

CASE NO: 1053

JAPANESE PROPERTY CLAIMS COMMISSION

Toronto, Ontario,

May 14th, 1948.

IN THE MATTER OF THE CLAIM OF
DOROTHY YOSHIKO YAMASHITA.

PROCEEDINGS AT HEARING.

IN THE MATTER OF THE "INQUIRIES ACT"
PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99.

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(THE HONOURABLE MR. JUSTICE H.I. BIRD, COMMISSIONER).

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IN THE MATTER OF THE CLAIM OF
DOROTHY YOSHIKO YAMASHITA.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq., appearing for the
 Dominion Government.

R.A. BEST, Esq., appearing for the
 claimant.

A. WATSON, Esq., Secretary.

D.J. HANDFORD, Esq., Official Interpreter.

T.P. HORROBIN, Esq., Official Reporter.

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D.Y. Yamashita,
In Chief.

(MRS.) DOROTHY YOSHIKO YAMASHITA, the claimant
herein, being first duly sworn, testified
as follows:

DIRECT EXAMINATION BY MR. BEST:

Q Mrs. Yamashita, is that your signature?

A Yes, that is right.

Q And was that form prepared upon your instructions?

A Yes.

(STATEMENT MARKED EXHIBIT NO. 1).

10 Q Now, Mrs. Yamashita, you are the daughter of the
previous witness, Mr. Muzitani, is that correct?

A That is true.

Q And you are claiming for the store premises in which
this dry cleaning business was carried on at 1758
West 4th Avenue, Vancouver?

A Yes.

Q And I understand that you are claiming as executrix
of your late mother's will?

A Yes.

20 Q Since the property was vested in your mother, whose
name I understand was Kuri Mizutani, is that
correct? A: Yes.

THE COMMISSIONER: Has the Custodian the probate?

MR. HUNTER: I don't seem to have anything pertaining to
the probate.

MR. BEST: Q: You haven't got a copy of the probate of
your mother's will with you, I don't suppose?

A No, I don't have, but my father might have.

30 THE COMMISSIONER: What does it purport to be, just a
copy?

D.Y. Yamashita,
In Chief.

MR. BEST: My lord, this apparently is just a copy of
a will drawn by a lawyer here in town.

THE COMMISSIONER: I will give you leave to file sufficient
proof of the probate and of this claimant's title at
a later date.

MR. BEST: Thank you, my lord. Have you the appraisal
to file, Mr. Hunter?

MR. HUNTER: I file the appraisal of J.R. Reid & Company
Limited, dated February 14th, 1944, with a valuation
of \$1200.00. This is of 1758 West 4th Avenue.

(APPRAISAL MARKED EXHIBIT NO. 2).

MR. BEST: Q: Now, Mrs. Yamashita, there is a statement
in the appraisal which would seem to gibe with your
statement. There are three rooms in this building,
is that correct?

A Well I couldn't tell you. There is a partition there,
isn't there? Yes, three I would say.

THE COMMISSIONER: Am I concerned with that? It may be
a question of value.

20 MR. BEST: Q: I believe there is one other question
only on the appraisal. Do you know whether there
is a garage at the rear?

A Oh yes, there is a garage.

Q What do you say about the condition of this garage,
do you know?

A: There were adjoining
woodsheds with it. In comparison with the woodshed,
the garage was better. I would say it was fair.

Q You would say it was in fair condition?

A Yes, fair condition.

30 MR. HUNTER: It is submitted, my lord, that this property

D.Y. Yamashita,
In Cross-Exam.
Discussion.

was sold for its fair market value. It was assessed in 1943 at land, \$530.00, improvements \$800.00, total \$1330.00. It was advertised under catalogue No. 329, tenders closing October 4th, 1943. No tenders were received. Offers came in later on July 10th, 1944, an offer from H.A. Roberts Limited for \$1200.00. This was withdrawn on August 22nd, 1944. On December 19th, 1944, an offer of \$1200.00 from A. Garraway through the Morrow Realty. This was approved by the advisory committee on December 29th, 1944, and was accepted. It was sold as of January 18th, 1945, for \$1200.00 to Maxwell Garaway and Hyman Angel.

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THE COMMISSIONER: \$1200.00? It is purely a question of valuation. Thank you, Mrs. Yamashita. That is all we require.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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I hereby certify the foregoing to be a true and accurate transcript of the proceedings herein.

J. P. Horrobin

"T.P. HORROBIN"
Official Reporter.

base 1053

JAN - 7 1948

IN THE MATTER OF a Commission to Investigate Claims of Japanese Canadians for Property Losses.

TO: The Commissioner,
Office of the Custodian,
Royal Bank Bldg.,
Vancouver, B.C.

ACKNOWLEDGED

8578

(Signature)

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Pursuant to the notice issued on the 26th day of September, 1947, I submit the following claim:

Toronto

(1) NAME YAMASHITA Dorothy Yoshiko (RCMP) Reg. No. 13071
(Print) Surname Given Name

(2) Pre-Evacuation Address 1778 West 4th Ave., Vancouver, B.C.

Best

(3) Present Address 298 Major Street. Toronto (Returned)

152 Collier St

(4) REAL ESTATE

(a) Street Address (if any) 1758 West 4th Ave., Vancouver, B.C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)

Lot 9, Block 248, D.L. 526 - Vancouver

(c) Type of Real Property (cross out words which do not apply):

- (i) ~~Farm~~
- (ii) ~~Residence - Store~~ Type of business
- (iii) ~~Business~~
- (iv) Any other type of property (describe)

(d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.)

Executrix of Will of my late mother, Kuri Mizutani

(e) Fair market value at date of sale (estimate this to the best of your ability):

- (i) Land - - - - - \$
- (ii) Buildings - - - - - \$
- (iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - \$

(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - \$ 2000.00

(v) Amount at which Custodian sold property and credited your account - - - \$ 1200.00

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 800.00

(5) PERSONAL PROPERTY

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

(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

(over)

(d) In whose care was property left at date of evacuation by the claimant. (This question refers to the terms of reference which exclude claims where the property was 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. It involves some definite arrangement whereby you appointed someone to take care of the property and such person accepted the responsibility of so doing. Unless such an arrangement was made the question should be answered "in no one's care")

(e) Itemized description of personal property which is the subject of the claim:

- | | | | |
|-----|-------|--------------------|-------|
| 1. | _____ | Estimated Value \$ | _____ |
| 2. | _____ | Estimated Value \$ | _____ |
| 3. | _____ | Estimated Value \$ | _____ |
| 4. | _____ | Estimated Value \$ | _____ |
| 5. | _____ | Estimated Value \$ | _____ |
| 6. | _____ | Estimated Value \$ | _____ |
| 7. | _____ | Estimated Value \$ | _____ |
| 8. | _____ | Estimated Value \$ | _____ |
| 9. | _____ | Estimated Value \$ | _____ |
| 10. | _____ | Estimated Value \$ | _____ |

TOTAL CLAIM FOR PROPERTY LOSS \$ _____

N.B.—If you cannot list all the items here prepare a separate list with values set out opposite each item and attach it to the form. The item "personal property" includes shares, bonds, mortgages, loans, notes and all other forms of property not included in real estate.

(f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e) - - - - - \$ 800.00)

- (6) (a) Place at which claimant prefers to be heard. (Vancouver, Kamloops, Nelson, Lethbridge, Moose Jaw, Winnipeg, Toronto or Montreal.)
- (b) Do you require the services of an interpreter at the hearing? Yes or no No

Toronto

N.B.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to take declarations. All lawyers are qualified to do so.

DOMINION OF CANADA)
 County of York)
 TO WIT:)

I, Dorothy Yoshiko Yamashita of the City of Toronto in the Province of Ontario

DO SOLEMNLY DECLARE THAT:

The information set out in the form above is true and correct to the best of my knowledge, information and belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act".

DECLARED before me at the City)
 of Toronto)
 in the County of York)
 this 20th day of January)
 A.D. 1948)

A Commissioner &c. D. Y. Yamashita

N.B.—THIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONER SHOULD BE MAILED BY REGISTERED MAIL TO THE COMMISSIONER, c/o THE OFFICE OF THE CUSTODIAN, ROYAL BANK BLDG., VANCOUVER, B.C., BEFORE NOVEMBER 30th, 1947. IF YOU CANNOT MAIL IT BEFORE THIS DATE SET OUT BELOW REASONS FOR THE DELAY.

YAMASHITA , Dorothy Y
(Claimant's Name)

REAL ESTATE
(Other than farm)

13071
Reg. No.

<u>Type of Premises</u> (e.g. House, Store, etc.)	<u>No. of Rooms</u>	<u>Type of Finish</u>	<u>Use of Premises</u>	<u>Size of Lot</u>	<u>When Purchased</u>	<u>Date of Purchase</u>
Store	3	Frame	Business	25x120	1930	Sept.

<u>Type of Locality</u>	<u>Cost Price</u>	<u>Improvements made by Claimant</u>	<u>Estimated Value</u>	<u>Date of Sale</u>
Semi-business	\$2000	1930-Concrete foundation \$150.00 1931 Garage \$100.00 1937 Chimney 50.00 1935 Roof 100.00 1935 Floor 100.00 1942 Custodian put new roof on home 100.00	\$2000.00	

Comments re upkeep of premises:

The building was painted yearly and kept in good repair.

Comments re Appraiser's report not covered above:

EXHIBIT No. 1053-1
DATE 14 May 1948
FILED BY R. a. Beerl

Dorothy Yamashita
Signature

J. R. REID
NOTARY PUBLIC



GENERAL INSURANCE

515 GRANVILLE STREET
VANCOUVER, CANADA

February 14th, 1944.

329

1758 West 4th Ave.

This property comprises a 25 ft. lot on which is erected a one story wooden building with no basement and being used as a Chinese Cleaners.

There is a kitchen at the rear of the building and the plumbing consists of a toilet and sink.

Garage at the rear of the property. The improvements are in a very poor condition.

Valuation \$1,200.

EXHIBIT NO. 1053-2
DATE 14 May 1948
FILED BY R. a. B. est