he is concerned he looks on this as a game of poker. From now on my cards stay close to my chest. However, I'm not a good poker player I'd like to [illegible] all the cards on the table.

TELEPHONE PACIFIC 9164

# Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

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

A. W. FISHER
R. J. McMASTER

A. J. F. JOHNSON

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

FEB 18 1948

OUR FILE No.

February 13th, 1948.

Andrew Brewin, Esq.,
Barrister & Solicitor,
Sterling Tower Building,
TORONTO 1, Ontario.

Dear Sir:

Re: Copies of Claims filed by Japanese Canadians.

We are sending under separate cover in today's mail copies of claim forms, in duplicate. This is the third batch of forms sent you and we shall endeavour to complete the remainder within a few days.

Yours truly,

CAMPBELL BRAZIER FISHER & McMASTER,

Per: M. M.

mm

[illegible] things. As far as he is concerned he looks on this as a game of poker. From now on my cards stay close to my chest. However, I'm not a good poker player [illegible] all the cards on the table.

Kalamalka Hotel
Vernon B.C.
Feb 14 1947.

RECEIVED
FEB 18 1948

Dear Andy —

There are many things I would like to talk to you about. I shall not write about them now as I'm still in the midst of the fray. The Kamloops hearings went well. We began Tuesday. Thursday I took leave to Vernon to start interviews and arrived last night myself. We begin at 9 AM & will both go steadily through until 10 or 10:30 tonight. That's the way she goes to keep up with the schedule.

McPherson, the former Custodian's head man in Vancouver has arrived out here. I take it the state department are afraid that instead of the Department being whitewashed by the commission it may be the Japanese will be. He has raised hell with Hunter on his conduct of the defence. As a result the defence has been a little stronger. However, we have just marked that much longer not to have any loopholes for cross-examination. In three or four cases at Kamloops, Hunter very successfully in cross-examination established our witnesses as experts. He can be fairly smart but he also can be led into traps.

Having met McPherson I can now understand the acceptance of the A.J. deal. He is a very good looking young man; a very smooth talker; apparently very smart. To my sorrow I have found that (1) You can't talk frankly to him off the record — it ends up in the Judges ears; he's a great rationalizer; he's a loyal defender of the Department; he's interested in the political aspects of this deal not in justice; & a few other things. As far as he is concerned he looks on this as a game of poker. From now on my cards stay close to my chest. However, I'm not a good poker player I prefer to have all the cards on the table.

You will shortly receive a memorandum from the Secretary filed by Hunter ~~which~~ re shipping vessels which is most revealing. It was alleged [illegible]

9/1948

an objective statement of facts. About 75% of it is statement of opinion by Hunter. I protested it being filed except as an indication of what his argument would be & subject to our right to examine all the letters & documents referred to in it. For once on a technical ruling Bird upheld me. However, Hill undoubtedly read it & when it comes to argument ask us how we're going to get away from the opinion at which he has arrived and is it worth bothering to argue.

Andy, my real purpose in writing is to let you know I expect to be in Saskatoon from March 9th to 12th at the meeting of the Coöp Union of Canada. If perchance you had C.C.F. business or Sask. Govt business which could possibly bring you there at that time there are many things which we might discuss to some profit. Failing the possibility of your being in Sask. I wonder if it would be advisable to have Counsel for the prairie provinces meet so that I might pass on some of the experience gained here. The Commissioner has become very dependent upon us in many ways. He apparently is very pleased with the manner in which the cases are being handled. It would be well to maintain uniformity & his goodwill might across the country. I would like also to have us consult on the other branch of our case, the proof of values & the cross examination of the defence. I am beginning to get a different idea on our approach to that subject.

Sorry not to write more. I sometimes wonder what the hell I got into in this thing. The saving grace however has been the graciousness and appreciation of the large majority of persons for whom we act. I have never met it in such measure from any other group of persons. There are some simply grand persons amongst them.

With kind personal regards.

Bob.

February 16, 1948.

Messrs. Campbell, Brazier, Fisher & McMaster,
Barristers and Solicitors,
Royal Bank Building,
675 West Hastings Street,
Vancouver, B.C.

Attention Mr. R. J. McMaster.

Dear Bob:

I have been engaged at Whitby all week on a trial and have therefore not had an opportunity to reply sooner to your letter and telegram informing me of Mr. Justice Bird's ruling in regard to the condition of the property.

I may say off hand that I entirely agree with your comments. I would be glad if when opportunity affords, that you would have a conference with Mr. Norris and Mr. MacLennan and let us have your recommendations as to what action if any should be taken to question Mr. Justice Bird's ruling through an application in the courts. In the meantime, I will try to give some thought to the matter and let you have my suggestions.

I would be very glad to hear from you or from Mr. MacLennan how the question of lining up valuators is getting along.

Yours sincerely,

FAB:HC

February 18, 1948.

Messrs. Campbell,Brazier,Fisher & McMaster,
Barristers,
675 Hastings Street West,
Vancouver, B.C.

Attention Mr. R. J. McMaster

Re: Japanese Canadian Claims

Dear Bob:

Thank you very much for your letter of February 14th. I have been out of town and very busy myself, and have not been able to give much thought to this matter lately. However, I read your letter with interest. At the present moment I will only reply to your suggestion that it might be possible to call a conference of counsel concerned, particularly in the Prairie Provinces, sometime between March 9th and 12th. I think this is an excellent idea and I would ask you to let me know definitely what day and time you suggest, so that I can communicate with the other lawyers, or alternatively you might desire to communicate with them yourself. Those who are concerned are, Mr. Shumiatcher, Mr. Cherniack, Mr. Huckvale and Mr. Turcott in Lethbridge. You might also see fit to call Mr. Virtue in.

While I would like to hear the date, I am very doubtful about coming myself, quite apart from the item of expense. The major difficulty would be a family event which is expected to take place some time next month. However if it is just a day's conference I might conceivably fly out and back as I do have some matters that I could discuss with the Saskatchewan people. At any rate I would like to be advised as to the proposed time of your conference. I feel quite sure that such a conference would be very helpful to our representatives who will be taking cases later. I confess I have been very disappointed at the lack of correspondence from Mr. MacLennan. I do not wish to press him unduly in the matter, but as you know I suggested to him that in as much as you were taking the major responsibility in the presentation of cases, he should take responsibility in lining up the valuators.

I have not yet heard from him at all what reception if any was given to my suggestion of getting Mr. Hewer.

Messrs. Campbell,Brazier,Fisher & McMaster Feb.18/48.

I do warmly agree with you that although the job we have undertaken is worrisome at times,and a particularly heavy burden has fallen on yourself, nevertheless the appreciation of those for whom we have been working certainly repays whatever effort we have undertaken.

Yours sincerely,

FAB:HC

RECEIVED
FEB 23 1948

3212

February 19th, 1948.

Messrs. Campbell, Brazier, Fisher & McMaster,
Barristers and Solicitors,
675 West Hastings Street,
VANCOUVER, British Columbia.

Dear Sirs:-

RE: RECENT DECISION FROM MR. JUSTICE BIRD.

With reference to our letter to you yesterday regarding proposed appeal, we have now received word from The Southern Alberta Central Committee stating that they have accepted our recommendation and that as far as they are concerned, they do not wish to have an appeal taken.

We are sending an additional copy of this letter to Mr. Brewin for his information.

Yours truly,

VIRTUE & RUSSELL

Per

AGV/D
cc to Central Committee.
cc to Mr. Brewin.

Com. Feb 1948

RECEIVED
FEB 23 1948

3212 February 18th, 1948.

Messrs. Campbell, Brazier, Fisher & McMaster,
Barristers and Solicitors,
675 West Hastings Street,
VANCOUVER, British Columbia.

Dear Sirs:- RE: JAPANESE PROPERTY CLAIMS

We have not replied to your letters of February 4th and 6th because we were waiting for a conference with the committee representing our clients.

We had a long conference with them yesterday afternoon and for convenience shall number the paragraphs of this letter.

1.) INTERPRETERS.
Apparently the two interpreters employed by the Commission are reasonably satisfactory and, in addition, our clients will provide us with a good, local interpreter during the period of the official hearings.

2.) VALUATORS.
We refer not only to your letter but to Mr. Brewin's letter to us of February 9th of which you probably have received a copy.
We hope that the work of obtaining valuators can be proceeded with at once as we realize that these valuators have a very long task ahead of them.

3.) With regard to the statistical expert, we now hope that you may procure either Professor Angus or Professor Farr.

4.) With regard to the real estate man from Vancouver, we shall have to rely entirely on you.

5.) With regard to the Fraser Valley property, we shall have to rely on you but our clients sincerely hope that Mr. Yamaga may be one of the two men chosen for this purpose.

61

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE FORM 6102 CLASS OF SERVICE DESIRED



6.) We quite agree that in addition there should be experts on furniture, farm implements, motor cars and fishing vessels.

We shall be glad to hear from you from time to time as these men are chosen.

7.) PROPOSED EMPLOYMENT OF LAW STUDENTS AS ASSISTANT VALUATORS.

We shall leave this matter to you but we very much doubt the value of the work of inexperienced young men and believe a couple of competent, active real estate men would be much more valuable.

8.) PROPOSED APPEAL FROM RULING MR. JUSTICE BIRD RE DATE WHEN FAIR MARKET VALUE TO BE ASCERTAINED.

We have discussed this matter very carefully with our clients and they wish to have a week to think matters over and discuss it with the various claimants before coming to a final decision.

Subject to being overruled by their opinion, our own opinion is that an appeal should not be taken for the following reasons:-

(a) We must admit that the language of the Order-in-Council is extremely plain.

(b) I do not regard the chances of success as sufficiently strong.

(c) The final paragraph of Mr. Justice Bird's judgment makes it clear that he will in any event make a recommendation respecting claims where undue hardship is going to arise respecting deterioration. In our opinion, this recommendation will be of almost as much value as a formal finding.

(d) Mr. Justice Bird will have a wide discretion in almost every case between the maximum and minimum amounts which he might award. We therefore believe that it is of the utmost importance to cooperate with Mr. Justice Bird and retain his present goodwill. We do not believe an appeal on the point in question would advance our cause in this respect.

(e) We shall give your our final conclusion for what it is worth as soon as we hear from our clients.

Corr. Feb 1948

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE FORM 6102 CLASS OF SERVICE DESIRED



9.) COOPERATION WITH J.C.A.A. IN TABULATING CLAIMS. We are forwarding to the J.C.A.A. at Toronto one copy of each Proof of Claim.

10.) USE OF FORMS. We intend to use the printed form of analysis of claim furnished by the J.C.A.A. at Toronto in conjunction with our own "Summary of Evidence "form but as these forms are being supplied direct from Toronto, we will not trouble you to have them printed at Vancouver.

11.) COPY TO MR. BREWIN. A copy of this letter is going to Mr. Brewin for his general information and in reply to his letter of F e bruary 9th.

12.) VISIT FROM MR. TANAKA. We had a very satisfactory conference with Mr. Tanaka of Toronto on February 14th and we believe he now understands that our clients intend to cooperate fully and have been cooperating fully with the general committee in Toronto.

Yours truly,

VIRTUE & RUSSELL

Per

AGV/D

Com. Feb 1948

EXCLUSIVE CONNECTION WITH WESTERN UNION CABLE SERVICE

FORM 6102

# CANADIAN NATIONAL TELEGRAPHS

W. M. ARMSTRONG, GENERAL MANAGER
TORONTO

| CLASS OF SERVICE DESIRED | |
|---|---|
| FULL RATE MESSAGE | |
| DAY LETTER | X |
| NIGHT MESSAGE | |
| NIGHT LETTER | |
| EVENING & SUNDAY | |

PLACE X OPPOSITE SERVICE DESIRED

| CHECK | RECEIVERS NO. | TIME FILED | CHARGE TO DEPT. OR ADDRESS |
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Send the following message, subject to the terms on back hereof, which are hereby agreed to

Toronto, Ontario.
February 23, 1948.

MR. R. J. McMASTER
c/o CAMPBELL, BRAZIER, FISHER & McMASTER,
675 WEST HASTINGS STREET,
VANCOUVER, B.C.
RE JAPANESE HEARINGS
/SUGGEST IF POSSIBLE YOU GO TO LETHBRIDE ONE WEEK STOP WE
WOULD UNDERTAKE A RESPONSIBILITY FOR FEES AND EXPENSES STOP
DO NOT BELIEVE AT THIS STAGE SHOULD ASK COMMISSION TO BE
RESPONSIBLE FOR SAME STOP LETTER FOLLOWING

F. A. BREWIN

mail copies of claim forms, in duplicate, being the fourth package of forms sent you.

Yours truly,
CAMPBELL BRAZIER FISHER & McMASTER,

Per: M. M.

MM

Com. Feb 1948

TELEPHONE PACIFIC 9164

# Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

A. T. R. CAMPBELL
C. W. BRAZIER
A. W. FISHER
R. J. McMASTER
A. J. F. JOHNSON

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

RECEIVED
FEB 25 1948

OUR FILE NO.
1742

February 21st, 1948.

Andrew Brewin, Esq.,
Barrister & Solicitor,
Sterling Tower,
TORONTO 1, Ontario.

Dear Sir:

Re: Copies of Claims filed by Japanese Canadians.

We are sending under separate cover in today's mail copies of claim forms, in duplicate, being the fourth package of forms sent you.

Yours truly,
CAMPBELL BRAZIER FISHER & McMASTER,

Per: M. M.

MM

Com. Feb 1948

February 23, 1948.

Messrs. Campbell,Brazier,Fisher & McMaster,
Barristers and Solicitors,
675 West Hastings Street,
Vancouver, B.C.

Attention Mr. R. J. McMaster.

Re: Japanese Canadian Hearings

Dear Bob:

I have considered the suggestion made by Mr. Justice Bird that you or Mr. Leckie should attend at Lethbridge for a week, and that the Commission would be willing to pay your fees and expenses. I have also consulted Mr. Finlay, but not the other members of the Co-operative Committee.

We think that if it is at all possible you should go to Lethbridge, but we think that the Committee and possibly Mr. Virtue if he can be persuaded to do so should bear the expenses. If at some later date circumstances seem to justify it we may ask the Commissioner to make some recommendation to the Government as to the payment of some part of our fees and expenses. It would seem particularly appropriate that we should be paid for the preparation of evidence in a concise form and any other matters in which we have assisted the Commissioner to shorten the hearings.

I am of opinion, however, that any piecemeal proposal at this time to pay part of our expenses for a particular week or a particular job would damage our later representations. Further I think it might cause misunderstanding if it were known to our Japanese Canadian colleagues.

If the Government or the Commission are willing at some later date to make some payments on account of the work we have done, I think it should be based on a general principle applicable to all counsel involved and where the circumstances are appropriate.

We are quite ready to undertake the responsibility of having you go to Lethbridge for one week both in order to assist the Commissioner, and also because it may save us money by having you assist our representatives to shorten the hearing.

Com. Feb 1948

Messrs. Campbell,Brazier,Fisher & McMaster February 23/48.

I do not know whether you would have any trouble getting Mr. Virtue to contribute say half of your expenses. I understand that you are acting as his agent and I would think you could be of great assistance to him in discussing the procedure to date. You may know that he proposes to use the forms which you have evolved and is also sending his claim forms on to us for analysis for the purpose of valuation.

I have read with much interest the last paragraph of your letter. I must say that what the Judge has intimated is what I have thought he might consider all along. It will be our task to emphasize in the most tactful manner that the fuss made if the findings are too small will greatly exceed the fuss made if the Government thinks the findings are a little large. As you say, however, this consideration should not affect us in any way in putting forward a reasonable basis in the evidence in which he can be asked to make substantial awards.

I would be glad if you have time,to have answers to the following questions:

(a) What decision if any you and Messrs. Norris and MacLennan recommend in respect to a possible application to the Court on the question of the deterioration of properties by reason of the evacuation,between the date of the evacuation and the date of sale.

(b) What progress are you making in regard to valuations?

On the first point you will have received Mr. Virtue's comments.

It has occurred to me that Mr. Norris who knows the Judge very well, might possibly tell him what is in our mind and sound him out as to whether he might not think it helpful to have a decision of the court on the scope of the inquiry. I must say that at the present time my mind is leaning against the idea of the application to the Court, but if we are going to make such application, I do not think we should elay doing so very much longer.

In regard to the valuatiors, Mr. Virtue's letter refers to the fact that Prof. Angus is available to help us. I would be glad to know if this is a misunderstanding on his part or if he has received information which I have not yet received. My anxiety in wanting to get the question of valuators settled is partly in order that our Committee here may make a definite budget. By the end of March we should have the claims analysed and available for preliminary consideration.

I would also like to know whether Mr. Hewer has been considered.

I am still not certain whether I might not be able to come to a conference in Saskatoon, so that I expect you will

Corr. Feb 1948

Messrs. Campbell,Brazier,Fisher & McMaster Feb.23/48.

let me know as soon as possible of the proposed date.

Thank you for sending me such full and useful reports. I can assure you that we are all very grateful for the work that you have been doing under what must be considerable pressure.

Yours sincerdy,

FAB:HC

FAB

TELEPHONE PACIFIC 9164

Campbell, Brazier, Fisher & McMaster
Barristers and Solicitors

A. T. R. CAMPBELL
C. W. BRAZIER
A. W. FISHER
R. J. McMASTER
A. J. F. JOHNSON

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

RECEIVED
FEB 25 1948

OUR FILE No.

February 23rd, 1948.

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

Dear Andrew:

With respect to my letter of Saturday, I fear that I read the correspondence awaiting my return rather hurriedly and had overlooked the fact that despite your pending family event, you consider that if the conference lasted for a day only, you might conceivably fly out to Saskatchewan and fly back. My idea would be that the conference should only last for one day and I have written to the other solicitors suggesting that if you are able to attend, the meeting might be held in Regina on the 13th of March. If you are unable to attend, my suggestion is that it be held in Lethbridge on the 13th or 14th as the majority of the solicitors are in Alberta.

Would you kindly advise by return airmail whether, if the conference were held in Regina on the 13th of March for the one day, you might be able to attend.

With respect to the possibility of making an application to the Court to question Mr. Justice Bird's ruling, after my talk with him the other night and his general attitude towards this problem, it is my personal opinion that there is very little to be gained and something to be lost in taking such an action.

On returning to the office I see a note that Mr. Hewer has called me and I will get in touch with him while I am in town. I spoke to MacLennan the other day and he had not done anything about Hewer. However, I believe he is writing to you about his friend over at Macaulay Nicholls. I had a call from George Tanaka on Saturday and am seeing him at noon today. One reason I would like to see you in Regina is to have a good talk about this business of appraisals.

Yours truly,
CAMPBELL BRAZIER FISHER & McMASTER,

McM:MM

Per:

Corr. Feb 1948

Norris & MacLennan
BARRISTERS AT LAW, SOLICITORS
NOTARIES PUBLIC

T.G. NORRIS, K.C. – J.A. MacLENNAN, LL.B.

TELEPHONE PACIFIC 5254
CABLE ADDRESS: "NORRIS"
VANCOUVER, CANADA

BANK OF NOVA SCOTIA BUILDING
602 HASTINGS STREET WEST
Vancouver, B.C.

RECEIVED
FEB 25 1948

February 23, 1948

Messrs. Cameron, Weldon & Brewin,
372 Bay Street,
Toronto, Ont.

Dear Sirs:-

Re: Japanese Losses

We have had a couple of interviews with Mr. Dean Mansell, of the Real Estate firm of Macaulay, Nicholls, Maitland & Co., and he has expressed some doubts about the advisability of proceeding with an inspection of all the properties involved because it might be that his valuations would not be out of line with those of the Custodian's valuators and that is a possibility which will be present with any valuator that we get. The writer suggested that possibly fifty properties could be inspected and the question of valuations gone into thoroughly in connection with each and then we could receive a report from Mr. Mansell and decide whether we were making progress along the right lines. Mr. Mansell estimated that the average inspection would come to about $10.00 and we suggested that he try it out on the basis of doing $500.00 worth of work and then letting us know the results so that we could determine whether we wish to have him continue the way he is doing it.

You might let us know whether something along these lines meets with your approval. If so, we should be careful in selecting the initial fifty so that they are not all in the same district. Two or three houses in one vicinity should give a pretty good picture of the situation relating to others close by.

Yours truly,

NORRIS & MacLENNAN

Per:- J. A. MacLennan

JAM/sc
AIR MAIL.

Corr. Feb 1948

February 25, 1948.

Mr. George Tamaki,
Office of the Chief Industrial Executive,
Legislative Building,
Regina, Saskatchewan.

Re: Japanese Canadian Property
Claims Commission

Dear Mr. Tamaki:

I have your letter of February 12th. I have not myself seen the form of release which corporations who suffered loss on account of sale of their assets, have been asked to sign, nor have I seen any amended terms of reference.

I would suggest that you might write to Mr. Norris of Norris and MacLennan about this as he is handling the cases of several corporations with very substantial claims and has accepted the proposal of the Government. My own suggestion is that any such release should be sent to the Custodian with a covering letter to say that it is subject to the passing of an Order-in-Council if it has not yet been passed, empowering the Commissioner to inquire into and recommend in respect to the claims of corporations whose property was dealt with by the Custodian.

I do not think it necessary to insist on the term that the Government will pay any amount recommended, as it would seem to me absolutely inconceivable that having secured a release of other claims on the basis that the Commissioner would make recommendations for payment to the Government, they would then refuse to accept his recommendation.

The view which Mr. Norris and myself take was that the Commission afforded a cheap and expeditious way of determining these claims and would be in practice, far preferable to litigation against the Custodian. We think

Com. Feb 1948

however, that each case should be approached with caution, and the officers of the corporation fully advised of the effect of their giving such a release.

As I have said, I believe Mr. Norris will be able to provide you with the information you require.

Yours very truly,

CAMERON,WELDON & BREWIN

per:

FAB:HC

Con. Feb 1948

February 25, 1948.

Messrs. Shumiatcher & Shumiatcher,
Barristers, .
2060 Rae Street,
Regina, Saskatchewan.

Attention Mr. Morris Shumiatcher.

Dear Morris:

Mr. R. J. McMaster who as you know is acting as one of our agents in British Columbia in Japanese property claims, and who has handled a large number of hearings of the claims in British Columbia so far, is going to be in Saskatachewan, and suggests a conference of counsel representing the claimants to be held in Regina on Saturday March 13th. There are a number of matters which require attention and urgent decision in connection with these claims, such as finally approving of plans for experts on valuations, a final decision on whether or not we should seek to question in the courts the Commissioner's ruling on deterioration of properties due to evacuation, and lastly a review of the procedure of the oral hearings in which other representatives can get the advantages of Mr. McMaster's experience in this field.

It has occurred to me that my trip might also afford a useful opportunity to discuss further with you the John East case and possibly give consideration to a draft of our case. I cannot spend very long in Regina and am therefore proposing to fly out by T.C.A. arriving in Regina at 1.30 a.m. on the morning of the 13th, and to return by plane leaving Regina at 2.40 on Sunday afternoon.

I assume that the most of Saturday might be taken up with consideration of the Japanese Canadian claims. That would leave Sunday morning for discussion with you of the John East case if you think it would be useful at this stage.

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Messrs. Shumiatcher & Shumiatcher February 25, 1948.

I would be very much obliged if you could arrange to reserve hotel accommodation for me for these two days.

Yours sincerely,

FAB:HC

Corr. Feb 1948

February 25, 1948.

Messrs. Norris & MacLennan,
Barristers,
602 Hastings Street West,
Vancouver, B.C.

Attention Mr. J. L. MacLennan.

Re: Japanese Claims

Dear Sirs:

Thank you for your two letters of the 23rd, the first about Mr. Mansell and the second about Mr. Kagetsu. It appears that Mr. McMaster is going to be in Saskatchewan on or about March 13th, and I also have some business that will make it convenient for me to be there, so that he is arranging a conference of our legal representatives from Winnipeg and Lethbridge for Saturday March 13th. At this time I think we should try to come to a definite conclusion as to our recommendations to the Committee in respect to valuators. I do not know whether you have had an opportunity to consider whether Mr. Hewer's services would be of value. I understand from Mr. McMaster's letter that he was going to see Mr. Hewer before he left Vancouver. I have asked him before he come to Regina to discuss fully with you your recommendations in regard to valuators. It would also be a good opportunity for us to make a final decision as to whether we wish to take any proceedings in the court to question Mr. Justice Bird's ruling on the deterioration of properties after the evacuation.

Both Mr. Virtue and Mr. McMaster express the opinion that we have more to lose than to gain by any such court proceedings. I would, however, like to be sure that you and Mr. Norris agree with this point of view before we make a final decision.

In regard to Mr. Kagetsu's claim, no doubt you will inform me in good time of the information if any, you require from him in the preparation for his case, and I will interview him. As I will be going to England this summer, I would therefore like to see what can be done to get his case prepared before I leave, which is likely to be about the

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February 25, 1948.

Messrs. Norris & MacLennan

middle of June.

With kindest regards.

Yours sincerely,

FaB

FAB:HC

Messrs. Campbell, Brazier, Fisher & Hoyt ster,
Barristers,
675 West Hastings Street,
Vancouver, B. C.

Attention Mr. R. I. Hoyt ster.

Dear Bob,

I have considered your letter of yesterday and come to the conclusion that I would be able to be in Regina on Saturday the 13th of March, and that I should make the effort to be there. If we have to lay final plans about valuators and the Ontario hearings are due to come on in May. I certainly think that the value of your advice in how the proceedings may be shortened would be worth the expense of the trip.

Regina would suit our friend from Winnipeg better than Lethbridge, so that I will make arrangements to be in Regina on Saturday March 13th.

I am writing to Mr. MacLennan asking him to discuss fully with you before you leave, his recommendations as to valuators and also his opinion in regard to possible sundamus proceedings. I think we should decide that matter definitely at the conference. We think he will show you his letter of February 24th about Mansell. In my letter to him I am suggesting that the final arrangement about valuators be left to be decided at the conference at Regina.

With kindest regards.

Yours sincerely,

FAB:HC

Com. Feb 1948

February 25, 1948.

Messrs. Campbell,Brazier,Fisher & McMaster,
Barristers,
675 West Hastings Street,
Vancouver, B. C.

Attention Mr. R. J. McMaster.

Dear Bob:

I have considered your letter of February 23rd and come to the conclusion that I would be able to be in Regina on Saturday the 13th of March, and that I should make the effort to be there. After all we have to lay final plans about valuators, and the Ontario hearings are due to come on in May. I certainly think that the value of your advice in how the proceedings may be shortened would be worth the expense of the trip.

Regina would suit our friend from Winnipeg better than Lethbridge, so that I will make arrangements to be in Regina on Saturday March 13th.

I am writing to Mr. MacLennan asking him to discuss fully with you before you leave, his recommendations as to valuators and also his opinion in regard to possible mandamus proceedings. I think we could decide that matter definitely at the conference. No doubt he will show you his letter of February 22nd about Mr. Mansell. In my letter to him I am suggesting that any final arrangement about valuators be left to be decided at the conference at Regina.

With kindest regards.

Yours sincerely,

FAB:HC

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February 25, 1948.

Mr. Kinzie Tanaka,
Chairman,
National Executive Committee,
Japanese Canadian Citizens Association,
84 Gerrard Street East,
Toronto, Ontario.

Dear Mr. Tanaka:

I have your letter of February 12th setting out part of Mr. Kimura's reply to our request for information about the disposal of fishing vessels. This information does not seem to be very helpful from our point of view, and I hope that George will be able to get more information from Mr. Kimura when he sees him on his tour of the west.

Yours very truly,

CAMERON, WELDON & BREWIN

per: F.A. Brewin

FAB:HC

Com. Feb 1948

703 Dupont St.,
Toronto, Ontario
February 26, 1948

Mr. R. J. McMaster
675 W. Hastings St.,
Vancouver, B.C.

Dear Sir:

This is to notify you of the change in my address. After I filed my claims for losses from Kamloops, B.C. I moved to the address noted above, and so wish to have my claims heard in Toronto. Information with regard to this change has already been sent to the Commission.

I would appreciate it very much if my claims could be transferred to the Co-Operative Committee lawyer in Toronto.

Yours truly,

"J. Tanaka"

Juhei Tanaka

COPY

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