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Inouye Family fonds - ARC-1716 Restitution efforts 2-5

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ORIGINAL ORDER

日系カナダ人財産損害賠償申請書（公式用紙）

日系カナダ人協同委員会より

戦時中カストナアンに委託して保管した不動産或は動産に対する市価よりも安く売られた事により、或は紛失によって、蒙った損害を調査する為にカナダ領政府によって任命された「コミショナー」バード判事に対し、日系カナダ人がその損害賠償要求を提出する上に、日系カナダ人協同委員会は、全加日系市民協会と共同して、援助をなす責任を負う事に決しました。

損害賠償要求者は、要求書に必要事項を記入して、譲渡人又はノータリー・パブリックの証明を得て、二通を一九四七年十一月三十日までに、バンクーバー市 ロヤルバンクービルディング内カストチアンの事務所に届かなければならないと言う公告がコミショナーによって掲示されました。

コミショナーの要求に應じて協同委員會では 賠償要求書式用紙を印刷し、三通同封して置きます。之等の用紙は出来るだけ早く記入して、上記に充に送るべきであります。書當が安全であります。用紙を記入したら、辯護士かノータリーに行って證明して貰いかつ署名する必要があります。貰られたり紛失した財産の價格は出来るだけ正しくて穩當であるよう注意すべきであります。過大に記入する事は本人のみならず他の要求者の為にも不利になります。かと言って全然正額な知識を要求する事は無理ですから、公正にして出来る範圍の最善の見積りとして下さい。必要な知識或は事實が得られない場には「目下その知識得られず」と記入して下さい。要求する損害賠償金額は全部記入する必要があります。要求書が提出されて後、コミショナーは、要求者から證據を聽取する為に、カナダの各州の重要地で調査會を開きます。この證言は口頭でなされるのであって、要求者自身或は商題の財産に對して知識を有する他の證人によって行はれるのであります。後に生じた價格に對しては、コミショナー州で證據調べが行はれる事となるのでせう。

協同委員會では、全加日系市民協會と協同の下に、損害賠償要求者がその證據を提出しその立場を立證する上に法律的援助を提供する用意を致しました。勿論各要求者は勝手に自分自身で適當と認める辯護士や援助を求める事は自由ですが、協同委員會と全加協會及びその連絡團体の協力と指導の下に、辯護士として要求者の為に行動せしめた方が、經済的でもあり有効であると思うのであります。

委員會を代表する辯護士の名は左に記してあります。辯護料や評價費等は要求額の一パセントを要求者から豫約料として支拂の下さる事になるのであります。料金は協同委員會が全加協會へ支拂の下さい。それ以上に費用がかかった場合には、コミショナーから共へつれる賠償金の中から比例的に支拂って頂く事になります。

若し委員會の提供する援助を利用なさる御希望でしたら、同封してある協同委員會宛の用紙に要件を記入してあなたの州内にある協會なり委員會へ送り下さい。料金が支拂の伴ない場合でも、その旨を記入して（X印記入）送り下されば、全加市民協會の勸告によって最善を盡します。辯護士が、調査會前にあなたのケースに關するすべての有利な證據を集得する爲めに、十分の時間を與へるために、右書式用紙は一日も早く記入して送って下さる必要があります。

（OVER）

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日系カナダ人協同委員会に宛てた損害賠償要求書式及び隊約書と一パーセント料金とは、あなたの在住州内にある日系カナダ市民協会或は協同委員会へ送らるべきであります。各州の委員会左の通りです。

(注意) 手形(チエック)為替(マネオーダー)等は協同委員会「損害賠償資金」宛に書いて下さい。

△ビーシー州　ビーシー日系カナダ市民協会
場所　ビーシー州グリーンウッド

△アルバータ州　レスブリッジ協同委員会(ダリエ、エス、ウオラス氏幹事)
場所　アルバタ州レスブリッジ市郵函六二九

△サスカッチワン州　未定

△マニトバ州　マニトバ日系カナダ市民協会
場所　マニトバ州ウヰニペグ市タルボット街五〇四

△オンタリオ州　オンタリオ日系カナダ市民協会
場所　オンタリオ州トロント市東セラード街八四

△クベック州　クベック日系カナダ市民協会
場所　クベック州モントリオールーカモハット街七一三

左は協同委員会を代表する辯護士の氏名及び住所である

△ビーシー州　◇晩香坡市ヘステングス街西、六〇二
ノリス、マクレナン事務所
◇晩香坡市西ヘステングス街六七五
キャンベル、ブレシア、フォッシャ及びマクマスター事務所
アール、シエー、マクマスター氏

△アルバタ州　◇レスブリッジ市南第三街六一二
リッチー、アンド、ハクウエール事務所
ダブユ、イー、ハクウエール氏
◇レスブリッジ市エル、エス、ターコート辯護士

△サスカッチワン州　未定

△マニトバ州　◇ウヰニペグ市メイン街四六〇
エス、エム、シャーニヤク氏

△オンタリオ州　◇トロント市ベイ街三七二
キャメロン、ウエルドン及びブルヰン事務所
エフ、エー、ブルーウヰン氏
◇トロント市トロント街一五
アール、エー、ベスト氏
◇モントリオール市東ノーターダム街一五二
ローデアー、ウヰメットン氏

(OVER)

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謹告

サレー農會整理委員會決算報告

當委員會ニ於テハ昨十日アルバタ在留者ノ臨時總會ヲレーモンドノ加奈氏宅ニ於テ開催。會計會務ノ報告ヲ爲シ異議ナク承認サレ尚ホ殘分方法ニ關シテ協議ヲ遂ケタル結果左記ノ如ク決定シマシタ

一、貴上金三千弗ノ內サレー井組合トノ收支決算ノ結果農會所屬ノ金額ハ。（金壹千四百貳拾壹弗八拾仙也）

以上ノ金額割合ノ方法トシテ

一金六百弗也……日本難民救濟資金寄附

一金六百弗也……金加JCCA、ヘ寄附

殘金貳百貳拾壹弗八拾仙ノ內今後ノ實費ヲ差引キ殘額金部ヲ加奈陀赤十字社ヘ寄附スルコト

故サレー農會員各位ヘ右御報告申上ます

若シ他ニ御意見アル方ハ二週間以內ニ左記アドレスマデ御申出相成度シ。若シ夫レ無キ場合ハ多數決ヲ以テ實行ニ移ス事ヲ致します

千九百五十年十二月十一日　サレー農會整理委員會

サレー農會員各位ヘ

Y. Tashiro
Stirling Alberta

明細書

ホールのレント 1943 迄 1950	金額	收入	支出	殘額
ホールのセエマ		¥105009		
火災保險 1943 To 1949		106		
タキス 1944 To 1944			¥416.25	
ウストデアニュ手數料			376.25	
ホールの掃除をクリアした費用			1.00	
3 新任後へ財産引渡て處迄代			47.00	
ホール屋根の修復			48.06	
ミューカデアン及大陸從軍先代			20.00	
書類と銀行へ送りた費用			11.81	
レーモントハンターパヂソンへ支拂ひ			8.41	
便宜會社より八金			3.03	
勝定差上金額			5.00	
勝定引	¥3000.00			
チエツキヤエキスチエニンヂ	45.00			
火災保險會社より	3.84			
エキスチエニンヂ	22.00			
自働車代及切手代	0.15			
雜費	58.00			
	50.52			
	125.00			
	¥1234.46	¥4078.06	¥2843.60	
殘リ金	¥2843.60			

→ 全額を三度に分拂すこと
別記我先生の通り ルール上
サレー農會整理委員會

差引殘金と組合と半々ニ分ケ
農會所屬 1421.80
苗組合 1421.80

一九五〇年十二月十日

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Family fonds - ARC-1716 Restitution efforts

Mr J. Inouye
R.R. #6
New Westminster B.C.

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日系カナダ人財産損害賠償要求調査コミションに関して

ビーシー州ビクトリア市
ロイヤル銀行ビルディング内
カストディアンの事務所
コミショナー殿

以下コミショナーに対して述べる為の公開宣誓書式の用紙は一通は同様に記入してあなたの州内にある日系カナダ人市民協会或はその地方の協同委員会月へ送って貰いたい。
(一九四二年二月廿六日の日附を以て発布された公告に従い、私はただ記の要求を提出します。

(一) 姓 名 (楷書で書き入れること) マウンテトボックス谷二錬番號
(二) 移動前住所
(三) 現在の住所
(四) 不動産
(a) 市町番號 (若し有ったら)
(b) 法定地名 (セクション、ブロック、ロット等の番號)
(c) 不動産の種類 (當てはまらない分は消して下さい)
(i) 農園 (ii) 住所 (iii) 営業所 営業種類
(iv) 其の他の種類 (説明して下さい)
(d) 右不動産と要求者との関係 (例 單独持主、終生借主、共同借主、半權所有者、三分一所有者等)。
(e) 売却當時の公正市價 (出来る範囲に正確な評價)
(i) 土地 弗
(ii) 建物 弗
(iii) 営業 (土地、建物、家具、装置品、商売品 (ストック)、グットウヰル、債権等を計算したビジネスの評價) 弗
(iv) 總價格 (土地と家屋その價格を別々に知る事が出来ない場合) 弗
(v) カストヂヤンの責って要求者が売にしてある金高 弗
(f) 損害額 (iv)の金高から(v)金高を差引いた金高) 弗

(五) 可動産
(a) 移動當時に要求者が動産を残して置いた場所
(b) 動産を残して置いた家屋の種類 (自宅、倉庫、ガレージ、小屋、教会の地下室等)
(c) 移動當時どんな具合に荷造りをなしかつ蔵って置いたか。
(d) 移動當時動産を誰の管理の下に残して置いたか
(財産特有者が自ら指定した、カストヂヤンの他の人の管理下にあった間に、紛失、破壊、盗難等によって損害となった財産を指してある。これはコミションの調査範囲内に入らないのであるが、参考の為に書き入れるのである、但し、これは確かな約束の下にその当人がその責任を受諾したのでなければなりません。確実な契約なきものは「誰れ管理人なし」と記入すべきです。)

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(c) 要求の目的なる所動産の項目書

一、
二、
三、
四、
五、
六、
七、
八、
九、
十、

◎右合計

(注意) 若し右のスペースが不足でしたら、他に書き入れてこの用紙に取付けて下さい。

"動産"の中には株券、債券、抵當證書、公債、證券等不動産に加へなかった有ゆる財産を包む。

(d) 總計（不動産共に）四ぱと五(c)との合計

(e)

(a) 要求者の希望する調査會の場所（暗香坡、カムループス、ネルソン、レスブリッジ、ムースナヨウ、ウヰニペグ、トロントかモントリオール）

(b) 調査會に於て通譯人を要しますか

注意 この申告書はコミショナー、ノークリバプリク或は辯護士の前で開封のなき事を誓ひ、證明せられねばなりません。

カナダ領國

我、某（住所）

以上用紙に記入した事々は、我が最善の知識、報告及び信念によって真實にして間違のなきものにて、我良心に從って真實なりと信じてこの正式なる申生を提す。それはカナダ證明法に基きて宣誓したことと同様なる事を知る。

誓の時日と場所

カナダ領事或は辯護士の署名

コミショナー或は辯護士の署名

以上辯護士に正式に證明して貰った損害賠償要求書目は二通を作る。

十二月三十日までにコピーシー州バンクーバー市、ローヤルバンクビルテング内、カストディアン事務所、コミショナーへ、書留郵便で送るべきであります。

若し右の日までに發送する事が出来ない場合には、左にその理由を書き入れて出しなさい。

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2-C

カストディアンに対し私の損害賠償の由請明をなし、かつ必要なる法律上の援助、価格査定人の報告、及び其他の参考書類を得る為めに、私は該に金加日系市民協會なる協議の上實行する日系カナダ人協議委員會と三度傭契約をなし、私の出捐金額の一パーセントとなる金 弗を豫約預託として前以て封入す。そして協議委員會によって承認された他の法律、価格査定等の費用は。コミショナーの裁定によって私に裁定される金額の中から比例的に支辨すること。

(注意)若し経済的境遇の為め右料金を支拂い得ない場合には友記の陳述書の下へ×印を記入して下さい。

協議委員會に私の代理を依頼する事を希望するが、現今の財政境遇上豫約料を支拂う事が出来ない。私の申請に関する諸費用は、コミショナーによって裁定される金額の中から支辨する事を約す。

署名

重要事。手形や為替は「協議委員會損害賠償基金」(Co-operative Committee Claims Fund)宛にし、豫約書及び申請書と共に、封入した手紙中に記入してある その州の日系市民協會、或は協議委員會宛に送って下さい。

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Inouye Family fonds - ARC-1716 Restitution efforts

Report No 18

RE: MEMBERSHIP FEE

Strenuous efforts have been made by us in co-operation with the Japanese Canadian Committee for Democracy in Toronto to solve numerous questions in our favour, such as the Deportation Order, the Crown Timber Act, the Handling of Habeas Corpus Refund, the Property Loss Claims.

Towards the accomplishment of these various undertakings a large sum of money has been spent, resulting in the fast sinking of our funds. Time has come so that now the collection of membership fees is of prime importance. It has been decided at our February Convention that we collect from every Japanese Canadian over 20 years of age who is applicable in B.C. This should have been done within one month of the Convention, but for many reasons, such as the farming season in the Okanagan, which had preoccupied many persons, had prevented some districts from doing so.

This fall, we trust that every local organizations as well as individuals who have no organizations in their locality will assume their responsibility and shoulder out with their fullest endeavours to support us.

At the Convention it was decided that this organization have $2500.00 at its disposal for the various needs. It is obvious that this sum has not been adequate to meet with the expenses of the different works and their overheads. In the future, presumably $3000.00 will be a more suitable quota for the organization's funds. As we have, as yet, no definite membership to divide this quota equally among all, we are setting down a fee of $1.50 perperson. In the event that the amount collected exceeds the required sum we will make arrangements to refund you of the excess. But, on the other hand, if the amount collected is in want of more than the set fee in order that it may attain the quota, we are sure that you will be willing to imburse us of the deficit.

Viewing the reasons mentioned above, we would appreciate it very much if the organizations which cover large areas and are in want of time to collect membership fees, would send some money to us in advance.

Of the members who have already sent in their membership fees of the supposed $1.00, we request an additional 50¢ to be sent to us.

B.C.J.C.C.A.

GREENWOOD, B.C.

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2-5

第十八号、　會費に就いて

追放令の取り消し運動、官林、就働問題、人身保護律、戻り金手續、損害賠償要求運動等の解決に當つては今回新たに結成せられたトロントの全加日系市民協会の生みの親で有つた日系市民権擁護協会と協力し一向専心其の解決に努力した甲斐有つて前記諸問題の何れも、我々に有利に解決した事は、誠に欣ばしい次第で有りますが、此の運動を好轉させる為めには少からぬ努力と費用を消費いたしましたので當協会に於ても資金欠乏が目前に迫り今後の活動に支障を来たす怖れが有りますので此の際皆様の御協力を願つて会費を頂載致し度いと思います、尤も此の会費の事は本年一月の総会決議に依つて各地の皆様から徴収する事に成つて居りましたが折から農繁期を控えて会員調査の日時無きため秋に入つてから人員を調査し度い希望の地方も有りましたので今迄其のまゝと成つて居りました。

今度東部新八会出席費用など思いがけぬ出費が有りましたので此の際各地方の団体をはじめ各地に散在される皆様も何卒本会の存在を是認されて男女に不拘二十才以上の方は當協会員と成られ一ヶ年分会費一弗五十仙をお支払い下され度くお願い申します。

尚又、廣い区域を持つて居る大きな団体で人員調査に日時がかかる場合は内金として何程かを前納して下さることをお願い致します。ステに會費として一弗だけ送って下さって居る方は五十仙の追加をお願い致します

団体の無い地方はドナタか有志のお方が立つて本会の為めに御協力下さるよう　お願い致します、有志無き地方は個々で送金して下さい。

尚又此の度の会費は募集高が大会議費の二千五百弗（但し今迄の費用を標準とせば三千弗）に満たない時は来年の総会で追加徴集を決議しなく、モし反對に過剰となれば返金する考へで居ります、

二件

御地方の人口は約　　人位ひと思いますから　轉住ひ御調達願へますれでしょうが、甚だ勝手がましい申し分で、誠に恐縮の次第ですが実は一日も早く承居しも致き度いのでコンナ法方を案出した次第。何卒悪からず御承認下さい
御論當方のスイ定に間違あればドシドシ御通知の程お願い申します。

各御廻覧

ビーシー州日系市民協會
B.C.J.C.C.A.
GREENWOOD, B.C.

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y fonds - ARC-1716 Restitution efforts

百瀬靖春氏
森実登氏
佐々木茂氏
川本三分氏

漆川留一氏
国本親勝氏
鉄井只市氏
池田伊勢八氏
千葉武志氏
山田近義氏
大内勤氏
北川錦三氏
引地元寿氏
寺西好之助氏

オーキ忠方
後藤氏
森氏
山本氏

金田清
大隈マリー
高島スミ子
池田光雄
小笠原茂人
若原友彦
寺田金城雄
漆川ゲユリヤ
鉄井清人
井上マリー
森義隆
大内雄

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閣令P.C.一八一〇(日系人移動者財産に関して)

一九四七年七月十八日總督により認可

樞密院の委員は外務大臣から一九四七年七月十四日々付の報告書を受取つたが、それは左の説明であった。

一、戦時中に日系人はピーシー州の防衛区域から撤去させられたが、一九四二年三月四日の閣令P.C.一六六五、同三月廿七日修正された閣令P.C.二四八三により、移動者が持参なし得ない財産はカストディアンに渡す事に決した。

一、一九四三年一月十九日の閣令P.C.四六九ノ一によりカストディアンは日系人から預つた財産を清算或は處分する權能がある事が是認された。

一、一九四二年七月二十日の閣令P.C.六二四七は一九四二年一月十三日の閣令によつて設置された委員によつて處分残された冊及び船具は、同年八月一日よりカストディアンの支配下に置く事に決した。

一上記の閣令により處分された日系人の財産の代償が不当に安かつた為め多くの日系人が損害を蒙つたと言はれてゐるので、その損害賠償要求を調査し更にその善後策に就いて勧告するコミショナーを選任すると併策なりと思惟する旨。

故に本委員は、外務大臣の勧告により、左の事を勧める。

一、当閣令発布当時にカナダ内に居住する日系人の左記の要求に関して調査するために、ヘンリー・アーウン・ハード判事を任命する事

(A)上記閣令によつて動産及び不動産を處理するに当り、カストディアンが適當なる注意を用いる事を怠つた為に、處分当時の市價よりも低かつたかどうか。

(B)カストディアンが適當なる注意を用いなかつた為に、破壊されたり、または盗まれたりしたのであるかどうか。但しその動産の持主がカストディアンでなくて、他の人に預けた財産の損失に対する賠償要求は考慮しない。

二、コミショナーは斯る要求の一つ一つを調査し、損害賠償要求に十分の根據があると認めたものは、その損害賠償要求額がカストディアンの不注意を賠償するに公正で合理的であるかどうかを、政府に報告する責任がある。

三、コミショナーは適當なる方法を以て、この損害賠償要求提出する時日、(1)證據審問の時日、(2)すべて要求書は文書にて提出し、法廷の作法を以て證明し、B.C.州バンクーバーに於けるカストディアンの事務所へ提出すべき事等に関して公に豫告する義務がある。

四、右調査に関する費用は議會の豫算による公金を以て支弁する。

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C O P Y

Order-in-Council P. C. 1810

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Govenor General on the 18th July, 1947.

The Committee of the Privy Council have had before them a report dated 14th July, 1947, from the Secretary of the State representing:

That during the war persons of the Japanese race were evacuated from the protected areas of British Columbia and by Order-in-Council P.C. 1665 of March 4, 1942, as amended by Order-in-Council P.C. 2483 of March 27, 1942, it was provided that all property situated in any protected area of British Columbia belonging to any person of the Japanese race (except fishing vessels subject to Order-in-Council P.C. 288 of January 13, 1942, hereinafter referred to, and deposits of money, shares of stock, debentures, bonds, or other securities) delivered up to any person by the owner pursuant to an Order of the Minister of Justice or which was turned over to the Custodian by or on behalf of the owner, or which the owner of being evacuated from the protected area was unable to take with him, should be vested in and subject to the control and management of the Custodian as defined in the Regulations Respecting Trading with the Enemy;

That by Order-in-Council P.C. 469 of January 19, 1943, it was provided that whenever the Custodian had been vested with the power and responsibility of controlling and managing any property of persons of the Japanese race evacuated from the said protected areas such power and responsibility should be deemed to include and to have included from the date of the vesting of such property in the Custodian, the power to liquidate, sell or otherwise dispose of such property;

That by Order-in-Council P.C. 6247 of July 20, 1942, it was provided that all vessels and equipment not disposed of by the committee established by the said Order-in-Council of January 13, 1942, should on and after the first day of August, 1942, be vested in and be subject to the control of the Custodian;

That pursuant to the above mentioned Orders real and personal property of persons of the Japanese race was disposed of and claims have been made by persons of the Japanese race that in respect of such disposition of their property they have suffered pecuniary loss; and

That is is deemed advisable to appoint a Commissioner under Part 1 of the Inquiries Act to investigate the said claims and to make recommendations with respect thereto.

The Committee, therefore, on the recommendation of the Secretary of State, advise:

1. That the Honourable Mr. Justice Henry Irvine Bird be appointed a Commissioner pursuant to the Inquiries Act, chapter minety-mine of the Revised Statutes of Canada, 1927, to inquire into the following claims of persons of the Japanese race who are resident in Canada at the date of this Order, namely -

   (a) that by reason of the failure of the Custodian to exercise reasonable care in the disposition of the real and personal property vested in the Custodian pursuant to the above mentioned Orders, the amount received by the Custodian for such property was less than the market value thereof at the time of such disposition; and

   (b) That by reason of the failure of the Custodian to exercise reasonable care in the management of personal property, such property was lost, destroyed or stolen but no claim shall be considered in respect of property lost, destroyed or stolen while under the custody, control or management of any person, other than the Custodian, appointed by the owner of the property.

2. That the Commissioner shall examine into each claim and make a report to the Governor in Council setting forth the claims, if any, which in the opinion of the Commissioner are well-founded and the amount which, in his opinion, would fairly and reasonably compensate the claimant for failure of the Custodian to exercise reasonable care.

3. That the Commissioner shall give public notice in such manner as he deems advisable of the time for the filing of claims and for the hearing of evidence and that all claims shall be in writing, verified by statutory declaration and filed in the Office of the Custodian at Vancouver, British Columbia.

4. That the expenses of and incidental to the said inquiry be paid out of money appropriated by Parliament.

Sgd. A. D. P. Heeney
Clerk of the Privy Council.

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Inouye Family fonds - AAC-1716 Restitution efforts 2-5

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JAPANESE CANADIAN NISEI ASSOCIATION

報告 其十九号　　損害賠償要求に関して

一、国会ボーハン氏より依って日本人の損害調査官として、ハード氏が任命されたが其の調査範囲が非常に狭かったのでトロントのコーペラチーブ・コンシューマー及び市民協会は範囲の拡大を請願したが未だ何等の効果なく、其の後ハード氏は病気の為に辞任されたので、後任者として修正を以て是れを承認した。

一、移動局に於ける日本人の財産がカストリヤに依って差押えられた為に生じた損害は含まれて居らぬが、他の人に同様の約束で預けて有った物でカストリヤに報告して有る財産の損害は此の調査の範囲には入る。

一、置きばなしにして有る財産でも、モシ、オタの近所の人が其の手を託搬をなり、其の損害が非常に大きかったが判明し、カストリヤにかけて居なかった人が蒙った損害の賠償運動を起した場合に大変ヘルプとなる。

一、ビクトリー州最高民間会はトロントの在留日系市民協会とコーペラチーブ・コンシューマーと密接なる連絡を保ちコーペラチーブ・コンシューマーは暁市に小支部を開きドクター・ノーマン・ブラックが役員として居れてある。移動当時に要求者が損をされるであろう事を予想して世話をする筈である。

一、知人に委任状を付けて保管を託した財産は要求出来る。

一、モシ要求者の損害が調査の範囲に入るか入らぬかと云う事に関して有る財産は含まれて居るが良いとコーヤーは主張する、オセオラ、斯くする事に依って政府は日本人の損害が非常に大きかったが判明し、カストリヤにかけて居なかった人が蒙った

一、ビクトリー州最高民間会はトロントの在留日系市民協会とコーペラチーブ・コンシューマーと密接なる連絡を保ちコーペラチーブ・コンシューマーは暁市に小支部を開きドクター・ノーマン・ブラックが役員として居れてある。移動当時に要求者が損をされるであろう事を予想して世話をする筈である。

一、カストリヤの手で此の仕事に従事した人の損害を要求する事は出来ない。何人の人が蒙った損害を要求者が立証しなければならん。

一、此の要求者が支那人の場合は如何なるか是れに等しく取り扱われるか、又は日本人の場合は如何なるか是れに等しくする。

一、要求を出すかさえ不明であるから、要求者が少数であれば、コーペラチーブ・コンシューマーとしては係争を避けるために、ハッキリ言うことは出来ない。何人の人が蒙った損害の提出、調査官との面談等にかけて居るかと問うかもしれない。

一、要求高の一分（ワンパーセント）を以て前記の通り一方である。但し此の一方と云うのは、此の要求額の一分（ワンパーセント）を以て前記の通り一方である。但し此の一方と云うのは、

一、自分で出来ない人は、ソーすれば良い、コーペラチーブのコーヤー（マクマスター・ユニバーシティーの教授）に依頼する事も出来る。

一、モシ、此の要求が出来ない人は最初に其の手を託搬をなり、其の損害が非常に大きかったが判明し、カストリヤにかけて居なかった人が蒙った損害の賠償運動を起した場合に大変ヘルプとなる。

一、置きばなしにして有る財産でも、モシ、オタの近所の人が其の手を託搬をなり、其の損害が非常に大きかったが判明し、カストリヤにかけて居なかった人が蒙った

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Under the Inquiries Act, the Order-in-Council P.C. 1810 authorized the appointment of Commissioner Bird to investigate into the claims of evacuee losses. The terms of reference were so narrow that they were not accepted by the claimants, and it was brought to the attention of the Public Accounts Committee by the Toronto Co-operative Committee and the J.C.C.D. Under the Order-in-Council P.C. 3737, the original terms of reference were broadened, and although inadequate to the claimants the National JCCA and the Co-operative Committee advise the claimants to file claims under protest.

TERMS OF REFERENCE:

1...If no provisions in regards to your real or personal properties were made at the time of evacuation, as in some cases, then subsequently it comes under the responsibility of the Custodian

2...In some cases, if left with persons verbally, it will come under the responsibility of the Custodian.

3...If left with a written Power of Attorney to friends it will not come under the responsibility of the Custodian, unless later taken over by them.

4...If "in no one's care" or "Custodian's care" it comes under this reference.

5...If in someone else's care but subsequently reported to the Custodian it comes under this reference.

6...If the property is not sold and has gone to ruin, there is a claim for the difference in value. But, if the Custodian did not have anything to repair, then he should have sold it.

7...Repats in Japan are not included under this reference. Before they left Canada they had to sign a release of all claims on the Custodian.

FILE YOUR CLAIMS:

N.B.--Applications must be filed in duplicate with the Custodian in the Royal Bank Building in Vancouver before November 30, 1947. There are three forms. The original and one copy for the Custodian, and the third copy to be filed with the BCJCCA in Greenwood. All three forms must be verified by affidavit. The third copy(definitely indicated, FORM FOR CO-OPERATIVE COMMITTEE) will be sent to the solicitors from the BCJCCA. Accompanying the third form will be a form for a retainer to be sent to the BCJCCA. All forms should be in the lawyers' hands by November 20. The lawyers chosen to represent BC(McMaster, Norris & MacLennan) will look over the forms for corrections before giving them to the Custodian. If impossible to file by 20th send copies direct Custodian by registered mail. Send the third copy to the BCJCCA and we will send it to the lawyers immediately.

If claimants are hesistant in making out claims because of the limited terms of reference, they should forget their prejudices at the present time. The only way is to show the Commissioner by putting in as many claims as possible. This way, it strengthens the argument for other claims not covered by the present terms of reference. The claimants will not be given another chance unless they make claims at this time.

The BCJCCA is working in close harmony with the National JCCA and the Co-operative Committee in Toronto. The Co-operative Committee will have a sub-committee in Vancouver, headed by Dr. Norman Black, with prominent men behind him. If we can show the government that the claimants had to sell their property at the time of evacuation and ought to be compensated for a similar amount, we can do more good by participating in filing out claims. If we can demonstrate the loss in the hands of the Custodian we are in a better way to press our claims. Then, chances may open for claimants not under the present terms of reference.

As we all know, the property test cases taken up by Norris & MacLennan has been decided. There is no point in appealing for decision because the Exchequer Court has found that no court can inquire into the actions of the Orders-in-Council. Anyone still hoping for a favorable result from an appeal of the Exchequer Court can give that hope up now. This appeal is not warranted. In 1946 the Supreme Court made it clear that they should not go behind an order-in-council and that no court had power to pass it.

Those who suffer losses should, therefore, make claims before this commission.

The question arises whether the Fishing Vessels and Gears are within the Reference. These forms should be filed in by anyone wishing to claim for same. True, they were taken over by the Vessels Disposal Committee and some sold then. They were, however, forced sales. The question is: Was the Vessels Disposal Committee under the Custodian. In some cases the Committee turned them over to the Custodian and they were vested in the care of the Custodian. By order-in-council P.C. 3737 all properties not vested in the Custodian after August 1,

CANADIAN NISEI ASSOCIATION
1947 B.C.
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一割以上は支持はいで十良いと思うことである。

フォームに付いて。

一、要求書は午九百四年十月多年以上に晩帝のロヤルバンタリ健前に送ること。扱れは五種三通で伝グルもの。ノータリパブリックス又は他の法律事務所で公証してもらって送ること。フォームは教は前記の如くにしてカストリカへ送り残り枚はグリンウッド市民協会へ送ること。これはローヤーへ回すもの外にローヤーの発行書（リテーナーフォーム）見本も一石の来た国に相当する為替小切手などを付けてカストリカへ送ること。

ローヤーは受取書を調査官に提出する前に不調ならフォームを十月の第四週に前も市民協会へ送る必要がある。十月三日に同に合はめ時は我のフォームを晩帝のカストリカに直接お送り人が送り、残り枚だけ（書留郵便にする。）を新聞の十月に送ってください。スケジュール表

一、要求者の数をふやす。

晩帝、キャルソーンス、ネルソンで同くことに成っている。五ヒ目の回答に依ってローヤーはネルソンの代りにスティスバー及びグリンウッドを申請するかも合うノ不申請する。

一、調査官は六百四回の調査を開くなろー

とローヤーはみている。其の直後心ニー奥だ八回つ晩帝でやり新く、

一、コーヘライブのハンクバース部では一人のローヤーを調査官に任命（初回の調査官は調査官会議を変更する。）晩帝、キャルソーンス、ネルソンで同くことに成っている。五ヒ目の回答に依ってローヤーはネルソンの代りにスティスバー及びグリンウッドを申請するかも合うノ不申請する。

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ことも出来る。集った成の証書は調査官に調査に送る。

最後は晩帝で開かれる。

一、イリスの代理人等が扱った土地の試訴判決が有ったニュースは

開会に於ては等の法廷闘争も出来るかもしれない。

いれ決を得ようとする人は弁護士を通じて申し込むこと。

に大変良い。

探索結果は前に此の会の調査に応じなければならん。

フォームに付いて

一、被告の人は姓名の綴りをも記入すること。登録番号も。

一、移動前のアドレス。他のアドレスを引いて置くこと。

一、現在のアドレス・番郵便ボックス番号

一、本動産

月、市に有る土地家屋は衛当及びエバーを記入すること。

且法律上のアドレス・ロト番号ブロック・セクション等も充分に、

その外にロト番号を記入すること。

其の外にロト番号を記入すること。

請求放棄は消すこと。

などの言葉は消すこと。

E.

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1942 are not eligible for claims, but the lawyers state that there a strong argument that the passing it from the Fishing Vessels Committee meant they were under the Custodian. If the lawyers are wrong and the Commissioner dicides that we are wrong, then representations will be made to Ottawa to be brought up early in the hearing to extend the Reference to include Fishing Vessels and Gears. If that fails, the lawyers will ask for a new Commission to be set up for this question. It cannot do any harm to include Fishing Vessels at the present time. If it is not done so, it may turn out to be too late at another date.

SET-UP FOR CLAIMS:

The Co-operative Committee and the JCCA have been working together and are bearing the initial ~~expense to get~~ out the claim forms, letters etc., but it is expected that the expense of making claims, proving them, appearing before the commission, will be borne by the individuals making claims. It is very difficult to know how much it will cost. We do not know how many claimants there will be. Handling a small number of claimants will cost more than handling a larger number. We may have to hire valuators or the Gov't may be induced to do so. How much searching of titles and records will have to be done is not certain. What is the fair way to go about it is the question.

Everyone is required to pay 1% of the claim he makes at the time of filing the claim. The claimant will bear his share of the total expense out of the money he recovers on a proportionate basis. There is one exception, and that is, if there are those who cannot pay the 1% they are to file claims through the Committee and at the time of filing make an application to the Committee for assistance, a space being made for this purpose in the retainer forms.

1% of claims will be on the loss you claim. e.g., you estimate something worth $4000, and you got $3000, then you claim for $1000. The 1% will be on the $1000.

Some persons may want their own solicitors. If so, they can do so. Any of the lawyers acting for the Committee can take such claimants as clients. However, the amount that they will pay is not 1% but will run to a minimum of 10%.

HEARINGS:

The Commissioner will hold hearings at certain centres, e.g., Vancouver, Kamloops, Nelson, Kelowna, etc., according to the number of claimants in the districts. We contemplate on asking for hearing at Greenwood and New Denver instead of at Nelson.

The Commissioner will hold a preliminary hearing in the middle of December or in early January in Vancouver and would like to commence hearings in the Interior immediately after this. The lawyer will be thoroughly prepared by that time.

The sub-Co-operative Comm. in Vancouver will appoint one of the lawyers to appear at the actual hearings to examine witnesses. A few days before the hearings however, the lawyers will come to the proper centres and expect to meet persons with claims(about two or three days before the hearings). At this time the Claimants will be asked to give, as evidence, documents, proofs, etc. to the lawyers. Claimants could also call for witnesses, such as neighbours, etc. Representations for the claimants will be made according to claims filed. Claimants will be heard across the Country. The Commissioner will then go back to Vancouver for a final hearing.

REFERENCE AS TO FILING CLAIM FORMS:

(numbers and sub-headings refer to those which are in the forms.)

1. NAME: If a girl is married, put in married name, and also the former maiden name, and the registration no.
   State whether male or female. UNDERLINE SURNAME.
2. PRE-EVACUATION ADDRESS:
3. PRESENT ADDRESS: Be specific and exact, with box no. (if any)
4. REAL ESTATE:
   a) Street Address: none on farm, but when in the city, give address
   b) Legal description: If more than one property give legal description placing #1 before the description, #2 before the second, etc.
   c) Type of Real Property: If two or more properties you must indicate by numbering them.(indicate residence property numbered (1) above, or farm property (2). That is to show which property is which.)
   d) What was your interest in the property: Joint owner, sole owner, etc. If just one there is no difficulty. If more than one owner give the name of the joint owner. If two or more properties state:
      1. sole owner
      2. joint owner with.....

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CANADIAN ... for ...

一割以上は支持はいで良いと言うことです。

フォームに付いて

一、署名者は午九百年第十月多数に達していること。これは五後三通で後ろに送ること。フォーム三枚の内訳はグリーンウッド市民投票（送ること。これは外にローヤーの発行分書（リテーナー）ローヤーへ廻すもの三枚ともパブリックをすること。小切手などを付けてグリーンウッドの市民投票へ送ることに成ってあるがしながらローヤーは調査を調査官に提出する前に市民投票へ送る必要がある。十月三日に同じ日は

一、調査官は三百日以内に投票でき一回の調査を開くだろー

一、ローヤーは当初の調査官（を新しい人に変更することができる。

一、ライブのハンクハー支部では一人のローヤーを調査官に指名した。知人を示すグループ（ローヤーは当初の調査官は調査官に代って調査官に送ること。

一、此の時に要求者は他の証拠（記録）を提出することが出来る。集った証拠の書類は（審問）最も近い市民投票所に調査官に送る。調査官は（審問）

一、イリスのペクトルが扱った土地の試訴判決が有った。エキス委カーコートでは（審問）に弁護士の法廷闘争も（審問）

一、現在のアドレス・番郵便ボックス番号

二、不動産

月、市に有る土地家屋は衛名（所有）

日、法律上のステータス（ローヤー）

そして次に土地家屋を持つ（所有）

其の場合に口ト番号等を記入すること。

請求処理は消すこと。

ねとの言葉は消すこと。

ロ、そしてこれらの土地家屋などを記入する際は、第一、第二、第三、第四をはっきりと分ける事。

（署名者は、第一、第二、第三、第四をはっきりと分ける事。）

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N NISEI ASSOCIATIO
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一割以上は支拂はいで良いと云ふことゝせず、

フォーム に付いて、

一、要求書は千九百四十七年十一月三十日迄に晩市のローヤル バンク建物にあるカストリヤン(送ること。若しくは其の様式で何か此はノータリーパブリック又は他の法律事務所で公証して貰はなくて送ること。フォーム三枚の内二枚は前記の如くにしてカストリヤンへ送り、残り一枚はグリンウッド市民協会へ送ること、コレはローヤーへ廻すものである。三枚とも、ノータリ パブリックをすると外にローヤーの費用約八弗(リティナー フォーム)是れも一万の案件に相当する額小切手などを付けてグリンウッドの市民協会へ送ることに成つて居るが しかしながらローヤーは要求書を調査官に提出する前に下調べをする。此の為めに要求者は三十日のフォームを十一月の末日迄に前記市民協会へ送る必要がある、十一月三十日に間に合はぬ時は一枚のフォームを晩市のカストリヤンに直接本人が送り、残り二枚だけ([illegible])を新要の方へ送つて下さい。スペア 書留郵便にすること。

一、要求の多い数を見て、調査官は調査開廷地を変更するかも知らんが現在では晩市、キャムルーップス、ネルソンで開くことに成つて居る。若し是れから集つて来る要求書の多い所に依つてローヤーは、ネルソンの代りにニューデンバー及びグリンウッドを申請するかも知らんと申請すると言つて居る、

一、調査官は本年の一月又は来年の一月初旬に晩市で第一回の調査会を開くだろうとローヤーは云ふて居る。其の直後ビーシー奥地へ廻つて行く、

一、ウー(ラ・ナイーブ)のバンクーバー支部では一人のローヤーを調査会開催地に出張させ、調査会に立合はせ、又其の他の仕事をさせる、調査会が開かれる三日前にローヤーはグリンウッド其の他適当な土地に出張させ其の近くの要求者を[illegible]する、

一、此の時に要求者は其の証拠・記録等をローヤーに渡す。要求者は証人を呼ぶことが出来る。集つた要求書は調査順に調査官に送る。調査官は其のカピーを廻る最後に晩市で開廷調査会を開く、

一、ノリス及びマクレナン案ゴアが扱つた土地の試訴、判決があつた。エキス チェッカー コートでは閣会に対して何等の法廷闘争も出来ず打切り上告も許可されぬ。故に上告して異議い判決を得ようと努めて居る人は其の件を断念しなければならん。千九百四十七年に大審院では閣会に対しての抗争は法廷に於て行ふ権利は無いことを明らかにした損害賠償要求は故に此の為めの調査に應じなければならん、

フォームの書き方に就いて

一、職業婦人は結婚前の職業をも記入することと登録番号も共に、ミスターかミセスかミスを書くこと、

一、移動前のアドレス。姓の下へラインを引いて置くこと、

一、現在のアドレス、郵便ボックス番号

一、不動産

月、市に有る土地家屋は街名及びナンバーを記入すること。農地は其の必要ない、

旦、法律上のストリート・エバ・ロット番号ブロックセクション等も記入す、

其の他一ケ所以上に土地家屋を持つて居た場合は第一第二と番号を付けて其の他にロット番号等を記入すること、

請求せぬ保険は消して置くこと。ウキエバ、家だけの損害なら土地・商業などの言葉は消すこと、

ヒ、二ヶ所以上の土地家屋などを記入する場合は、第一第二と番号を付して其の下

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SET-UP FOR CLAIMS:

The Co-operative Committee and the JCCA have been working together and are bearing the initial ~~expense to get~~ out the claim forms, letters etc., but it is expected that the expense of making claims, proving them, appearing before the commission, will be borne by the individuals making claims. It is very difficult to know how much it will cost. We do not know how many claimants there will be. Handling a small number of claimants will cost more than handling a larger number. We may have to hire valuators or the Gov't may be induced to do so. How much searching of titles and records will have to be done is not certain. What is the fair way to go about it is the question.

Everyone is required to pay 1% of the claim he makes at the time of filing the claim. The claimant will bear his share of the total expense out of the money he recovers on a proportionate basis. There is one exception, and that is, if there are those who cannot pay the 1% they are to file claims through the Committee and at the time of filing make an application to the Committee for assistance, a space being made for this purpose in the retainer forms.

1% of claims will be on the loss you claim. e.g., you estimate something worth $4000, and you got $3000, then you claim for $1000. The 1% will be on the $1000.

Some persons may want their own solicitors. If so, they can do so. Any of the lawyers acting for the Committee can take such claimants as clients. However, the amount that they will pay is not 1% but will run to a minimum of 10%.

HEARINGS:

The Commissioner will hold hearings at certain centres, e.g., Vancouver, Kamloops, Nelson, Kelowna, etc., according to the number of claimants in the districts. We contemplate on asking for hearing at Greenwood and New Denver instead of at Nelson.

The Commissioner will hold a preliminary hearing in the middle of December or in early January in Vancouver and would like to commence hearings in the Interior immediately after this. The lawyer will be thoroughly prepared by that time.

The sub-Co-operative Comm. in Vancouver will appoint one of the lawyers to appear at the actual hearings to examine witnesses. A few days before the hearings however, the lawyers will come to the proper centres and expect to meet persons with claims(about two or three days before the hearings). At this time the Claimants will be asked to give, as evidence, documents, proofs, etc. to the lawyers. Claimants could also call for witnesses, such as neighbours, etc. Representations for the claimants will be made according to claims filed. Claimants will be heard across the Country. The Commissioner will then go back to Vancouver for a final hearing.

REFERENCE AS TO FILING CLAIM FORMS:

(numbers and sub-headings refer to those which are in the forms.)

1. NAME: If a girl is married, put in married name, and also the former maiden name, and the registration no. State whether male or female. UNDERLINE SURNAME.
2. PRE-EVACUATION ADDRESS:
3. PRESENT ADDRESS: Be specific and exact, with box no. (if any)
4. REAL ESTATE:
   a) Street Address: none on farm, but when in the city, give address
   b) Legal description: If more than one property give legal description placing #1 before the description, #2 before the second, etc.
   c) Type of Real Property: If two or more properties you must indicate by numbering them.(indicate residence property numbered (1) above, or farm property (2). That is to show which property is which.)
   d) What was your interest in the property: Joint owner, sole owner, etc. If just one there is no difficulty. If more than one owner give the name of the joint owner. If two or more properties state:
      1. sole owner
      2. joint owner with.....

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c) Fair Market Value at Date of Sale: Estimate this to the of your ability. Be careful that the full estimated is placed before the Commissioner. You may be bound by the estimate; therefore, make it high enough, but do not make any exaggerated claims, because, if there are a number of grossly exaggerated claims or figures it will cast a bad effect on all. Give a fair value.

i) Land: Give the value at the time of sale.

ii) Buildings: Give the value at the time of sale.

iii) If business, put value on as a going concern, including land, buildings, chattels, good will, accounts receivable. This is guess work. Estimate what the business was worth at the time of sale. (What you would have sold it for if you wanted to sell)

iv) Total Value: If you cannot give separate values, fill in total. You will have difficulty if there is more than one property. Then attach a separate sheet of paper, showing valuation of land, buildings for each property. Indicate which is which. Put in total value of lands and buildings. If segregating land and buildings is difficult put in total value.

v) Amount at which the Custodian sold property and credited your account: Put in the net amount the Custodian credited you with. In case of Joint Owners both should file forms and aid each other on the agreement of valuations and such. The amount at which it was sold will be the amount with which you may be credited, not the total value of the property. Show total value and your interest in it.

f) Loss: (This figure is arrived at by deduction of item (v) from item (iv).

5. PERSONAL PROPERTY:

a) Place or places at which property was left by the claimant at date of evacuation. Specify where.

b) Type of premises in which property left(e.g., house, warehouse, garage, shed, church basement, etc.)

c) How stored or packed at time of evacuation: If bundled or in the back of house or in cases, specify that. If left loose mention it.

d) In whose care property was left: If in anyone's care and this person tried to keep it from the Custodian there may be difficulty, unless you left it in someone's care under agreement that he would be responsible for the condition and retention of the chattels. Then you should put "in no one's care" or "the Custodian's care". If you should put "in no one's care" there is claim under this reference, also if left in someone's care but subsequently reported to the Custodian.

e) Personal Property: (the subject of the claim, with 10 sub-headings) If not enough space attach more paper in triplicate, two for the Custodian and one for the lawyers. There is place for estimated value. Give value. Do not be over optimistic and give a ridiculous price. Be honest in the valuation. This sub-heading has a defect. If the property was left in the Custodian's care, or in no one's care, or eventually came in to the Custodian's care the form provides for your claim under such. Before the words: "total claim for property loss" put in "less amount received or credited from the Custodian".$.....Deduct that from your valuation of the property. Because this form provides for your value of chattels but no provision for what was received from the Custodian put that in, then the total claim figure will not be the total of the claim above it, but less the amount received.

6. a) The Place the Claimants Prefer to be Heard: Representations will be made to extend that, so the answer for people here should be "Greenwood, preferred; Nelson, if necessary." The Commissioner may not come here, then the affected claimants want the closest place. Kelowna is on the agenda. People near that city should put in, "Kelowna, preferred; Kamloops if necessary."

b) The Commissioner will have an interpreter with him.

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ASSOCIATION

調査会を開く迄

グレンウッドの西北者はグレンウッドで開いて
係官はホルソレにする。調査官は次へまわぬ
はしい。私等はグレンウッドへ来るようにライ
ラストバンク、ケロナ近辺の人はケロナで開会し
信はキャルーブスとする。と云うように皆
と調査官は多数の人が申込んである北ケロナ
一、コレミッチーで受った漢船備具は今度の調査に
調査に船に向って書き出して見ることだ（希望者は）
漢船は実の当時を受られた（コレミッチーに依って）並しアレは強制書の部となる
コレミッチーは、ホストリヤリの支配であるか否かに疑問が有る。或るケースはカストリヤ
に移されて其の支配下に置かれた
ローヤーの意見としては、コレミッチーからカストリヤルに残りの船を返したことはツマリ
漁船はカストリヤルの支配下に有った故にカストリヤルの責任であると断定してある。
モシローヤーの考へがる通って居り調査官もソー思って居る為め調査会前に
オクに交渉して漢船捜索も今度の調査に入れて貰らはねばならん。そこ其れも
許すされぬならローヤーは折うたなるつまりつまりを設定するよう申請する、
今度の調査一般国にコレミッチーで受入られた漁船の捜索を入れることは至當
である。モシ今其れをしなければ遅れてしまう、
一、沃山の如き有る場合は一人の所得捜索だけを記入のこと、持ち株は私用動産
（パーソナルプロパチー）の所へ書くこと、数面と時候を書くこと、
一、其の場合は自分くの為め、此書に動産の上記を日元様って要求し貰れば結構さ
かる為に思くるが二重には当らぬ、五人の場合自が一方づつ掛ふがこのパテーは
共用をかけぬ、新く、コパテと個人とを分方で要求書を出し置くこと
モシ個人からの要求がハネ付けられた場合はコパテの方で要求書るから
ぴある。
一、コレミッチーで受入られた漁船は捜索日元様って要求し貰れば結構さ
第は一台の捜用は戻す但し取り扱の料は差引くが其れは只名目だけ
の金高である。

一般の注意、

一、ボートはコレミッチーで受入られた分でも書き出して置くこと
見とてはボートのコレミッチーもカストリヤルと在じだと見ふから調査官と等って
と云ふのであるが、関令八号では其れ迄四千年の八月以後から日本人のボートは
カストリヤルに移されたことに規定を有ることを承知して置くこと、
一、要求書式は三枚共位じように書き込み、イータリ。パブリック又は法律事務所で公証
して貰らう其の役人の前でサインすること、自分の内でサインしては なりません 尚ほ
三枚の外に自分で心覚えの為めに控えを取って置くこと
一、右三枚のフォームの外にローヤーの要求書（要求書は五部ドの割合）の金額を弁ご料
金を要求する時は弁ご料、五百弗の要求書と共に私共の方へ送って下さい、（十月三日迄に書留郵便で）ローヤーの下調べの為め、
一、モシ十月三日迄に当方へ人は十月三日迄に直接吹市のカストリヤルへ三枚だけ送り
一枚は弁ご料と共に私共の方へ送って下さい、此の場合ローヤーの下調べは出来ぬが

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Inouye Family fonds - ARC-1716 Roth

(4)

MORE PARTICULARS:

Under cooperative associations where shareholders are many, file claims for individuals. Show shares as personal property. Place nominal values as shown on certificate unless you know the real value.

In case of a company, the members of the company should show claims as personal property in their own reports, and also file claims in regards to the company as a whole. This may cause claimants to think that there will be a jump in fees. However, the fees will not be collected double. If three individuals showed shares each will be paying 1%, and there would be no fee on the company. The purpose of two files is to press the other when personal claims are thrown out at the hearing.

In the case of fishing vessels, when you estimate losses and find they cannot be heard, then you will get the money back, less a handling charge which will be nominal.

If sold to veterans(Veteran's Land) let it be indicated on the copy to be sent to us. Again, give the net amount after all the payments were made by the Custodian.

In the case of death, the Executor or Administrator should claim for it as a personal representative and has same claim as the deceased. If there is no executor or administrator nearest relative should claim(eligible persons being those who are in Canada as of Nov. 30th, the time of the commencement of these hearings.)

Separate claims should be filed for losses by husband and wife if one has the property and the other the chattels.

In regards to Fair Market Value consider what you paid for land, how long you had it, how much improvements made. (not the assessed valuations, they differ.)

If you had Crops on Farms put value on the Crops, besides the land and buildings.

FAIR MARKET VALUE is the price for which a willing seller would sell to a willing buyer in an open market. So if you were forced to sell that is not a fair market value.

B.C.J.C.C....

Greenwood, B.C.

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JAPANESE CANADIAN COMMITTEE FOR DEMOCRACY

84 GERRARD ST. E., TORONTO ★ TELEPHONE AD. 2547

July 30th, 1947.

Dear Friend:

On July 18, 1947, the Government announced the appointment of a Claims Commission which by Order-in-Council, P.C. 1810, is authorized to investigate only those claims for losses which arise from any failure of the Custodian to excerise reasonable care in the management of evacuee property.

Such narrow terms of reference limits drastically the number of claims which can be considered by the Commissioner and totally ignores the basic reason for evacuee losses.

The Co-operative Committee and the JCCD have always stressed to the Government the main fact that the economic losses suffered by the Japanese Canadians was by reason of the forced evacuation.

Under the present terms, loss through sale of fishing boats and gears, owner's forced sale of porperty, sale of property at assessed valuation as well as numerous other losses arising out of the evacuation could not be considered by the Commissioner.

The Co-operative Committee has written the Prime Minister requesting an interview with him in order to present the views of the committee on this matter.

The subject of the Claims Commission will be thoroughly discussed by the various representative Japanese Canadian organizations at the National Conference to be held in Toronto on August 30th to September 1st, 1947.

The JCCD will do its utmost with the co-operation of all Japanese Canadian organizations and the Co-operative Committee until fair and just restitution is made by the Government for economic losses suffered by the evacuees by reason of the forced evacuation.

Yours sincerely,

JCCD,

George Tanaka, Chairman.

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Family fonds - ARC-1716
Restitution efforts
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fonds - 1

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NADIAN NISEI ASSOCIATION
VERNON, B.C.

1947

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Inouye Family fonds - AR C-1716 Restitution efforts

STATEMENT FOR THE PRESS
ISSUED BY THE
CO-OPERATIVE COMMITTEE ON JAPANESE CANADIANS

July 24, 1947.

The terms of the Order-in-Council appointing the Commission to investigate Japanese Canadian property claims are so restricted as to be worse than inadequate, and in fact to be practically useless.

The terms of the Order-in-Council impose an impossible burden on claimants. Before the Commissioner can recommend a cent of compensation, he must be satisfied that the Custodian has failed to use reasonable care in disposing of the properties.

The claimants have never based their case for compensation on the lack of care by the Custodian who in most if not in all cases may be presumed to have done the best possible in the circumstances. However, in these circumstances of wholesale evacuation, it was inevitable that market values should be abnormally low and the major losses sustained were caused by the Government's policy of enforced evacuation rather than by any lack of care by the Custodian.

Many hundreds of claims cannot even be considered by the Commissioner, for the properties were lost or disposed of or had seriously depreciated before the Custodian was able to take charge. These losses arise no less out of the evacuation orders and Government policy of which, however necessary it may have been, the Japanese Canadians were the innocent victims.

The Co-operative Committee has repeatedly pointed out that justice could not be done unless the terms of the inquiry were as broad as those contained in the Bill proposed to Congress by the American Government which provides for compensation for Japanese Americans for all losses naturally and reasonably flowing from the evacuation orders. In this instance the Canadian Government in contrast to the American Government is doing less than justice. Nor do the proposed terms of reference implement the promises made by the Prime Minister himself when on January 24th, 1947 he stated that, "to ensure the fair treatment promised in 1944 the Government is prepared in cases where it can be shown that a sale was made at less than a fair market value to remedy the injustice." The terms of the Commission will deprive those whose property was sold at less than the fair market value of compensation unless they can show that the Custodian acted carelessly. The injustice referred to by the Prime Minister will not be remedied unless the order is amended.

Nor do the terms of the reference comply with the recommendation of the Public Accounts Committee which was approved by Parliament. This Committee recommended that a Commission be appointed to inquire into claims for losses which resulted from the amount being received by claimants being less than the fair market value of their property at the time of sale or loss.

Under the present order if the Custodian shows to the Commissioner that he made reasonable inquiries and did the best that he could in the circumstances, the Commissioner can allow no compensation, although the sales are far below the fair market value.

It is still not too late for the Government to change its mind. We are writing to the Prime Minister urging that his former promise of remedying the injustice be fully implemented.

The Committee cannot rest nor should the people of Canada be satisfied until the Government of Canada have reversed its policy, and done full justice.

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日系加奈陀人協同委員會

財産損害賠償要求調査員任命ニ関する質問書

◇一九四七年七月二十四日

日系市民の財産損害賠償要求を調査するためコミションを選任した閣令の條件が余リニ制限されてみるので、それが不十分であると言ふよりは、実際上無益であると言った方が正當である。

右閣令の條件は申請者に不可能なる責任を強ひてゐる。賠償を得るには、カストヂアンが財産を處理するニ当リ十分なる注意を拂ふ事をコミショナーが納得するように證明しなければならないのである。

賠償請求者はカストヂアンの不注意をしてその論據としてゐるのではない。カストヂアンはその境遇に於て為し得る最上を盡したかも知れぬ。しかし、日系人の全体的移動のために自然地價が下落したので、損害の多くは政府の日系人に對する強制的移動政策の結果なのである。

カストヂアンの手に入る前ニ財産は紛失したり、賣却したり、その價値下落してゐたのであるから、多くの賠償要求は、コミショナーによって考量される事も出来ない事になる評である。これらの損害は移動令及び政府の政策によって蒙ったのであって、その移動が如何ニ必要なる事であったにしても、日系市民は無罪の被害者であったのである。

当委員會は、米国議會ニ提出された議案に規定されてゐるように、移動令に起因して、自然的ニかつ合理的ニ蒙ったすべての損害を調査するのでなかったら、公平を為す事出来ない、と度々指摘してゐるのである。右コミショナーの權限が余りに比してカナダ政府は十分の公平をしてゐない。右コミショナーの權限が余りにキング首相が発表した約束制限されて、一九四七年一月廿四日議會に於てよりも安く賣られた人でも、カストヂを実現する事不可能である。市場價格アンが不注意であった事を證明出来ない者は賠償要求權がない事になる。右閣令は故ニ是非修正して貰はねばならない。

右閣令の修正を政府ニ迫る事はまだ遅くない。当委員會は以前の約束を全体的ニ遂行さゝん事を首相ニ對し要請する積りである。

カナダ政府が今の政策を轉じて全的公正を為すまでは、当委員會は止まない決心であるが、全カナダ人もそれまで満足すべきでない。

勧誘ヲ
海母

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