

<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	
32.50	162.50										175.00

<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 CHATELS</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
369.	119.50	35.85					35.85

TOTAL RECOMMENDATION							210.85
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CASE NO: 150.

JAPANESE PROPERTY CLAIMS COMMISSION.

Vernon, B. C.,

February 17th, 1948.

IN THE MATTER OF THE CLAIM OF

TAKEO ARAKAWA.

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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Vernon, B. C.,

February 17th, 1948.

IN THE MATTER OF THE CLAIM OF
TAKEO ARAKAWA.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq.,

appearing for the
 Dominion Government.

R.J. McMASTER, Esq.,

appearing for the
 Claimant.

A. WATSON, Esq.,

Secretary.

D.J. HANDFORD, Esq.,

Official Interpreter.

T.P. HORROBIN, Esq.,

Official Reporter.

30

T. Arakawa,
In Chief.

TAKEO ARAKAWA, the claimant herein, being
first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. McMASTER:

Q Witness, did you sign this claim form and did you
swear the declaration appearing thereon?

A Yes, I did.

Q Did you instruct Mr. Leckie to prepare the statement
with regard to your claim for your real property?

A Yes, I did.

10 Q And is this the statement?

A Yes, sir.

Q Would you be good enough to sign it?

A Yes.

Q Are the contents of that statement true, to the best
of your knowledge and recollection?

A Yes.

(STATEMENT MARKED EXHIBIT NO. 1).

MR. McMASTER: My lord, this is a house premises at
306 McGill Street, Vancouver, bungalow style and
garage. The property is situate out in the
20 residential area near Hastings Park way with a
view of Burrard Inlet. The claimant states he
purchased the property on May 12th, 1941, for
\$3000.00, and subsequent thereto he built a bedroom
in the basement which cost approximately \$150.00
and did certain other repairs and improvements,
including the improving of the garden. He states
that the property was in A-1 condition when he
left the premises.

30 THE COMMISSIONER: What part of 1941 was it bought?

T. Arakawa,
In Chief.

MR. McMASTER: May 12th, my lord, he states. Then he states with regard to the appraiser's report, "In my opinion the appraisal is too low. Before I bought in 1941 I took down a friend of mine, Mr. Mizuhara, to inspect the property. He had been in the real estate business in Vancouver for many years. He advised me that in his opinion the house alone was worth more than \$3000.00 and the land at least a thousand dollars. The insurance on the building was for \$3000.00." I might say, my lord, that unfortunately Mr. Mizuhara is now deceased. Then he comments that Mr. Clarke, from whom he bought the property, informed him that the hot water system had cost him \$700.00. Then he states the basis of his estimate of value.

10

THE COMMISSIONER: When was the sale by the Custodian?

MR. HUNTER: August 27th, 1943.

THE COMMISSIONER: At what price?

MR. HUNTER: \$3,250.00.

20 MR. McMASTER: Perhaps my friend will admit it was rented for \$35.00 a month unfurnished. I believe that was taken from your file.

MR. HUNTER: Yes, \$35.00 a month.

MR. McMASTER: And that the assessed values were land, \$930.00, buildings \$2100.00.

MR. HUNTER: Land, \$930.00; improvements, \$2100.00.

MR. McMASTER: Thank you. My lord, with respect to the chattel claim which appears on the back of the claim form, we are instructed to amend it by abandoning the items after item No. 5; that is items Numbered

30

T. Arakawa,
In Chief.

6, 7, 8, 9 and 10.

THE COMMISSIONER: Abandoned?

MR. McMASTER: Yes, my lord. That will make the claim for \$369.00 less \$119.50 obtained by the Custodian for those first items, or \$249.50 net.

THE COMMISSIONER: \$369.00 is the total?

MR. McMASTER: Right, less \$119.50.

THE COMMISSIONER: You have previously credited \$136.76?

MR. McMASTER: That is correct, my lord. Some of those

10 m items that were crossed off were within that.

Q Witness, did you instruct Mr. Leckie to prepare this statement with regard to your personal chattels? A: Yes.

Q Would you sign it, please? Are the statements therein contained true to the best of your knowledge and recollection? A: Yes.

MR. McMASTER: I will file that as the next exhibit, my lord.

(STATEMENT MARKED EXHIBIT NO. 2).

20 Q Witness, did you operate a store prior to your evacuation? A: Yes.

Q Where was it operated? A: 2177 Dundas Street.

Q And the chattels with respect to which you are claiming, are the equipment which was in that store at the time of your evacuation?

A Yes, but I moved it to 213 East Cordova Street.

Q You stored it there but you had been using it in your store business?

30 A Yes.

T. Arakawa,
In Chief.

MR. McMASTER: My lord, I draw attention to the last exhibit which refers to certain store equipment which he says he purchased with the store in 1934. It was about 3 years old when he bought it, and he places certain values on it. He points out when he bought the store in 1934, he paid in all the sum of \$1350.00, "I do not remember the exact figure in this price I paid for the above articles, however I do remember that it was between 10 \$500.00 and \$600.00. The above articles were stored at 213 East Cordova Street, Vancouver, until taken over by the Custodian and sold at auction." Then at the bottom he says, "Before fixing values, as above, on these articles, I secured a letter dated November 10th, 1947, from Percy Harding & Sons, dealers, Westbank, B. C., in which they furnished me with the 1944 catalogue list price for the above articles, that is the new article prices. In fixing my values I have 20 taken this into consideration, also the price I paid for the articles at the time I bought them with the store, and have deducted amounts for depreciation".

My lord, if my friend would like me to produce that letter from Percy Harding & Sons, I am prepared to do so. I don't know whether he wishes it filed or not.

MR. HUNTER: Not unless my friend is prepared to identify the articles as the identical articles.

30 These articles at the time of sale were ten years

T. Arakawa,
In Chief.
Cross-Exam.

old. It is very dubious in my mind whether they were the same articles, as most manufacturers change their models.

THE COMMISSIONER: It is highly improbable.

MR. McMASTER: I rely on his statement then, my lord.

MR. HUNTER: We have checked the analysis to show the actual items claimed for and the prices obtained, my lord. I will file that.

(CLAIMS ANALYSIS MARKED EXHIBIT NO. 3).

10 THE COMMISSIONER: How about your defence?

MR. HUNTER: The defence, my lord, is these items were sold for their fair market value.

THE COMMISSIONER: That relates to both land and chattels?

MR. HUNTER: I am talking, first of all, of the chattels, and the defence is exactly the same with regard to real property, that it was sold for its fair market value.

20 If your Lordship will refer to the analysis of personal property claim, it will be seen that the items claimed for were all sold, that the only one which comes close to the price claimed is the cash register which was sold for \$77.00, and they claim \$99.00. The showcase, they received \$20.00 for, and it is claimed for at \$60.00.

CROSS-EXAMINATION BY MR. HUNTER:

Q Mr. Arakawa, this was a frame house, this house of yours? A: Yes.

Q And how old was it? A: I have no idea.

Q Would you say it was more than thirty years?

30 A I don't think so.

T. Arakawa,
Cross-Exam.

Q Would you deny it is over thirty years?

A No, I don't think it is more than thirty.

Q You just don't know? © A: No.

THE COMMISSIONER: The witness said he does not think it is more than 30.

MR. HUNTER: Q: You just don't know the age, though, do you? A: No.

Q It had what -- fir floors in it?

A It was a fir floor.

10 Q What type of architecture was it? A centre plan?

A I beg your pardon?

Q What type of architecture was it, or design?

As you walked into the front door, where did you go?

A In the front door through to the kitchen way, too.

Q There was a corridor or passage? I guess we better get that from the appraisers. That is all.

MR. McMASTER: I would ask my friend to produce any appraisal he had made on the store equipment.

20 There is no re-examination, my lord.

MR. HUNTER: There would be no appraisal of that equipment, my lord. Where we had an appraisal, we sold it by tender, but this was sold at auction.

MR. McMASTER: That is all, my lord.

THE COMMISSIONER: Thank you, Mr. Arakawa.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

J. P. Horrobin
"T.P. HORROBIN"
Official Reporter.

(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 CUSTODIAN'S CARE

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

1. COFFEE GRINDER	Estimated Value \$	75-
2. MEAT SLICER	Estimated Value \$	30-
3. DAYTON COUNTER SCALE	Estimated Value \$	105-
4. NATIONAL CASH REGISTER	Estimated Value \$	99-
5. SHOW CASE	Estimated Value \$	60-
6. GARDEN TOOLS WHEELBARROW 6 - LAWN MOWER HOSE 4 - OTHER TOOLS 625 18-	Estimated Value \$	3125
7. OCCASIONAL CHAIR	Estimated Value \$	15-
8. CHEST OF DRAWER AND DRESSER	Estimated Value \$	45-
9. ENGLISH RUG	Estimated Value \$	75-
10. BOOKS	Estimated Value \$	150-

LESS AMOUNT AT WHICH CUSTODIAN SOLD TOTAL CLAIM FOR PROPERTY LOSS \$ 369
219.50
249.50
688.25
136.76
551.49

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) - - - - - \$ 1,743-

(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

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, Takeo Arakawa of the District
of Westbank in the Province of British Columbia
Farmer

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 Kelowna
in the Province of British Columbia
this 17th day of November
A.D. 1947. W Jackson
Takeo Arakawa
Notary Public in & for the
Province of British Columbia
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.

Taxew Arakawa
(Claimant's Name)

REAL ESTATE
(Other than farm)

EXHIBIT No. 15011
DATE 17/2/48
FILED BY Mr McMaster

02597
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
Home premises #306 McMill St Vancouver, BC Bungalow style & garage 12'x14' (plank floors)	5 rooms, bath and glass-enclosed sleep- ing porch - and play room + bed room in cellar	Frame-wide veran- dah, concrete found- ation & basement - shingle walls Dur- oil roof - latt & plaster walls - hot water heating fire floors	Residence	82 1/2' x 120'	1941	May 12

Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value Date of Sale
Home built on double corner - good view of Burrard Inlet - Oak- idental residential district	\$3000	Built bedroom in basement - cost approx. \$1500 Painted kitchen & large front verandah, built cupboard & drawers in kitchen - cost approx. - 1000 Supplied garden with tulip & daffodil bulbs, bought and planted rose bushes and generally improved & enlarged garden - cost about 1000 Jacket heater, installed by Custodian - & charged to me. \$31.50	\$4250.00 (Land - \$1000.00 Bldgs - 3250)

Comments re upkeep of premises:
The house was in A1 condition
when I vacated it - I had made
the improvements noted opposite
in 1941-2 and 3 of the lot
was in lovely lawn and
garden -

Comments re Appraiser's report not covered above:
In my opinion the appraisal is too low - Before I bought in 1941 I took
down a friend of mine, Mr Mizuhara, to inspect the property. He had
been in the real estate business in Vancouver for many years. He
advised me that, in his opinion, the house alone was worth more
than \$3000 and the land at least 1000 - the insurance on the building
was for \$3000.

Comments. Mr Clarke, from whom I bought the property, informed me
that the hot water system had cost him 700.00. In estimating my
value for the property, I have been guided by Mr Mizuhara's experienced
opinion and have taken into consideration the improvements I made
after purchasing, and I believe that 4250.00 as claimed would
represent the fair market value at the time of sale by the Custodian.

T Arakawa
SIGNATURE

Taxco Arakawa
(Claimant's Name)

EXHIBIT No. 150/2
DATE 17/2/48
FILED BY Mc Master

PERSONAL CHATTELS

02597

Reg. No.

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
1 coffee grinder	1934 (with store)	about 3 yrs old when bought with store	See under here -	good	75.00
1 meat slicer	"	"	"	"	30.00
1 Dayton Counterscale	"	"	"	"	105.00
1 National cash register	"	"	"	"	99.00
1 Show case	"	"	"	"	60.00
Re purchase price of above					<u>\$369.00</u>

when I bought the store in 1934, I paid in all the sum of 1350. I do not remember the exact figure in this price, I paid for the above articles. However I do remember that it was between 500 and 600.

Description of Storage of Goods: The above articles were stored at 213 West Cordova St Vancouver until taken over by the Custodian and sold at auction.

General Statement as to Chattels not Described above: I am abandoning my claim as to any other chattels - ~~before filing my~~

Comments - ~~before filing my~~ letter, dated Nov 10/47 from Percy Hardy + Sons, dealers Western B.C. in which they furnish me with the 1944 catalogue list price for the above articles (new article prices). In listing my values, I have listed these into consequence; also the price I paid for the articles at the time I bought them with store - and have deducted amount for depreciation allowing for further use. I have also listed these into consequence as of the time of my evacuation. In my opinion \$369.00 would represent a fair market price which would be sold by the Custodian.

SIGNATURE

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 14220

EXHIBIT No. _____

NAME Takeo ARAKAWA

REG. No. 02597

DATE	INVENTORY	DETAILS OF CLAIM	SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND
			AUCTION	TENDER &c		

DECLARATION Nil
 EVACUATION March 1942.

TAKEN BY Nil
 DATE _____

Declared by Mrs. ARAKAWA JP Apr. 29/42
 3 pc. Bedroom suite
 1 Baby bed
 1 Chair
 1 Coffee Grinder
 2 rugs
 garden tools
 1 Show case
 1 Scales
 1 Cash Register
 1 Box kit. utensils

 to be stored at 215
 Cordova Street, East,
 Caretaker, Mr. Y.
 IWASAKI, home address
 unknown".

Coffee Grinder	75 00	46	7.50
Meat Slicer	30 00	"	2.00
Dayton Counter Scale	105 00	"	13.00
National Cash Register	99 00	"	77.00
Show case	60 00	"	20.00
Garden tools	369		119.50
Wheelbarrow	6 00	"	3.90
Lawnmower	18 00	47	21.00
Hose	4 00	"	1.00
Other tools	6 25	46	2.00
Occasional Chair	15 00	526	35.00
Chest of drawers & dresser	45 00		
English rug	75 00		
Books	150 00		
	<u>\$688.25</u>		185.90 gross
			49.14 exp.
			<u>\$136.76 net</u>

Recap. of claim:
 \$463.25 sold for \$185.90
 75.00 unaccounted for
150.00 not declared and no record
688.25

Claim \$ 369
 Sold for \$ 119.50

 Difference 249.50

EXHIBIT No. 15013
 DATE 1/12/48
 FILED BY Ins Hunter

No. 14220
 No. 02597

EXHIBIT No. _____

CASE No. _____

VENUE VERNON

SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO. RECORD AT ANYTIME	ABANDONED	NO ACCOUNT. THEFT &c	UNSOLD	REMARKS
TION	TENDER &c							
7.50								<p>Takeo ARAKAWA, Reg. No. 02597 did not declare any chattels in the protected area of British Columbia. However his wife Takeka ARAKAWA did, and this is indicated in this analysis and the proceeds transferred to the account of Takeo ARAKAWA in the net sum of \$136.76.</p> <p>See Mr. Spain's memo dated June 21, 1945. Extract "We assume no responsibility for anything stored in this building." etc. meaning 213-215 E. Cordova St.</p>
2.00								
13.00								
77.00								
20.00								
9.50								
3.90								
21.00								
1.00								
2.00								
35.00								
185.90 gross								
49.14 exp.								
136.76 net								
				150.00		75.00		
				<u>150.00</u>		<u>75.00</u>		

unaccounted for

~~150.00~~
150.00

~~75.00~~
75.00