

Name of Claimant FUKUSHIMA, Tsugio Case 1059
 " Kazuo
 Custodian File 3371 & 1730

<u>REAL PROPERTY</u>										
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)			V.L.A. Mission Village		Total
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices		Sale Price	Total Award 125% of all Sale Prices:	
						% of Total	Amount		% of Total	Amount
1500.00	75.00 12.50									87.50
<u>PERSONAL PROPERTY</u>										
Motor Vehicles			Boats and Boat Gear							
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Recorded Now Missing		45% of amount in next preceding column		
<u>NETS</u>										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing			Percentage Total Award to Total Claim		Claim for Nets Sold Declared Not Found, & Recorded Now Missing		Apply % ratio to Claim	Deduct Custodian Sale Price
<u>MISCELLANEOUS CHATTELS</u>										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
			46%	60.00 60.00	27.60					27.60
TOTAL RECOMMENDATION										115.10

CASE NO: 1059.

JAPANESE PROPERTY CLAIMS COMMISSION

Toronto, Ontario,

May 19th, 1948.

IN THE MATTER OF THE CLAIM OF

TSUGIO FUKUSHIMA.

PROCEEDINGS AT HEARING.

Original.

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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Toronto, Ontario,

May 19th, 1948.

IN THE MATTER OF THE CLAIM OF
TSUGIO FUKUSHIMA.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

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

F.A. BREWIN, Esq., appearing for the
 claimant.

A. WATSON, Esq., Secretary.
 MRS. F.L. HANDFORD, Official Interpreter.
 T.P. HORROBIN, Esq., Official Reporter.

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T. Fukushima,
In Chief.

TSUGIO FUKUSHIMA, the claimant herein, being
first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. BREWIN:

Q Mr. Fukushima, is this your signature on this
claim form? That is real estate other than farm?

A Yes.

Q And are the facts set out in that form correct?

A Yes.

Q Now, I notice it says here that you have a half
interest in this property. Who has the other half
interest? A: My brother.

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Q Your brother. Where is your brother?

A He lived at Capascasing.

Q As far as I have made out, he hasn't a claim himself?
Have you authority to make any claim for him?

A I sent a letter to my brother but he said the same
thing, that is why he never put in a claim.

THE COMMISSIONER: Q: I am afraid I do not understand
that.

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THE INTERPRETER: He thought the one claim would be
sufficient for both of them.

THE COMMISSIONER: Mr. Brewin, if you would draft some-
thing for the brother's signature, whereby authority
is given this brother to speak for him, that will
be sufficient, and it can be filed later.

MR. BREWIN: Thank you, my lord.

Q Now, this property at 477 Powell Street -- am I
right about that -- in Vancouver?

A Yes.

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Q According to the information here you had four
two-room apartments upstairs?

T. Fukushima,
In Chief.

- A Yes.
- Q And a store downstairs? A: Yes.
- Q And a four room residence at the back of the store?
- A Yes.
- Q And did you and your family live there?
- A My uncle had that and my brother.
- Q Whereabouts did you live then -- in one of the apartments? A: Yes, upstairs with my brother.
- 10 Q How many apartments were rented? You say there were four two-room apartments?
- A Four two-room apartments.
- Q How many were rented when you were there?
- A Upstairs?
- Q Upstairs? A: Four, but I got a total -- four men lived in one room. Four people lived in one room.
- Q Four people lived in one room. It sounds like a crowd to me.
- 20 A They were all rented.
- Q All of the four? A: Yes.
- Q How much were they rented for?
- A About \$35.00.
- Q Altogether? A: Altogether.
- Q \$35.00 a month? Then there was a store downstairs that was operated by whom -- the candy store?
- A My brother.
- Q Your brother operated it as a candy store, is that right? A: Yes.
- 30 Q I see that you say that it was purchased by your

T. Fukushima,
In Chief.

father in 1925 for \$7,000.00, is that correct?

A Yes, that was before the war. My father went to Japan just before the war.

Q I wasn't asking about that. I was asking if that is correct, that he bought it then?

A Yes, my father told me.

Q Your father told you before you left?

A Yes.

10 Q I see you are only claiming one item of chattel property and I haven't prepared a form for it, my lord, because I doubt whether it is a chattel.

It is a store counter? A: Yes.

Q Where was the store counter when you left?

A In the store.

Q Now, was the store counter attached to the floor?

A No.

Q Perhaps you would describe to us what it is.

A Just sits on the floor.

THE INTERPRETER: It was a moveable counter.

20 Q Have you any idea what you paid for it? I see you claim \$150.00 for it.

THE WITNESS: A: My brother just bought it about ten years ago. My brother told me about \$400.00 he paid for it.

Q I see. It seems to say in your J.P. form a lunch counter about \$100.00.. Would that be the same lunch counter? You didn't have any other lunch counters, just the one?

A Just one.

30 Q There is a little difference between \$100. and \$150.

T. Fukushima,
In Chief.

Do you know why that is valued at \$100.00 in the J.P. form?

THE COMMISSIONER: You are seeking to explain the difference between the claim for \$150.00 and the J.P. value of \$100.00, is that it?

MR. BREWIN: Yes, my lord.

THE COMMISSIONER: I doubt if you can.

MR. BREWIN: Q: This is your signature on your J.P. form, is it? A: Yes, that is my signature.

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Q Did you dictate the material that went into this form? Did you give them the material?

A Yes.

Q You see it is typed in here, "lunch counter valued at about \$100.00 left in the store at 477 Powell Street". You seem to have a little lower value here than you have today. Do you remember that? Can you explain that?

A The scales?

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Q No, we are not talking about the scales, but the lunch counter with a value of \$100.00. If you have any explanation, I think you should give it to us.

A Between \$100.00 and \$150.00 -- between.

Q I see. We will make a compromise there. I think that is all.

THE COMMISSIONER: What is the situation, Mr. Hunter?

MR. HUNTER: It is submitted, my lord, that the real property was sold for its fair market value. It is submitted that the store counter had no value and was abandoned. I will file a copy of the

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T. Fukushima,
In Chief.
Cross-Exam.

appraisal of Johnson & Reeve, dated the 8th of October, 1943, in which they appraised this property at \$1500.00. They also add, "As the property is situated on a corner, we appraise it at \$1500.00, but if a lower offer is received, we should like to discuss the matter further with you".

(APPRAISAL MARKED EXHIBIT NO. 2).

10 CROSS-EXAMINATION BY MR. HUNTER:

Q I show you a photograph. Is this a photograph of the building for which claim is made, Mr.

Fukushima?

A: Yes, that is my house.

MR. HUNTER: I would tender this photograph as Exhibit 3.

(PHOTOGRAPH MARKED EXHIBIT NO. 3).

MR. HUNTER: I would file the following letters for information, to be proven later from the Health Department and the Building Department of the City of Vancouver. The first one is dated
20 December 1st, 1942, re 477 Powell Street, owners Tsugio and Kazuo Fukushima.

"These premises have been inspected and found to consist of the following rooms:

Ground Floor - Store and 2 large rooms at present occupied. This suite has the use of a sink and toilet.

First Floor - Three two-roomed suites, each with a sink and one two-roomed suite without a sink.

"One toilet is provided to serve these suites.

30 "The rooms were found clean and bright and

T. Fukushima,
Cross-Exam.

"the premises are, generally, suitable for renting as suites but lack any bathing facilities as required by the Lodging House By-law.

"To comply with the Lodging House By-Law, two baths or showers must be provided and a sink installed in the suite at present without one.

"A copy of this report is being sent to the Agents Ker & Ker."

10 Next a letter from the Building Department, dated the 18th of February, 1943. These letters are all to the claimants, care of the Custodian.

"Following an inspection of the above premises the District Inspector reports that a front stairway is required to the upper floor and that another chimney is required.

"You are hereby notified, under the provisions of the Building By-law, to make the necessary alterations within thirty (30) days of the date of this notice."

20 Another letter from the Building Department, dated the 10th of April, 1943,

"With reference to our letter of February 18th re the above. Please advise if any action has been taken, or is contemplated regarding alterations required to the above building."

MR. BREWIN: The witness doesn't know anything about it.

THE COMMISSIONER: This will all have happened after he was evacuated.

MR. HUNTER: I tender those as Exhibit 4, my lord.

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(LETTERS MARKED EXHIBIT NO. 4).

T. Fukushima,
Cross-Exam.

MR. HUNTER: The real property was assessed in 1943 at land \$1250.00, improvements \$1150.00, making a total of \$2400.00.

10 The property was advertised under catalogue No. 202, and as a result two tenders were received, one on April 25th, Actually there were three tenders, a revised one, April 25th, 1944, from Peter Hem for \$400.00. He then revised it up to \$1500.00, and then on May 16th, 1944, from Paul Soblosky for \$1201.00. Mr. Hemisky's offer was approved by the Advisory Committee and accepted and it was sold to him as of the 19th of June, 1944. I think that is all, my lord. I am not filing the analysis. There is no merit in it.

THE COMMISSIONER: No, there is no occasion to. Is there any re-examination, Mr. Brewin?

MR. BREWIN: No, thank you, my lord.

(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.

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Case 1059

NOV 22 1947

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 3371
Bo.

Toronto

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

- (1) NAME FUKUSHIMA TSUGIO (RCMP) Reg. No. 09098
(Print) Surname Given Name
- (2) Pre-Evacuation Address 477 Powell St. Vancouver B.C.
- (3) Present Address 242 Miles St. London Ont.
- (4) REAL ESTATE
 - (a) Street Address (if any) 477 Powell St. Vancouver B.C.
City or Municipality, Province
 - (b) Legal description (lot number, block number, section number, etc.)
Legal description 17/41/196
 - (c) Type of Real Property (cross out words which do not apply):
 - (i) ~~Farm~~
 - (ii) Residence stone, 4 rooms residence and 2 garage. Type of business
 - (iii) Business
 - (iv) Any other type of property (describe) Four, 2 rooms apartments upstairs
 - (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.) joint owner
 - (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) - - - - - \$ 8000.00
 - (v) Amount at which Custodian sold property and credited your account - - - \$ 1500.00
 - (f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 6500.00

(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.)
Office of the Custodian in the stone
- (c) How stored or packed at time of evacuation
left in the stone

(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")

Custodian

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

- 1. stone counter Estimated Value \$ 150.00
- 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 \$ 150.00

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) - - - - - \$ _____

(6) (a) Place at which claimant prefers to be heard. (Vancouver, Kamloops, Nelson, Lethbridge, Moose Jaw, Winnipeg, Toronto or Montreal.)

Toronto

(b) Do you require the services of an interpreter at the hearing? Yes or no no

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)

Province of Ontario)

TO WIT:)

I, Tsugio Fukushima
of Toronto

in the city of Middlesex

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
of Toronto
in the county of Middlesex
this 20 day of November
A.D. 1947.

Tsugio Fukushima

J. G. Schuman Commissioner &c.

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.

FUKUSHIMA, Tsugio
(Claimant's Name)

REAL ESTATE
(Other than farm)

09098
Reg. No.

Type of Premises (e.g. House, Store, etc.)	No. of Rooms	Type of Finish	Use of Premises	Size of Lot	When Purchased	Date of Purchase
Store and House	4-2 room apartments upstairs store downstairs and residence of 4 rooms at back and garage	Frame	Residence Rented apart- ment and resid- ence.	25'x122'	Purchased by father 1925	
Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value	Date of Sale		
Working class and business	\$7000.00	\$1000.00 on repairs	\$8000.00			

Comments re upkeep of premises:

In good state of repair

Comments re Appraiser's report not covered above:

Candy store assessed for \$2400.00
Claimant has half interest.

EXHIBIT No. 1059-1
DATE 19 May 1948
FILED BY J. A. Brewster

Tsugio Fukushima
Signature

1059

REAL ESTATE
(Over than farm)

Real Estate
(Over than farm)

State of ...
County of ...
City of ...

Type of ...

Type of ...

Type of ...

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BEST-BOND

BEST-BOND

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C O P Y as February 17, 1948

EXHIBIT No. 1059 - 2

DATE 19 May 1948
FILED BY

J.W.G.Hunter

JOHNSON and REEVE

Bank of Nova Scotia Building
602 West Hastings Street,
Vancouver, B.C.

8th October, 1943

The Custodian's Office,
Rooms 506,
Royal Bank Building,
Vancouver, B.C.

File No. 1730/3371

Dear Sir:

Re Catalogue No. 202
477 Powell Street,
Lot 17 Block 41, D.L. 196

In accordance with instructions from Messrs.
P.S.Ross & Sons, we have inspected this property.

This lot is at the North West corner of Jackson
Avenue, 25' x 122'.

The building is an old 2 storey wood frame
structure with a store and rooms on the ground floor (used for
dwelling) and 8 rooms upstairs. The rooms upstairs are, we
believe, included in the single tenancy at \$35. per month, but are
not being used.

There is no plaster in the building, which does
not comply with the City By-laws and is generally in poor condition.

There is a double garage on the lane which is
locked up.

As the property is situated on a corner, we
appraise it at \$1,500., but if a lower offer is received, we should
like to discuss the matter further with you.

Yours faithfully,

JOHNSON, REEVE & WATSON

per: (signed) D.W.Reeve.

I hereby certify that the foregoing words are a true
copy of the original whereof they purport to be a copy.

August 19, 1948.

[Handwritten signature]
m.w.

FUKUSHIMA, Kazuo
FUKUSHIMA, Tsugio
Evacuee File No. 1730
Evacuee File No. 3371

477 Powell St., Vancouver, B. C.



Picture taken April 8th, 1943.

EXHIBIT No. 1059-3
DATE 19 May 1948
FILED BY J. W. G. Hunter

DATE 19 May 1948
FILED BY

J.W.C. Hunter

HEALTH DEPARTMENT

(City of Vancouver)

Stewart Murray
M.D., D.P.H.

Vancouver, B. C.

Medical Health Officer

Dec. 1st, 1942.

R. P. Alexander, Esq.,
Assistant Manager,
Custodian of Alien Property,
506 - 675 West Hastings St.,
Vancouver, B. C.

Dear Sir:-

Re: 477 Powell Street,
Owners - Tsugio & Kazuo Fukushima

These premises have been inspected and found to consist of the following rooms:

Ground floor - Store and 2 large rooms at present occupied. This suite has the use of a sink and toilet.

First Floor - Three two-roomed suites, each with a sink and one two-roomed suite without a sink.

One toilet is provided to serve these suites.

The rooms were found clean and bright and the premises are, generally, suitable for renting as suites but lack any bathing facilities as required by the Lodging House By-law.

To comply with the Lodging House By-law, two baths or showers must be provided and a sink installed in the suite at present without one.

A copy of this report is being sent to the Agents Ker & Ker.

Yours truly,

"G. A. Rogers"

GAR:EM

CHIEF SANITARY INSPECTOR.

I hereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy.

August 19, 1948.

[Handwritten signature]
[Handwritten initials: mw.]

BUILDING DEPARTMENT
(Including Plumbing)

(City of Vancouver)

Andrew Haggart
Building Inspector

Vancouver, B. C.

10th April, 1943.

Mr. Tsugio Kazuo Fukushima,
c/o Custodian of Enemy Property,
675 West Hastings Street,
Vancouver, B. C.

Dear Sir:

Re 477 Powell Street,
Lot 17; Blk. 41; D.L. 196

With reference to our letter of
February 18th re the above. Please advise if
any action has been taken, or is contemplated
regarding alterations required to the above
building.

Yours truly,

"A. Haggart"

AH/KM.

BUILDING INSPECTOR.

I hereby certify that the foregoing words are a true
copy of the original whereof they purport to be a copy.

August 19, 1948.

A. Haggart

Miw

EXHIBIT No. 1059 - 5

DATE 1 Nov. 1949

FILED BY

R. J. McMaster.

IN THE MATTER OF THE JAPANESE CANADIAN
PROPERTY CLAIMS COMMISSION

AND IN THE MATTER OF CLAIM No. 1059
TSUGIO FUKUSHIMA

I, KAZUO FUKUSHIMA of the Town of
Kapusking in the District of Cochrane, hereby appoint
my brother Tsugio Fukushima to present a claim in this
matter on my behalf and to speak in my name.

DATED at Kapuskasing the 20th day of
September, A. D. 1949.

Witness

George Kozlo

K. Fukushima.

DATED September 1949.

IN THE MATTER OF THE JAPANESE
CANADIAN PROPERTY CLAIMS COM-
MISSION

AND IN THE MATTER OF CLAIM
NO. 1059 TSUGIO FUKUSHIMA

A U T H O R I T Y

CAMERON, WELDON, BREWIN & McCALLUM

February 14th 1948.

The Custodian,
Department of Secretary of State,
675 W. Hastings St.,
Vancouver, B.C.

Dear Sir,

Enclosed please find letter received from Tsugio Fukushima, of London, Ont., your file 3371. We have not acknowledged this letter to the claimant. The original deed of which he speaks was evidently left with the Land Registry Office, and as the property was sold he could make no use of the Deed.

Perhaps you can satisfy him regarding the value of the property.

Yours truly,

Enc.
VW.