

Name of Claimant **TAKASHIMA, Toshiharu**

Case 144

Custodian File **11576**

<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
1000.	50.00 12.50									62.50
<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	Applica- tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
108.	69.35	20.80	64.21%	91.75	58.91				79.71	
TOTAL RECOMMENDATION									142.21	

CASE NO: 144.

JAPANESE PROPERTY CLAIMS COMMISSION.

Vernon, B.C.,

February 16th, 1948.

IN THE MATTER OF THE CLAIM OF

TOSHIHARU TAKASHIMA.

PROCEEDINGS AT HEARING.

Original.

T. Takashima,
In Chief.

MR. McMASTER: Case No. 22 on the list, my lord,
Toshiharu Takashima.

THE COMMISSIONER: This will be Claim No. 144.

TOSHIHARU TAKASHIMA, the claimant herein,
being first duly sworn, testified
through the Interpreter as follows:

DIRECT EXAMINATION BY MR. McMASTER:

Q Witness, is that your signature on the claim form
and did you swear this declaration?

10 THE WITNESS: A: Yes.

MR. McMASTER: My lord, with respect to the claim, the
claim on the real estate is stated to be \$2000.00.
In the statement which will be filed the claimant
is stating that the value is at least \$1500.00 but
he is relying on being able to call expert evidence
and doesn't wish to reduce his claim.

Q Witness, did you instruct me to draw this statement
with regard to your real estate claim?

A Yes.

20 Q Is that your signature on it?

A Yes.

Q And are the contents true to the best of your know-
ledge and recollection? A: Yes.

MR. McMASTER: I file that as Exhibit 1, my lord.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. McMASTER: Q: Witness, what was your occupation
before you were evacuated?

THE INTERPRETER: A: Gardener.

THE COMMISSIONER: I am sorry, I did not hear you.

30 THE INTERPRETER: Gardener.

T. Takashima,
In Chief.

MR. McMASTER: Q: And in the execution of that occupation did you have any dealings with plants and shrubs?

A Yes.

MR. McMASTER: Now, my lord, I would like to refer to Exhibit 1. This was a house, a two-storey house at 1725 West 2nd Avenue in Vancouver.

THE WITNESS: The address is 7023.

THE COMMISSIONER: Yes, it is 23 in the claim and 25 in your form, Exhibit 1. 23 is correct.

10 MR. McMASTER: Yes. There are seven rooms, three down and four up. Concrete foundation, a dwelling house on a lot 25 feet x 110 purchased by the claimant in 1941, October 28th, for \$900.00. Subsequent to purchase he did certain work on the premises in the way of improvement, and to satisfy my friend, repairs totalling \$280.00 approximately and he also planted in his garden various plants from time to time. At the time of his evacuation there was left there certain plants and shrubs which appear
20 on the statement, my lord, the total value of which he says is \$54.75. The premises were rented for \$20. a month and he sets forth his basis thereof, considering that it was at least worth \$1500.00.

THE COMMISSIONER: When was the property sold by the Custodian?

MR. HUNTER: November 10, 1943.

THE COMMISSIONER: November?

MR. HUNTER: November 10th, '43.

MR. McMASTER: For--?

30 MR. HUNTER: For a thousand dollars.

T. Takashima,
In Chief.

MR. McMASTER: Q: Now, witness, did you instruct me to draw this statement with regard to your personal chattels with respect to which you are claiming?

A Yes.

Q Is that your signature on that statement?

A Yes.

Q And is the information contained therein true to the best of your knowledge and recollection?

A Yes.

10 MR. McMASTER: I file that as Exhibit 2, my lord.

(STATEMENT MARKED EXHIBIT NO. 2).

MR. HUNTER: R: My lord, I am not trying to raise objections that will impede justice at all, but is Mr. Takashima applying for these chattels on behalf of his wife, or what is the situation? I might say, my lord, that these were declared by his wife, not by him, and of course were credited to her and the funds from the sale were sent to her and therefore I have nothing on this file to defend or cross-examine upon.

20

THE COMMISSIONER: Well there is an endorsement on the back of the claim, "These goods were stored in my name but were later transferred to my husband's account, Mitsuba Takashima." I suppose that is the wife, is it?

MR. McMASTER: Q: Did your wife make this endorsement on the back of the claim form, Mr. Takashima? Translate the endorsement to him.

MR. HUNTER: I am sorry, my lord, I find I have her
30 file here and I am prepared to go on. I would

T. Takashima,
In Chief.

just like to be clear -- is he applying as her agent?

THE COMMISSIONER: She has filed an independent claim?

MR. HUNTER: Yes, my lord, not an independent claim but she filed an independent J.P. Form and declared this property was hers, and he has none on his.

THE COMMISSIONER: Well it is understandable that he may have been evacuated before she was.

MR. HUNTER: I am not objecting; I think one or the other,
10 if entitled to it, should get it. I would like to know which.

MR. McMASTER: My lord, having regard to the endorsement on the claim signed by her, I think that should be adequate.

THE COMMISSIONER: I think that should be sufficient.

MR. McMASTER: Now, my lord, with regard to the statement,
I am sorry, you will notice I made a mistake in the name. I have corrected it at the top there. I don't think I need to refer to the various
20 items. All of the goods, he says, were left in one room and I think all of the goods appear as having been declared on the claims analysis of the Custodian. I just draw attention, my lord, that all of the goods which he left were not listed there, some of the major goods are; perhaps my friend would like to file the analysis of personal property claim.

MR. HUNTER: Yes, I will.

THE COMMISSIONER: Well now, I notice the form,
30 Exhibit 2, shows a total value on goods of

T. Takashima,
In Chief.

\$91.00, and the claim is for \$200.00.

MR. McMASTER: The claim is for \$150.00, is it not,
my lord?

THE COMMISSIONER: Where is that?

MR. McMASTER: The itemized goods come to \$100.00 and
then he says underneath, "The value of all my goods
including the above I estimate to be \$150.00."
This includes my tools".

THE COMMISSIONER: I see.

10 MR. McMASTER: In other words, there were other items
which appear on the claims analysis. We can't, in
these things, I think, expect to give details to
the last saw and hammer.

THE COMMISSIONER: Oh yes, I agree, but the fact you had
given some led me astray.

MR. McMASTER: I might say that generally in preparing
these we have in mind to try and set out what
appear to be the major items in detail so as to
give some idea as to the reasonableness of the
20 claim.

THE COMMISSIONER: Well that is very helpful, all right.

MR. McMASTER: I file on behalf of my friend the
Custodian's analysis of personal property claim,
my lord.

(ANALYSIS MARKED EXHIBIT NO. 3).

MR. McMASTER: Your witness, Mr. Hunter.

MR. HUNTER: It is submitted, my lord, that the personal
property was sold for its fair market value.
It is also submitted that that personal property
30 which was sold was sold for its fair market value.

T. Takashima,
In Chief.
Cross-Exam.

It is submitted that where the claimant has claimed for something which was not sold or lost, destroyed or stolen that his claim is exorbitant. It is submitted that where he is claiming for shrubs, plants or flowers that they were undeclared, that the Custodian had no notice of same, and that they would naturally have been sold with the property as a fixture, if plants can be called fixtures, or as part of the real property.

10 MR. McMASTER: Does my friend admit the real property was not declared, my lord?

THE COMMISSIONER: No, but you can understand his position just as I do. Normally on the purchase of real estate, one takes into account that there is a tree there but doesn't value it in the price of the property.

MR. McMASTER: My lord, I would draw attention that while the claim has set out the values of those various shrubs, the claimant isn't claiming separately for them, that is part of the real estate claim.

20

THE COMMISSIONER: That is what I took it to be. It goes to show his idea of value. Yes, Mr. Hunter.

CROSS-EXAMINATION BY MR. HUNTER:

Q Mr. Takashima, this property had no cellar, had it?

A: It had no proper basement. It had a small structure, about 4 feet deep, in which he was able to keep certain things.

30 Q It had no furnace? A: No.

T. Takashima,
Cross-Exam.

Q What kind of a bath did you have?

A It was an earthenware -- the normal type of bathtub,
the porcelain bathtub.

Q What was the age of this building, Mr. Takashima?

A The witness doesn't know.

Q It was not a new house when you bought it?

A No.

Q Would you say it was an old house when you bought it?

A Yes, it was an old house repaired.

10 Q I beg your pardon. A: It was an old house
repaired.

MR. HUNTER: That is all, my lord.

THE COMMISSIONER: Any re-examination?

MR. McMASTER: Nothing, my lord.

THE COMMISSIONER: All right. Thank you, Mr. Takashima.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

Gordon Hambleton
"G. HAMBLETON"
Official Reporter.

20

30

Case # 1424

DEC - 2 1947

NOTIFIED

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
h

11576
Vernon

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

(1) NAME TAKASHIMA Toshiharu (Mr.) (RCMP) Reg. No. 06646
(Print) Surname Given Name

(2) Pre-Evacuation Address 1723 W. 2nd Avenue, Vancouver, B. C.

(3) Present Address c/o E. Huebscher, R. R. #3, Vernon, B. C.

(4) REAL ESTATE

(a) Street Address (if any) 1723 W. 2nd Avenue, Vancouver, B. C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
Lot Twenty-five (25), Block Two Hundred and Eighteen
(218), District Lot Five Hundred and Twenty-six
(526), Group One (1), District of New Westminster.

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

- (i) ~~Farm~~
- (ii) Residence 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.) sole owner

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

- (i) Land - - - - - \$) _____
- (ii) Buildings - - - - - \$) 2000.00
- (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 - - \$ 924.47
- (f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 1075.53

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
1723 W. 2nd Avenue, Vancouver, B. C.

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

(c) How stored or packed at time of evacuation
Stored in one room and attic, unpacked.

(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")

in no one's care

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

- | | | |
|---|--------------------|--------|
| 1. { Household Goods and Furniture | Estimated Value \$ | 100.00 |
| 2. { Gardener's Tools | Estimated Value \$ | 50.00 |
| 3. _____ | Estimated Value \$ | _____ |
| 4. <u>These goods were stored in my name, but</u> | Estimated Value \$ | _____ |
| 5. <u>were later transferred to my husband's</u> | Estimated Value \$ | _____ |
| 6. <u>account.</u> | Estimated Value \$ | _____ |
| 7. <u>Mitsuha Takashima</u> | Estimated Value \$ | _____ |
| 8. <u>Reg. # 06647</u> | 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) - - - - - \$ 1,225.53

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

Vernon, B. C.

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)
 of)
 TO WIT:)

I, Toshiharu Takashima
 of Vernon,

RR. 3 of the City
 in the Province of British Columbia,

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 Vernon,)
 in the Province of British Columbia,)
 this 15th day of November)

Toshiharu Takashima
 A Notary Public in and for

A.D. 1947. Suley Ayem A 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.

TOSHI HARU TAKASHIMA
(Claimant's Name)

REAL ESTATE
(Other than farm)

EXHIBIT No. 114/1
DATE 16/2/48
FILED BY M. McKeaster

06646
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
House 20' x 30' 2 storey	seven 3 down 4 up	Concrete foundation wood Wall paper on plaster Shingle Roof	Dwelling	25' x 110'	1941	(Oct 28)

Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value Date of Sale
1723 W 3 rd Ave. Van couver	\$900 ⁰⁰	Repaired porch + steps Shingled the entire roof Repaired outside walls Had new hot water tank and composition tank put in. Put in a new toilet. Had agent have house painted inside + out after 5 wks. (above work) approximate cost \$280 ⁰⁰ <u>see also below</u>	at least \$1500 ⁰⁰

Comments re upkeep of premises:

Comments re Appraiser's report not covered above:

I was in the gardening business and had a number of plants planted in the premises for sale to my clients as follows:-

3 azalea @ 3.50	10.50	3 Suya @ 3.00	9.00	Total value 54.25
2 Juniper @ 1.50	3.00	3 gosh peonies @ 3.50	10.50	
2 Roses @ 75¢	1.50	3 cotoneaster @ 75¢	2.25	
2 Cypress @ 4.00	8.00	4 Hydrangea @ 75¢	3.00	
2 Japonica @ 1.50	3.00	1 Rhododendron	4.00	

The appraiser made no note of these.

The premises were rented for 20⁰⁰ per mo. Having regard to what I paid for the premises on Oct 28, 1941; the improvements I put on them; my stocks of plants and the revenue from the property I feel the value I've put on them is very reasonable.

T. Takashima
SIGNATURE

TOSHIHARU TAKASHIMA
 (Claimant's Name) TAKAHASHI

PERSONAL CHATTELS

EXHIBIT No. 144/2 Reg. No. 06646
 DATE 16/2/48
 FILED BY Mr. McRae

Description of Major Items (and particularly of goods lost, stolen or destroyed)	Approximate Date Purchase	New or Used When Purchased	Price Paid	Condition when Evacuated	Estimated value at Date of Evacuation
Walnut dresser	1935	new	30 ⁰⁰	excellent	\$25 ⁰⁰
Chest of Drawers	Hired professional carpenter to make it in 1938	new	\$17	very good	12 ⁰⁰
Fir Desk	1938	new	\$16	very good	12 ⁰⁰
Two Bureau	1930	Used	\$7 ⁰⁰ + \$8 ⁰⁰	in fair condition	\$10 ⁰⁰
Book case	1930	new	10 ⁰⁰	fair	5 ⁰⁰
Parlour Table	1931	new	18 ⁰⁰	good	13 ⁰⁰
Kitchen Cabinet	1933	new	8 ⁰⁰	fair	4 ⁰⁰
Garden Roller	1938	new	17 ⁵⁰	very good	10 ⁰⁰
					<u>91⁰⁰</u>

Description of Storage of Goods:

All goods were left stored in one room upstairs which was locked,
 except chinaware and a few other articles in the attic.

General Statement as to Chattels not Described above:

The value of all my goods declared including the above
 I estimate to be 150⁰⁰. This includes my tools.

Additional Comments, if any:

T. Takashima
 SIGNATURE

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 11576

EXHIBIT No. _____

NAME TAKASHIMA, Toshiharu

REG. No. 06646

DATE
Mrs. Toshiharu TAKASHIMA
DECLARATION July 9, 1942
EVACUATION _____

INVENTORY
TAKEN BY Sept/42
J.L.Clark
DATE _____

DETAILS OF CLAIM

S A L E S

AUCTION

TENDER &c

SOLD WITH REAL PROP.

DECL. NOT FOUND

1723 W. 2nd Ave., Vancouver, B.C.
4 beds
3 bureaus
2 dining room cabinets
1 desk
1 gramophone
1 sofa
1 rocking chair
1 kitchen table
9 kitchen chairs
1 bookcase
3 oilcloths
3 boxes china & glassware
2 dining room tables
2 tables (small)
These will be left in one room upstairs at above address, and the house key will be given to the agent.

Further declaration
July 13, 1942.
\$50.00 worth of gardening tools - stored in the basement of 1723 W. 2nd Ave.

2 Bureaus
1 Laundry Cupboard
1 Gramophone
1 Dining Rm. Cupboard
1 Hall Rack

Household goods and furniture **100.00**
Gardener's tools **50.00**

Furniture 34.10
Chinaware 3.60
Kitchenware 3.60
Tools 7.50
Misc. 20.55

Recap of Claim: **150.00** **69.35**

\$150.00 sold for \$69.35