Corr. Oct 1948

1-2B

DRAFT LETTER TO CLAIMANTS

Dear

You are one of the claimants on whose behalf the Co-operative Committee are presenting claims to the Japanese Canadian Property Claims Commission.

You will very likely have read in the New Canadian, an account written by Mr. Brewin, of the progress of the Commission. If you have not read this account, I would suggest that you secure a copy of the New Canadian of (Date)

(Draft)

REMITTANCE FORM

I, ...
(name)

.....
(address)

having retained the Co-operative Committee on Japanese Canadians to present my claim to the Commissioner, and having paid 1% of the total claim, enclose herewith the sum of .....,
being a further 1% advance to ensure adequate funds for completion of vitally important work yet to be done in connection with the final hearings.

.....
(signature)

IMPORTANT:
...Make cheques or money orders payable to
CO-OPERATIVE COMMITTEE CLAIMS FUND.

...Mail all remittances to: Miss M. K. Boos,
Secretary,
Co-operative Committee,
67 Riverdale Ave.,
Toronto 6, Ont.

a staff of real estate valuators have been engaged since early in the summer. In addition, a very great deal of statistical work has been done.

It is impossible for detailed reports of this work to be presented to each claimant. We can, however, say that we are satisfied that a very real effort is being made to secure the best possible expert advice and to ensure that your claim is fully and adequately presented.

DRAFT LETTER TO CLAIMANTS

Dear

You are one of the claimants on whose behalf the Co-operative Committee are presenting claims to the Japanese Canadian Property Claims Commission.

You will very likely have read in the New Canadian, an account written by Mr. Brewin, of the progress of the Commission. If you have not read this account, I would suggest that you secure a copy of the New Canadian of (Date) and read it. You may also have read the Financial Statement of the Co-operative Committee in respect to the Claims Commission. In any event we enclose a copy of the Financial Statement herewith.

In these two documents, several things will be clear to you.

1. That in presenting the evidence of roughly 1000 claimants across Canada and preparing claim forms representing claims of between three to four million dollars, a tremendous work has been done by the Co-operative Committee and its legal representatives on your behalf, and on behalf of the other claimants.

2. That the duration of the Commission and the size of the task has turned out to be much greater than anyone could have expected.

3. That perhaps the most important part of the claims if substantial recovery is to be made, remains for the future in Vancouver, when detailed evidence of expert valuators of real estate and other forms of property are presented to the Commission, together with statistical information, records of sales of comparable property and legal argument. In Vancouver also it will be necessary to cross-examine the Government witnesses and valuators in detail.

A very great deal of work has already been done and a staff of real estate valuators have been engaged since early in the summer. In addition, a very great deal of statistical work has been done.

It is impossible for detailed reports of this work to be presented to each claimant. We can, however, say that we are satisfied that a very real effort is being made to secure the best possible expert advice and to ensure that your claim is fully and adequately presented.

Much remains to be done, and it now appears that to complete the Commission's work some time next year satisfactorily to the claimants, will require the full time services of our legal representative in Vancouver, together with valuators and expert advice in Vancouver.

In light of these facts, a 1% of the claims which the Co-operative Committee asked for and which most claimants paid in for a retainer fee to cover the costs of legal assistance, valuations and other expenses, has turned out to be entirely inadequate, and the Co-operative Committee will shortly run out of the necessary funds to carry through properly the remaining and most important stages of the Commission.

The various legal counsel across Canada have been able to devote much time to the claims without asking for present payment for their legal services, but it is not possible to ask that our Vancouver representatives who will be putting their entire time in this matter, should be required to wait for payment, nor is it possible to employ the valuators on such a basis.

In view of these facts the Co-operative Committee have decided to request claimants to advance a further sum equal to 1% of their claims, to enable the work to be carried on on their behalf.

We regret that we did not originally foresee the extent of the nature, or the length or scope of the Commission hearings, and that it is therefore necessary for us to come back again to the claimants.

We would point out that at the time the original amount was fixed, the terms of reference were very much narrower than at the present time. However, we believe that all the claimants will agree that the payment in advance of a total of 2% of the claim (instead of 1%) still represents a tremendous saving over what would have been possible without the Committee's co-operation, and that if it had been necessary for each claimant to employ individual solicitors and valuators, very much higher payments would have been required.

Cherniack & Cherniack
BARRISTERS AND SOLICITORS

J. A. CHERNIACK, B.A., LL.B.
S. M. CHERNIACK, LL.B.

31-460 Main Street

Phones 22 877
22 878

RECEIVED
OCT 1 1948
CAMERON WELDON
& BREWIN

Winnipeg, September 30th *1948*
Canada

M[illegible]*operative Committee on Japanese Canadians,*

94 Homewood Ave. Apts. 28, Toronto 5, Ontario.

IN ACCOUNT WITH

460 Main Street — *Cherniack & Cherniack* — *Phones 22 877-8*

BARRISTERS, SOLICITORS, NOTARIES PUBLIC, ETC.

E. & O. E.

Postage and express from may 1st to date -	12.50
Stenographic supplies, file folders, etc. -	4.00
Paid to J.A. Colwill for necessary information re claim of Shizuo Hosaki as per receipt attached -	2.00
Stenographic assistance -	50.00
Interpreter Assistance for Winnipeg claims in April & September -	275.00
Total to date -	$343.50

c.c. to Mr. F.A. Brewin, "FOR YOUR INFORMATION"

sidered these claims in the light of the term "value to the

Cherniack & Cherniack
BARRISTERS AND SOLICITORS

J. A. CHERNIACK, B.A., LL.B.
S. M. CHERNIACK, LL.B.

Phones { 22 877
22 878

31-460 Main Street
Winnipeg,
Canada

RECEIVED
OCT 1 1948
CAMERON WELDON
& BREWIN

PLEASE REFER
TO FILE No.

September 30th, 1948.

Co-operative Committee on Japanese Canadians,
94 Homewood Avenue, Apt. 28,
TORONTO 5, Ontario.

Dear Sirs:

I have just completed the hearings before the Sub-Commission and I am therefore enclosing herewith a statement of my disbursements to date.

Please note that in my Statement which has been rendered to you in connection with the hearings last April, I omitted the cost for interpreter assistance for the Winnipeg hearings. This amount is included in the enclosed statement.

As I have already advanced these disbursements, I would appreciate your cheque at your earliest convenience.

Since in the past I have sent these Statements to Mr. Brewin, I am forwarding a copy to him for his reference.

Yours very sincerely,

SMC/y
encl.

c.c. to Mr. F.A. Brewin, "FOR YOUR INFORMATION"

sidered these claims in the light of the term "value to the

October 1st, 1948.

Mr. Yoshikazu Nakatsu,
419 Dundas St. West,
Toronto, Ontario.

Dear Mr. Nakatsu:

The hearing of your case by the Sub-Commission has been arranged for Friday the 8th day of October at the Metropolitan Church Parish Hall at the corner of Bond and Shuter Streets in Toronto.

Will you please arrange to come down to the hearings on the day named, at 9.15 a.m., so that Mr. Brewin or Mr. Best may be able to interview you before your case is heard.

I may be that you will have received a notice from the Secretary to the Sub-Commisssion to come down at some other time and place. However, the arrangements have been made with counsel for the Sub-Commission, to have your case heard at the date mentioned in our letter.

If by any chance you cannot come at the time named, please notify our office as soon as possible.

Yours very truly,

CAMERON, WELDON & BREWIN

per: F. A. Brewin
per HC

FAB:AH

sidered these claims in the light of the term "value to the

October 1, 1948.

Mr. A. Smith,
134 Hopedale Avenue,
Toronto, Ontario.

Re: Japanese Canadian Claims
Sub-Commission

Dear Mr. Smith:

In confirmation of our telephone conversation, I am writing to confirm that we will ask the Sub-Commissioners to carry on the practice adopted by Mr. Justice Bird in respect to the calling of cases, namely, that we will make ourselves responsible for preparing daily lists of cases and notifying claimants and their witnesses to be present. These lists will not correspond with the list of claims to be heard, and the dates as prepared by yourself. We have found from experience that when we come to interview claimants, we find that there are various reasons why it is difficult for them to be present on the day originally named.

We enclose herewith a prospective list for the cases to be heard during the week of October 5th, and we will let you have the later lists as they become available.

We understand that you have already sent out notices to the claimants in accordance with the original list prepared by you. We appreciate that it was your full responsibility to do this, but we have taken responsibility in accordance with the previous practice, of notifying the claimants of the adjusted times of hearing, and we would suggest that as the hearings progress, it may not be found necessary for you to sent out notices. Mr. Best and myself will on behalf of the Co-operative Committee, be representing practically all of the claimants. We suggest, however, that in the cases in which we know that other solicitors are acting for claimants, that you should be responsible for sending out notices to them, and that they should retain the place on the list and the dates set out in your original list. At the moment this only seems to apply to cases No. 32, 38 and 39, but we will inform you if there

sidered these claims in the light of the term "value to the

Hamilton Expenses Oct. 2/48 J. Gilbert.

Transportation	2.60	
Meals	2.40.	
Taxi	1.50.	Sat night to Church of All Nations for false alarm.
	$6.50	

sidered these claims in the light of the term "value to the

Oct. 9, 1948. Hamilton Trip J. Gilbert.

Transportation.	2.50.
Meals	1.50.
Taxis	1.30
	$ 5.30

sidered these claims in the light of the term "value to the

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
OCT 4 1948
CAMERON WELDON
& BREWIN

OUR FILE No.

October 1st, 1948.

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

Dear Andy: Re: Japanese Claims Hearings.

We are enclosing herewith copy of letter received from Mr. Justice Bird this morning. As he is going off on his hunting trip this afternoon there will be no opportunity to discuss the matter as I wish to have instructions from both yourself and Virtue before discussing it further. However, I would appreciate your considered opinion as to whether we are in a position to agree to the revised wording proposed by him.

It has the merit of placing on his shoulders the responsibility of deciding not to hear a case but it does not relieve us from the responsibility of agreeing to be bound by his decision. God knows what other alternative we have -- except to be bound by his decision!

Inasmuch as it will be a week before Mr. Justice Bird returns to town, it might be well for you to discuss the whole matter with your Committee or the executive and for the convenience of so doing, I enclose herewith a copy of the original memorandum as drafted and submitted to him.

We had a discussion with Mr. Justice Bird this morning with respect to the fixing of dates of corporation claims and it appears fairly certain now that the Kugetsu claim will be heard about the 8th of November unless something happens to the other claims that speeds up the proceedings. It was also agreed that argument of corporation claims would not be heard until all the corporation claims have been presented. At the present time, it looks as if we succeeded in arranging that the Kugetsu claim will be last on the corporation list. I hope that you will not only be available for consultation with respect to argument

sidered these claims in the light of the term "value to the

October 1st, 1948.

Mr. Brewin:

but also be able to sit in on the general evidence when the Crown will be dealing with DVLA.

The week has gone not too badly. I think we got some place on our cross-examination of the boat surveyor in a manner that will be helpful and we got some statements out of Menzies that may also be helpful. Needless to say, I have not had an opportunity to read all the transcript but in glancing over several parts of it strangely enough I felt happier about the parts I read than I did at the time the cross-examination took place. Before presenting our general evidence somebody is going to have to sit down and read the whole transcript of the Crown's general evidence so that we may endeavour to block the hole with direct evidence on our own. They called three auctioneers who mainly were engaged on auctions in the Fraser Valley but I felt that we failed to shake them in any way whatsoever. Further enquiries which I have made since you left concerning auctions have not been encouraging. We shall try to concentrate on this problem and will have to review the whole matter when you are next out.

With kindest personal regards from the writer, I am,

Yours very truly,

-Bob McMaster

McM:MM
encls.

sidered these claims in the light of the term "value to the

JAPANESE PROPERTY CLAIMS COMMISSION

Court House

VANCOUVER, B.C.

September 30th, 1948.

R. J. McMaster, Esq.,

John W. G. Hunter, Esq.

Dear Sir,

I have drafted an amendment to the final paragraph of Mr. McMaster's memorandum of September 29th, which I would like Counsel to consider in terms of our discussion on Wednesday afternoon, - the final paragraph to read as follows:

"After the Commissioner has made recommendations in the selected cases, Counsel for the Government and for the Claimants respectively will review all other claims, in respect of which all evidence has not then been adduced, on the basis of principles and decisions enunciated by the Commissioner in the recommendations so made. Counsel will then endeavor to present to the Commissioner joint submissions as to the categories into which each case falls, and as to the sum to be recommended for payment to such claimant in respect of each branch of his claim.

If Counsel are unable to agree on a joint submission in respect of any claim or branch of a claim, either Counsel, on notice to the other, may apply to the Commissioner to determine whether that claim falls within an agreed category or has special features requiring determination independently of the recommendations made for any category. A claim so found to fall within an agreed category shall be determined upon the basis of the recommendation theretofore made in respect of that category. A claim so found to have special features and not to fall within any agreed category shall be disposed of independently of the category recommendations, after hearing further evidence and argument thereon."

If upon consideration of the foregoing proposed amendment, Counsel desire further changes and are unable to agree on the changes to be made, I shall be glad to discuss the situation with you at any time. This might be done early tomorrow afternoon if convenient. Will you communicate with me in the course of tomorrow morning.

Yours truly,

HIB/W. "H. I. Bird"

COPY

sidered these claims in the light of the term "value to the

October 4, 1943.

Mr. R. J. McMaster,
c/o Messrs. Campbell, Brazier, Fisher & McMaster,
Barristers,
675 West Hastings Street,
Vancouver, B.C.

Dear Bob:

Re: Japanese Claims Hearings

I have your letter of October 1st. I do not think we have any alternative but to agree to the memorandum as outlined, as drafted by Mr. Justice Bird.

Under the memorandum as he has drafted it, it will be necessary for him to consider into what category the particular claim falls, and I do not see how he can do this without reviewing the type of evidence that we propose to adduce which we say makes it different to any agreed category. After all there would be nothing to prevent him in cases we did present evidence in full, in concluding that the case was bound by the principles of his decision in an earlier case, and making a recommendation accordingly. If we find in practice that after we have told him the type of evidence we wish to adduce to show it is a special case, and he refuses to hear that evidence, we are surely in more or less the same position as we would be in if we had made no agreement at all.

I discussed this matter with the Co-operative Committee and they passed a resolution approving in general terms of the proposal.

They also approved of our making an application to the Government as we discussed.

I am glad to hear from you that the Kagetsu case is not likely to be hear until about the 8th of November, and that the argument in the corporation cases is likely to be at the end. That will give us an opportunity to consider the evidence in all of those cases, and perhaps set a few useful precedents.

sidered these claims in the light of the term "value to the

R. J. McMaster October 4th, 1948.

I am glad to hear that your week has gone well and I can assure you, if you need any such assurance, that we are all happy about the work that has been done, and are quite confident that you are making the best out of all our opportunities.

Will you let me have a draft of the letter to the Minister of Justice re the contribution to expenses, as soon as possible. I thought that this letter should go forward on the letterhead of the Co-operative Committee, and not directly from myself. I wish to take it up with them.

With kindest personal regards.

Yours very truly,

FAB:HC

Dear Mr. Brewin:

Re: Mitsuzo Nakagawa.

We are enclosing herewith the complete file of the above-named, whose claim was heard in Montreal, pursuant to your request of September 30th.

Yours truly,

CAMPBELL BRAZIER FISHER & McMASTER,

Per: R. J. McMaster

MM
encl.
REGISTERED

sidered these claims in the light of the term "value to the

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

OUR FILE No.

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

October 2nd, 1948.

RECEIVED
OCT 6 1948
CAMERON, WELDON & BREWIN

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

Dear Mr. Brewin:

Re: Mitsuzo Nakagawa.

We are enclosing herewith the complete file of the above-named, whose claim was heard in Montreal, pursuant to your request of September 30th.

Yours truly,

CAMPBELL BRAZIER FISHER & McMASTER,

Per: R. J. McMaster/m.

MM
encl.
REGISTERED

sidered these claims in the light of the term "value to the

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.

OUR FILE NO.
1742-Gp92

October 4th, 1948.

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

RECEIVED
OCT 6 1948
CAMERON WELDON
& BREWIN

Dear Mr. Brewin:

Re: Hideo SAKAMOTO, File No. 11360
Our No. 92. Reg. No. 01931

Upon reviewing the above-named claimant's file we notice that the claim covers 43 original shares @ $100.00 and 51 Preference shares @ $100.00 in the M. Furuya & Co. Ltd. As there did not appear to be a transcript covering this case we got in touch with Mr. Watson, Secretary to the Commission here, as to whether or not the case had been heard. He has now advised us that the claim was set for November 22nd at Toronto.

I am just wondering whether, in view of the fact that Sakamoto would appear to be the principal shareholder in M. Furuya & Co. Ltd., a claim should not be made on behalf of the Company. We would appreciate further advice in respect of this claim.

Yours truly,

CAMPBELL BRAZIER FISHER & McMASTER,

Per: R J McMaster

MM

sidered these claims in the light of the term "value to the

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.

OUR FILE NO.

October 4th, 1948.

RECEIVED
OCT 6 1948
CAMERON WELDON
& BREWIN

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

RR #2 Freeman Ont.,

Dear Andrew:

Re: Harry Yoshitaka Takata -
General Index File No. T-27.

The above-named has made a claim with respect to property situate in the Municipality of Delta. The writer has just had occasion to refer to certain searches made by our students with regard to Delta and notices that we have information that there is a registration of the Deed from the Soldier Settlement Board of Canada to Takata in 1941 for $2400.00. The property was sold by the Custodian to the Veterans Land Act for $669.00. It appears likely to us that the registration of the Deed to Takata in 1941 was probably upon the completion of an agreement of purchase which he had entered into with the Soldier Settlement Board possibly after the last War. We have to advise that if he is a veteran of the last war there is a reasonable chance of his obtaining the property back on payment of the monies paid by D.V.L.A., provided that his property has not been re-sold by D.V.L.A.

While we do not know whether his property has been sold, it has been our experience that apparently DVLA had a touch of conscience with respect to properties taken away from veterans of the First World War and in the other two or three cases that we have, they have not re-sold the property.

Mr. Justice Bird took an interest in the problem of the veterans of the First World War with respect to a case which we had in Vernon a few months ago and he indicated

sidered these claims in the light of the term "value to the

October 4th, 1948.

Mr. Brewin:

-2-

Re: Harry Yoshitaka Takata

to me the other day that his negotiations with the responsible Minister, the Honourable Mr. Gregg, were proceeding satisfactorily.

Accordingly, we would very much appreciate it if you, or some one else, could interview this man at the earliest possible date, obtaining full details of his World War record if he is a veteran, including regimental number, the company with which he served, the places where he served, and his history of wounds, etc.

Yours truly,

CAMPBELL BRAZIER FISHER & McMASTER,

Per:

McM:MM

Corr. Oct 1948

sidered these claims in the light of the term "value to the

From the Revelstoke JCCA

COPY

Box 532, Revelstoke, B. C.
October 5th, 1948

Mr. H. Onotera,
B.C. JCCA
Greenwood, B. C.

Dear Hydes:

Thank you for yours of the 22nd.

I would like to request you to make one more effort to have Mr. Takashira's case represented by either Mr. McMaster or his colleagues.

In yours of the 22nd, quoting Mr. McMaster, you state "unless specifically instructed to do so" and in closing "we doubt whether the Committee would be compensated".

Upon the first clause we are not in a position to do anything about except to appeal to them, but as for the closing sentence of the quotation, we have tried our best to see that neither the Committee's nor Mr. Master's time is spent without any compesnation whatsoever.

Mr. Takashira has stated that he has not the necessary amount of cash for the retainer fee but he is ready to sign over an order to the Custodian, with whom he still has a large account, for the full amount of the sum if he is able to have his claim represented. This, of course, being subject to the advice of the lawyers retained by the Co-operative Committee.

So, would you, Hydes, let us know as soon as possible what possibility there is of having the Co-operative Committee recommend Mr. Takashira to Mr. McMaster, under these conditions:

(a) that the Revelstoke JCCA believes and endorses his statement that he is unable to raise the retainer fee for his claim in cash.

(b) that he is willing to sign over an order for the full amount of the fee towards his funds which are still in the Custodian's hands.

Yours very sincerely,

G. Tsuchiya, Pres.
Revelstoke JCCA

sidered these claims in the light of the term "value to the

Corr. Oct 1948

October 7, 1948.

Mr. Toshiaki Ebata,
60 Indian Road Crescent,
Toronto, Ontario.

Dear Sir:

Your claim which was to have been heard on Thursday October 14th has been adjourned.

We will advise you when the new date has been set.

Yours very truly,
CAMERON, WELDON & BREWIN
per: F. A. Brewin
per HC.

FAB:HC

sidered these claims in the light of the term "value to the

October 7, 1948.

Mrs. Mary Chiyono Ozawa,
39 Grant Street,
Toronto, Ontario.

Dear Mrs. Ozawa:

Your claim which was to have been heard on Wednesday October 13th has been adjourned.

We will advise you when the new date has been set.

Yours very truly,
CAMERON, WELDON & BREWIN
per: F. A. Brewin
per HC.

FAB:HC

sidered these claims in the light of the term "value to the

TELEPHONE PACIFIC 9164

H. R. S. RYAN
Barrister & Solicitor
18 QUEEN STREET - PHONE 11
PORT HOPE, ONTARIO

October 7, 1948.

RECEIVED
OCT 8 1948
CAMERON WELDON & BREWIN

Messrs. Cameron, Weldon and Brewin,
Barristers, etc.,
Sterling Tower,
TORONTO 1, Ontario.

Attention: Mr. Brewin

Dear Andrew: Re: Yohey Kohy and Toyo Kohy

I note from your letter of September 28th , that it will not be necessary to take out Letters of Administration unless an award is made.

I think you had better call Mr. and Mrs. Tada as witnesses in the Kohy claim as well as in their own, because Mrs. Kohy will not make a very good witness.

Yours very truly,
H R S Ryan
per L. J.

HRSR:LJ

major change is that with respect to the paragraph in which we request the Government specifica for financial assistance. He felt that it would be necess to persuade the Minister of Justice that the claimants ha made adequate provision for the carrying on of the proce ings in the anticipated manner and also that it was beyo their means to undertake the expense involved in expedit the proceedings in the manner agreed upon. So that you refresh your memory as to the memorandum which you dra we enclose herewith the notes which you left with me.

With kind personal regards,

Yours very truly,

N.B. It is my understanding you will hold it up pending agreement on procedure.

McM:MM
encls.

sidered these claims in the light of the term "value to the

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.

OUR FILE No.

October 7th, 1948.

RECEIVED
OCT 9 1948
CAMERON WELDON
& BREWIN

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

Dear Andy:

Re: Japanese Claims Hearings.

We have for acknowledgment receipt of your letter of October 4th and have noted the contents with respect to Mr. Justice Bird's suggestion. I have not heard from Virtue with respect to this matter. As you are aware, Mr. Justice Bird is away this current week so that the matter cannot be straightened out until next week. In the meantime, however, we are enclosing herewith a re-draft of the proposed letter which you drafted to the Minister of Justice. NB The alterations which have been made in it were made pursuant to certain general observations and suggestions of the Commissioner. It was at his suggestion that we changed the word "several" to "many" months at the end of the fourth paragraph.

The other major change is that with respect to the paragraph in which we request the Government specifica for financial assistance. He felt that it would be necess to persuade the Minister of Justice that the claimants ha made adequate provision for the carrying on of the proce ings in the anticipated manner and also that it was beyo their means to undertake the expense involved in expedit the proceedings in the manner agreed upon. So that you refresh your memory as to the memorandum which you dra we enclose herewith the notes which you left with me.

With kind personal regards,

Yours very truly,

NB. It is my understanding you will hold it up pending agreement on procedure.

McM:MM
encls.

sidered these claims in the light of the term "value to the

BRITISH COLUMBIA

JAPANESE CANADIAN CITIZEN ASSOCIATION

GREENWOOD, B. C.

October 7th, 1948

COPY

Mr. George Tanaka
National Executive Secretary
84 Gerrard St. E..
Toronto 2, Ontario

Dear George:

Re: Loss Claims -- Takashira

We are enclosing copies of letters relating to the representation of Mr. Takashira's claims.

It seems that this person had retained an individual lawyer from Vernon at the initial hearings, and when requested by that lawyer to contact lawyers in Vancouver -- preferably, Mr. MacLennan or Mr. McMaster, -- he could not retain them for some vague reasons.

Perhaps your office or the Co-operative Committee may be familiar with this case. The purpose of this communication is to request you to present the views as expressed in the enclosed letters to the Co-operative Committee to find out whether the Committee will represent Mr. Takashira.

Yours sincerely,

H. Onotera, Executive Seç'y.
per tt

sidered these claims in the light of the term "value to the

October 12, 1948.

Mr. Toshiaki Ebata,
60 Indian Road Crescent,
Toronto, Ontario.

Dear Sir:

We have now arranged to have your claim heard on Monday October 18th.

Will you please arrange to be at the Metropolitan Church Parish Hall at the corner of Bond and Shuter Streets at 1.15 p.m. on October 18th.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC

sidered these claims in the light of the term "value to the

October 12, 1948.

Mrs. Mary Chiyono Ozawa,
39 Grant Street,
Toronto, Ontario.

Dear Mrs. Ozawa:

We have now arranged to have your claim heard on Monday October 18th.

Will you please arrange to be at the Metropolitan Church Parish Hall at the corner of Bond and Shuter Streets at 9.15 a.m. on October 18th.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC

sidered these claims in the light of the term "value to the

October 13, 1948.

Mr. A. Watson,
Secretary,
Japanese Property Claims Commission,
Court House,
Vancouver, B.C.

Re: George Yasaburo Nishikaze
Reg. #10518

Dear Mr. Watson:

Some time ago you wrote to us concerning this claim. Mr. Nishkaze made a claim in Montreal on June 9th 1948. He subsequently filed a claim on real property valued at $2,645.00 and sold for $900.00 by the Custodian, making a claim of $1745.00.

With the filing of this claim he stated his reason for late filing, namely that he thought that the owner of the other half interest in the property, namely, Mr. Denkichi Yasumoto had filed the claim on his behalf. Mr. Yasumoto had not filed the claim.

Would you be kind enough to ask Mr. Justice Bird if he will add to the list of the Toronto hearings the joint claim of Mr. Nishikae and Mr. Denkichi Yasumoto.

If any further information is required, would you please write to us immediately as Mr. Nishikaze is living in Montreal and he has given Mr. Denkichi Yasumoto a power of attorney to make the claim in Toronto.

With best regards.

Yours sincerely,

J. Gilbert

JG:HC

P.S.-- Mr. Christie received the Custodian's file on the second claim and we have also prepared the claim for the claimant.

J.G.

sidered these claims in the light of the term "value to the

HONOURABLE MR.
COMMI

JAPANESE PROPERTY CLAIMS COMMISSION

COURT HOUSE
VANCOUVER, B.C.

October 13, 1948.

Mr. R. J. McMaster,
c/o Messrs. Campbell, Brazier, Fisher & McMaster,
Barristers,
675 West Hastings Street,
Vancouver, B.C.

Re: Hideo Sakamoto
Re: Toronto Hearings

Dear Mr. McMaster:

Will you please tell us if this claim has been heard. If it has, would you please check to see if you have the Custodian's file with it. If so, please forward the Custodian's file to us immediately.

If the claim has not been heard, and both files are together, please forward the same for the hearing in Toronto before the sub-commission.

Yours very truly,
CAMERON, WELDON & BREWIN
per: J. Gilbert
per H.G.

JG:HC

sidered these claims in the light of the term "value to the

HONOURABLE MR. JUSTICE H. I. BIRD
COMMISSIONER

A. WATSON
SECRETARY

JAPANESE PROPERTY CLAIMS COMMISSION

COURT HOUSE
VANCOUVER, B.C.

October 12th 1948.

RECEIVED
OCT 14 1948
CAMERON, WELDON
& BREWIN

F. A. Brewin, Esq.,
Messrs.Cameron, Weldon & Brewin,
Sterling Tower,
Toronto 1.

Dear Sir, Re claim of Y. MURAKAMI #00027

Will you kindly favor us with two copies of the above claim.

Thanking you,

Yours truly,

A. WATSON
Secretary

AW/W.

sidered these claims in the light of the term "value to the

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.

OUR FILE NO.

Index No. S-854

RECEIVED
OCT 14 1948
CAMERON WELDON
& BREWIN

October 12th, 1948.

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

Dear Andy:

Re: SHOJI, George Yasuzo.

From advice received from the Custodian's office we have reason to believe that the above-named claimant who resides at 259 King Street E., Chatham, Ontario was a veteran of the First World War.

If such is the case then we understand that the Soldier Settlement Board has not re-sold his property although they purchased it from the Custodian and it may be possible to buy it back from the Soldier Settlement Board for the amount paid by them. We are hoping in these cases to press also for any excess of revenue over the expenditures on the property. It would be very much appreciated if you could check at an early date and ascertain whether this man is a veteran, and if so, give us the details of his regimental number and service. We shall then be pleased to take the matter up with the Commissioner who, as previously reported to you, is negotiating with the Minister concerning properties of this type.

It has crossed our mind that even if the veteran is not able to undertake the operation of the farm, that if he could get it returned to him, he could raise sufficient money on mortgage to repay the DVLA and then turn around and sell the property at a greatly enhanced price.

An early report on this matter would be appreciated.

Yours truly,
CAMPBELL BRAZIER FISHER & McMASTER,

McM:MM

Per:

sidered these claims in the light of the term "value to the

13th October, 1948

3201

R. J. McMASTER, ESQ.,
c/o Messrs. Campbell, Brazier, Fisher
and McMaster,
Barristers and Solicitors,
Royal Bank Building,
675 West Hastings Street,
VANCOUVER, B.C.

Dear Mr. McMaster: RE: PROPOSALS RE CATEGORIES

We have had some difficulty and delay in getting final instructions from our Committee, owing to the fact that practically all of the members of the Committee are responsible for large areas of sugar beets, and the sugar beet harvest is now in full swing and, of course, is of an urgent character.

However, the Committee have now given us the necessary instructions.

They feel that it was the desire of Parliament and the Canadian Government in appointing a Commission to deal with their claims, that substantial justice should be done in respect of losses suffered by all the claimants coming within the terms of the Commission.

Therefore they consider that they are not at liberty to do anything or take any position which would cut down the rights and privileges given by the Government. They also feel that they cannot justifiably take a position which, for the sake of convenience, might result in great hardship to a substantial number of the claimants.

At the same time they fully realize that a full detailed individual hearing of the whole fourteen hundred cases will be almost a superhuman

sidered these claims in the light of the term "value to the

R. J. McMASTER, ESQ.,
c/o Messrs. Campbell, Brazier, Fisher
and McMaster,
VANCOUVER, B.C.

13th October, 1948

RE: PROPOSALS RE CATEGORIES.

task from a practical standpoint. Accordingly they wish to co-operate in every way possible with the Commission in reducing the number of detailed Hearings to a point where it will be practically possible to deal with them in a reasonable length of time, and at the same time protect the individual rights of the claimants and prevent undue hardship to any of the claimants.

Having all the above considerations in mind they have given us the following instructions:

1. We are to agree to the proposal advanced by the Commissioner for the selection and full hearing of "category cases" as already outlined;

2. The principle will be recognized and acted upon that general findings of fact and law in category cases are bound to be applicable to all other cases pro tanto of like character;

3. Therefore, where such general findings of fact or law make it possible to settle cases of like character and circumstances without further hearing we are authorized to settle such cases;

4. Where a further hearing would merely result in a duplication of evidence, or otherwise cause a waste of time, we are authorized to settle such cases;

5. Where it is impossible to arrive at a fair settlement either by reason of special circumstances or undue hardship or otherwise, we are not authorized to abandon any rights which were given to the claimant by the Government of Canada.

Let me say in addition that, speaking for myself, I have every wish to shorten the time taken by the Hearings to the greatest degree possible consistent with the rights of claimants, and I will go to almost any length in an endeavour, in individual cases, to shorten the Hearings or waive the entire case if a just settlement can be worked out.

It seems to me that if we all approach this problem in this spirit it is unnecessary and unwise to tie any of the parties by hard and fast inflexible rules.

sidered these claims in the light of the term "value to the

R. J. McMASTER, ESQ.,
c/o Messrs. Campbell, Brazier, Fisher
and McMaster,
VANCOUVER, B.C.

13th October, 1948

RE: PROPOSALS RE CATEGORIES.

I trust that the above will be of some assistance, and shall be pleased to hear from you in due course.

Yours truly,

VIRTUE, RUSSELL & MORGAN,

Per

V/L

Copy for information of Mr. Brewin.

J. Arthur MacLennan
BARRISTER AT LAW, SOLICITOR
NOTARY PUBLIC

TELEPHONE: TATLOW 4354

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

RECEIVED
OCT 15 1948
CAMERON WELDON
& BREWIN

October 13th, 1948

Messrs. Cameron, Weldon & Brewin,
Barristers and Solicitors,
Sterling Tower,
Toronto 1, Ontario.

Re: Royston Lumber Co. Ltd.

Attention: Mr. Brewin

Dear Sirs:

I wrote to Mr. McMaster some time ago, requesting $1,000.00 to defray expenses in connection with this claim, but I have not had any reply, although I understand that Mr. McMaster delivered my letter to your Mr. Brewin when Mr. Brewin was in Vancouver. I have already incurred disbursements in the neighbourhood of $500.00, and will certainly be incurring further substantial expenses. Under the circumstances, I would appreciate your letting me have the $1,000.00 requested by return, if possible.

Mr. McMaster assured me that this would be taken care of, and I proceeded on the basis that the money would be forthcoming, but I do not wish to be inconvenienced too long by spending my own resources when the claimant has, of course, paid a substantial sum for the proper presentation of the claim.

Yours truly,

J. A. MacLENNAN

cc Mr. R.J.McMaster
JAM/w

October 15, 1948.

J. Arthur MacLennan Esq.,
Barrister at Law,
311 Bank of Nova Scotia Building,
602 Hastings Street West,
Vancouver, B.C.

Re: Royston Lumber Co. Ltd.

Dear Mr. MacLennan:

Mr. McMaster handed on to me your letter which I transmitted to the Co-operative Committee some weeks ago.

I have called them up again to-day and they promised to try and send out a cheque to you forthwith.

Yours sincerely,

FAB:HC

sidered these claims in the light of the term "value to the

October 15, 1948.

Mr. R. J. McMaster,
c/o Messrs. Campbell,Brazier,Fisher & McMaster,
Barristers,
675 West Hastings Street,
Vancouver, B.C.

Re: Hideo Sakamoto, File No. 11360
Your No. 92, Reg. No. 01931
Your file 1742-G92

Dear Bob:

In reply to your letter of October 4th about this case, I have discussed the matter with Mr. Higuchi who was I believe, one of the main shareholders of M. Furuya and Company Limited, as well as the manager, and who happens to be a personal client of mine.

It is I think, quite clear that no claim can be made by Mr. Sakamoto in respect to his share.

I suggested to Mr. Higuchi that it might be possible to make a corporate claim, and he replied that I had previously advised him that no claims could be made for corporations, which I suppose I had done.

He now says that he has not had a full report of the handling of the assets of M. Furuya Company Limited, and is not in a position without securing a report from the Custodian's office to consider whether a claim should be made by the corporation even at this late date.

He did suggest that the Custodian had failed to collect a large amount of accounts receivable due to the company, but we pointed out to him that he could probably make no claim in respect to this.

I was wondering if you could have somebody investigate the Custodian's files for M. Furuya & Company Limited, and advise whether you think it would be feasible to present a claim at this stage. You may say that we have authority to act for the most of the shareholders of the company.

FAB:HC

Yours sincerely,

FAB

sidered these claims in the light of the term "value to the

Campbell, Frazier, Fisher & McMaster

Barristers and Solicitors

A. C. CAMPBELL, K.C.
C. R. FRAZIER
A. W. FISHER
R. J. McMASTER
A. H. F. JOHNSON
A. E. GOBLE

OUR FILE NO.

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

October 18, 1948.

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

Mr. George Shoji,
259 King Street East,
Chatham, Ontario.

Dear Mr. Shoji:

We have had a letter from our Vancouver representative asking us to inquire from you whether you were a veteran of the first world war, and if so give us the details of your regimental number and service.

Your file is not in our office so we do not have the details. It will appear that the Government are willing in cases of veterans of the first world war to enable you to buy back the property from the Soldier Settlement Board for the amount paid by them.

Please let us know if you would be in a position to do this. You would, of course, be permitted if you see fit to do so, to return to British Columbia to occupy the property, but it also might be possible for you to buy back the property and then sell it again at some considerable profit.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

FAB:HC

sidered these claims in the light of the term "value to the

Campbell, Brazier, Fisher & McMaster

Barristers and Solicitors

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

A. W. FISHER
R. J. McMASTER

A. J. F. JOHNSON

A. E. COBUS

OUR FILE No.

TELEPHONE PACIFIC 9164

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

RECEIVED
OCT
CAMERON
& BREWIN

October 19th, 1948.

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

Dear Andy:

Re: Japanese Claims Commission.

We would be pleased to know whether funds are being forwarded at an early date re this matter or whether we should forward a further statement.

We have received an undertaking by Tasaku Sato to be bound by the evidence given by his partner with respect to his application for late filing of the claim relating to 3850 Carnarvon Street, Vancouver, B.C.

Yours truly,
CAMPBELL BRAZIER FISHER & McMASTER,

McM:MM

Per:

thereon, will submit the [illegible] Commissioner for his decision as to inclusion in the category.

sidered these claims in the light of the term "value to the

October 21, 1948.

Messrs. Campbell, Brazier, Fisher & McMaster,
Barristers,
506 Royal Bank Building,
Hastings and Granville,
Vancouver, B.C.

Re: Shoji Shimizu

Attention Mr. R. J. McMaster.

Dear Sirs:

We are enclosing copies of appraisal re the above claimant, to be filed in the Shimizu file.

Yours very truly,

CAMERON, WELDON & BREWIN

per: J. Gilbert

JG:HC
Encl.

sidered these claims in the light of the term "value to the

~~Hotel~~ Cases

1. Nashikuye. - claim for ½ interest in real property. Montreal. claim filed up north Yasumoto - who is joint owner.

2. Kunoshita Chizato
163 Rebecca St.
Hamilton.

3. G. Miyamoto
233 George St. - will send claim form
Hamilton.

sidered these claims in the light of the term "value to the

Norris & MacLennan

RECEIVED
OCT 8 1948
CAMERON WELDON
& BREWIN

313 Bank of Nova Scotia,
Vancouver, B.C.

Co-Operative Committee on Japanese Losses,
c/o Cameron, Weldon & Brewin,
Stirling Tower,
Toronto, Ont.

Dear Sirs,

In view of the fact that efforts are being made to close out this firm's books as quickly as possible, it would be appreciated if you would let me have your cheque for the balance of your account amounting to $756.59 without delay.

Yours truly,

R. Thundhan

Liquidator,
Norris & MacLennan

sidered these claims in the light of the

October 27th 1948.

R. ALFRED BEST, B.A.,
BARRISTER, SOLICITOR
NOTARY PUBLIC, ETC.

OFFICE: 15 TORONTO STREET
TORONTO 1, CANADA

TELEPHONE
ELGIN 4583

October 22nd, 1948.

Messrs. Cameron, Weldon & Brewin,
Barristers, etc.,
372 Bay Street,
Toronto, Ontario.

Attention: Mr. Brewin

Dear Sir:

Re; Japanese Canadian Claims

I enclose herewith the following files of claimants whose cases have been heard:

1. OMURA, Shei Makoto
2. OMURA, Shogo Frank
3. NAKATSU, Yoshikazu
4. HATANAKA, Thomas Masayoshi
5. YONEYAMA, Rikizo
6. SUMI, Choichi

Yours very truly,

RAB/P

sidered these claims in the light of the

October 27th 1948.

October 26, 1948.

Mr. R. J. McMaster,
c/o Messrs. Campbell,Brazier,Fisher & McMaster,
Barristers,
675 West Hastings Street,
Vancouver, B.C.

Dear Bob:

We had a meeting of the Co-operative Committee the other day and they agreed in general to send the letter asking for the Government to pay part of our fees.

We are, of course, waiting until we hear from you whether the formula as to the hearing of test cases and special cases has been approved.

I also asked them to forward you a cheque at an early date.

I plan to come to Vancouver by air on or about the 4th of November.

Yours very truly,

F. A. Brewin

FAB:HC

Gen HC.

October 27th 1948.

JAPANESE PROPERTY CLAIMS COMMISSION

MEMORANDUM

Counsel for the Government and Counsel appointed by the Japanese Co-Operative Committee, representing all claimants with the exception of 184 claimants who have retained A.G.Virtue, K.C., Lethbridge, Alberta, and the several Corporation Claimants, have discussed with the Commissioner a plan designed to expedite the work of the Commission by reducing the duration of the hearings and at the same time to ensure that the claim of each individual claimant shall receive adequate consideration.

To this end, the Commissioner has proposed and Counsel aforesaid have agreed that the following procedure shall be adopted hereafter, for the hearing and disposition of all claims except those filed by the said 184 claimants and the said Corporations.

1. Counsel aforesaid will select, in the manner set out below, claims which fall within the following categories:

(1) FISHING VESSELS: 20 claims, of which 10 shall be selected by each Counsel.

(2) FISHING NETS: 20 claims, of which 10 shall be selected solely from claims wherein the nets have been specifically declared to the Custodian, and have been left in a cannery net-house.

(3) CHATTELS: 25 claims, which shall be divided into 3 groups:

(I) Chattels sold in urban areas:
(a) Better class goods - 5 claims
(b) Poorer class goods - 5 claims
(II) Steveston area - 5 claims
(III) Rural areas - 10 claims

Counsel for the Government and the Claimants will consult together in the selection of these claims, with a view to obtaining a representative selection and, failing agreement thereon, will submit the proposed claims to the Commissioner for his decision as to inclusion in the category.

sidered these claims in the light of the term "value

(4) REAL PROPERTY:

(I) V.L.A.IMPROVED LAND - 54 claims, of which 3 claims shall be selected by each Counsel from appraisals made by each of the 9 appraisers appointed by the Soldiers' Settlement Board; an aggregate of 27 claims to be selected by each Counsel.

(II) URBAN PROPERTY - Improved land situate in the Powell St. area - 20 claims

(a) 5 claims to be selected by each Counsel from claims in respect of business property;

(b) 5 claims to be selected by each Counsel from claims in respect of residential property.

(III) Claims in respect of improved land situate in the urban area of Vancouver other than Powell St. - 12 claims; 6 to be selected by each Counsel, one for each of the 6 appraisers employed by the Custodian.

(IV) Steveston area - 20 claims.

(a) 5 claims to be selected by each Counsel from claims in respect of business property;

(b) 5 claims to be selected by each Counsel from claims in respect of residential property.

(5) MOTOR VEHICLES: Counsel will endeavor to settle claims founded upon the sale by the Custodian of motor vehicles, so as to avoid the necessity of formal hearings thereon. Standard Used Car price lists furnished by reputable dealers will be obtained by Counsel and claims shall be settled on the basis of such price lists, provided that the sale price by the Custodian is reasonably in line with the list price. Where a substantial discrepancy between sales and such list prices appears, the claims shall be brought before the Commissioner for disposition, after formal hearing.

(6) It is not now considered practicable to categorize claims of the following character:

(I) In respect of farm land sold by the Custodian to a purchaser other than the D.V.L.A.

(II) In respect of sales of real property situate elsewhere than the areas mentioned herein.

sidered these claims in the light of the term "value to the

2. After the Commissioner has announced the conclusions reached by him & his reasons therefor in the cases selected as above, Counsel for the Government and the Claimants will review all other claims on the principles stated to be the basis of the conclusions reached by the Commissioner in the selected cases. Counsel will then endeavor to reach agreement as to the category into which falls each of the remaining personal claims or branch thereof, and the sum, if any, to be recommended for payment, in line with the conclusions reached by the Commissioner in relation to that category.

3. Upon agreement being reached between Counsel as to the category of each claim or branch of a claim, that claim shall be disposed of on the basis of the conclusion reached by the Commissioner in respect of the said category, without the hearing of any further evidence.

4. If Counsel are unable to agree upon the category applicable to any claim or branch of a claim, either Counsel on notice to the other may apply to the Commissioner to determine whether that claim falls within a particular category or has special features requiring consideration by the Commissioner. A claim so found to fall within a particular category shall be determined upon the basis of the conclusions theretofore reached by the Commissioner in respect of that category. A claim so found to have special features and not to fall within any particular category shall be disposed of without regard to the conclusions so reached in category cases, after hearing further evidence and argument thereon.

5. Agreements reached between Counsel in relation to motor vehicle claims shall be submitted to the Commissioner

...sequently, I have con-
sidered these claims in the light of the term "value to the

for approval and disposal by him in accordance with the agreement reached.

6. Hearing of category claims will proceed immediately upon the conclusion of the taking of general evidence.

7. Hearing of further evidence upon claims included under Paragraph 1, Sub-section (6) above, will follow the category claims.

MEMORANDUM

STEVESTON PROPERTIES

Claims made for losses alleged to have been sustained on the sale by the Custodian of real property situate in the town of Steveston, a fishing community situate near the Gulf of Georgia at the mouth of the Fraser River, present questions of unusual difficulty in the determination of fair market value at the date of sale.

Here, as in all other such sales of real property, the price finally accepted by the Custodian was largely influenced by the valuation of the property made by real estate appraisers employed by the Custodian.

My examination of the evidence in these claims showed that the price realized on sale of these properties seldom realized more than 50 to 60 per cent. of the value placed thereon by the Municipal Assessor. The evidence also disclosed that in 1942 this community was reduced to the status of a "ghost town", due to the fact that roughly 90 per cent. of its inhabitants were persons of the Japanese race who at that time were compulsorily evacuated from the coastal area.

These properties were offered for sale by the Custodian in a period commencing in the fall of 1943 and continuing through 1944. It was apparent that the local real estate market, which was virtually non-existent in the period following the introduction of the evacuation policy, showed little indication of recovery until 1945.

In my judgment, the evidence supports the conclusion that, although properties sold in the period of 1943-1944 were sold at the best prices then obtainable, in view of the depressed conditions, nevertheless the prices realized cannot be said to have represented the fair market value in normal circumstances. Consequently, I have considered these claims in the light of the term "value to the

owner", as defined by the Supreme Court of Canada in its recent decision in DIGGON-HIBBEN vs. REGEM, not yet reported, and have endeavoured to base the recommendations made on the principles there laid down.

"H. I. Bird"
Commissioner.

November 9th 1949.

MEMORANDUM RE DRAFT ACT FOR EQUAL PAY
FOR EQUAL WORK

Attached hereto is a draft act entitled an "Act to Abolish Discriminating Wage Rates Based on Sex."

This Act is designed to put into effect in Ontario the principle of equal pay for equal work for women.

The main principle behind the Act is expressed in Section 2 of the Act which follows very closely similar provisions in the states of Massachusetts, Michigan, Illinois, New York, Washington, New Hampshire, Rhode Island and some other states of the Union.

It carries into effect within Ontario the provisions of the Charter of Human Rights. Its general purpose has been approved by ~~the~~ resolutions passed by the Congresses of Labour in Canada.

It is proposed that this draft Act or an Act in similar terms shall be introduced at the forthcoming session of the Ontario Legislature by a member of the C.C.F. Opposition Caucus.

For this reason the provisions for enforcement differ to some extent from the provisions contained in other similar statutes, or the provisions which might be included if the Government were introducing such a measure. The reason for this is that a private member, and this includes anybody except the Government, cannot introduce legislation imposing a financial obligation on the Government. For this reason the enforcement in this case has been made purely a matter of a suit in the court. Every effort has been made in the draft to make this necessary action in the court as simple and inexpensive as possible.

If the Government are willing to accept the responsibility for such an Act they might insert provisions for assistance in the enforcement of the Act by a department of the Government, for example, the Department of Labour, and a special branch might be set up for this purpose.

It is interesting to note that the national policy of the Progressive-Conservative Party recently adopted at Ottawa, includes approval in principle for equal pay for equal work. It will be interesting to see what practical steps in the form of legislation to achieve this end, the Government of Ontario are willing to accept.

Justice setting out the arrangement that has been made to shorten the hearings. The plan is that a selected number of individual cases within defined categories, shall be selected by the Government and by counsel for the claimants, and evidence and argument will be heard in respect to these cases.

It is then proposed that Government counsel and claimants' counsel shall discuss the remaining cases and endeavour to agree the category within which they fall, and to make a joint submission on the basis of the Commissioner's findings in the cases covered by the categories. Only cases, in which special distinguishable features exist will then have to be heard after application to the Commissioner.

This plan, if it is successful, should save the Commission many months work and very extensive expenses.

In order that the plan may work most efficiently, it is essential that intensive work be done in close co-operation between claimants' counsel and Government counsel. The claimants who include a number of persons of small means have so far assumed the entire burden of financing the preparation and presentation of their claims. In many cases they have been able to make no contribution to the necessary expenses, The Co-operative Committee has thought it proper nevertheless to represent them before the Commission. It was not anticipated that the counsel who have been retained by the claimants would be required to spend their full time over an extended period on this work. The point has now been reached at which it will no longer be possible for the claimants to retain the services of experienced counsel who have become familiar with all of the questions involved for the protracted period of intensive work required to work out the above plan in as speedy a manner as possible. They may be forced to retain junior counsel not fully conversant with the problems involved, to handle the detail work with only general supervision from counsel who have acted to date, and notwithstanding the greatest possible co-operation, this may involve the prolongation of the hearing for many months.

We are therefore placing before you a request for assistance in making it possible for the claimants to retain the full time services of experienced counsel and such assistance as the circumstances will require for the purpose of expediting and working out the arrangement outlined above in co-operation with Government Counsel.

October 29, 1948.

Mr. T. Sato,
R. R. #3,
Belleville, Ontario.

Dear Sir:

We received your letter which said that you are willing to be bound by the evidence given by Mr. Kichiji Tanii which was heard at Grand Forks, B.C. on June 8th, 1948.

We are forwarding to you the claim forms which we would ask you to sign and return to us immediately.

This means it will not be necessary for you to be present at the hearing.

Yours very truly,

CAMERON, WELDON & BREWIN

per:

JG:HC
Encl.

October 29, 1948.

Mrs. Makino Yamamoto,
R. R. #1,
Churchill, Ontario.

Dear Mr. Yamamoto:

Your personal property claim will be heard before the sub-commissioner about the middle of November.

In view of the distance that you live from Toronto, we would suggest two ideas, one of which you may follow :

1. We can arrange to have an interview with you on a Saturday morning or afternoon to obtain further information regarding your claim. Then your hearing before the sub-commissioner could be heard the following Monday morning. This would require the obtaining of accommodation by you for the week-end in Toronto.

2. We can arrange to have an interview with you on a Saturday morning or afternoon to obtain further information regarding your claim. Then your hearing could be set for any day you prefer your hearing to be heard. This would mean you could return home on Saturday and come down to Toronto again during the week for the hearing before the sub-commissioner.

Would you kindly let us know on what Saturday you can come to Toronto for an interview regarding your claim. The Saturday interview will be at the Japanese-Canadian Citizens Association, 84 Gerrard Street East, Toronto 2, Ont.

Yours sincerely,

CAMERON, WELDON & BREWIN

per: FWB.

JG:HC