

<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
250.	12.50 12.50									25.00
<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		
						% of Total	Amount	% of Total	Amount	% of Total
<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	
					% of Total	Amount	% of Total	Amount	% of Total	
TOTAL RECOMMENDATION										25.00

CASE NO: 176.

JAPANESE PROPERTY CLAIMS COMMISSION

Vernon, B. C.,

February 24th, 1948.

IN THE MATTER OF THE CLAIM OF
JINICHI ASAHINA.

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).

10

Vernon, B. C.,

February 24, 1948.

IN THE MATTER OF THE CLAIM OF
JINICHI ASAHINA.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

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

J.A. MacLENNAN, Esq., appearing for the
 Claimant.

A. WATSON, Esq., Secretary.
 D.J. HANDFORD, Esq., Official Interpreter.
 T.P. HORROBIN, Esq., Official Reporter.

30

J. Asahina,
In Chief.
Discussion.

MR. MacLENNAN: My lord, I would like to proceed with
No. 53 on the list, Mr. Asahina.

JINICHI ASAHINA, the claimant herein,
being first duly sworn, testified
through the Interpreter as follows:

MR. MacLENNAN: My lord, if I may, I would like to apply
to amend the claim. The amount received from the
Custodian is \$250.00, not \$225.00.

THE COMMISSIONER: Yes.

10 MR. MacLENNAN: So the total amount of the claim is \$500.00
even.

DIRECT EXAMINATION BY MR. MacLENNAN:

Q Mr. Asahina, you instructed me to prepare a form,
did you? A: Yes.

Q And this real estate form, which I am producing to you,
was prepared as a result of your instructions?

A Yes.

20 Q And the information which you gave for the preparation
of that form was correct and true as far as you know?

A Yes.

Q Would you sign it in verification of the truth of
it? I tender that, my lord, as Exhibit 1.

(STATEMENT MARKED EXHIBIT NO. 1).

Q Mr. Asahina, your claim is in respect of the house
which is near the ocean -- near the water?

A Yes.

Q In North Vancouver? A: Yes.

THE COMMISSIONER: On Burrard Inlet, is it?

30 MR. MacLENNAN: It is on Seymour Creek, my lord, North

Vancouver, the tide flats.

Q I am showing you a photograph.

A Yes, this is my house.

Q That is a picture of your house and when was that taken?

A: In 1941.

Q In April of that year?

A: Yes.

MR. MacLENNAN: I tender that, my lord, as Exhibit 2.

(PHOTOGRAPH MARKED EXHIBIT NO. 2).

10 Q Mr. Asahina, you are aware that the Custodian's valuator has said that at high tide the tide comes up to your house?

A: Yes, I understand the Custodian says so.

Q Has there ever been any time when the water has ever reached your house? First, we will ask it this way. Is there any time when the tide water has reached your land?

A: Yes.

Q How often does that occur?

A: About once a year, around the end of December or early in January, but not every year, except when there are very high tides. Some years it won't come up at all.

20

Q In the summertime can you grow anything on your land?

A Yes. Not very much, but some.

MR. MacLENNAN: All right, your witness.

MR. HUNTER: It is submitted, my lord, that this property was sold for its fair market value. The property was appraised in 1943 for \$125.00, my lord. It was sold in 1946 for \$250.00.

THE COMMISSIONER: What was the 1943 appraisal?

30 MR. HUNTER: \$125.00, my lord. Perhaps my friend has the

J. Asahina,
In Chief.
Cross-Exam.

assessed value. We don't appear to have them here.
I am sorry, I have some information on it. For 1942,
land \$200.00, improvements \$200.00, total \$400.00.
The taxes were \$19.14 a year.

THE COMMISSIONER: It is a question of value, is it?

MR. HUNTER: It is just a question of value, my lord. I
have a couple of questions I would like to ask the
witness, my lord.

THE COMMISSIONER: All right.

10

CROSS-EXAMINATION BY MR. HUNTER:

Q This property is on Burrard Inlet about a half mile
east of Seymour River, is that correct?

A Yes.

Q It is about 300 feet from a road?

A It is 300 feet from the present road. The front of
his lot faces on Marine Drive. It isn't built up yet.

Q It is on a marine drive which has not been built, is
that right?

A: Yes, that

20

is so.

Q Does the tide ever actually get up to your house?

A No, it doesn't come up to his house.

Q How close to it?

A: Up to

w within about ten feet of the house.

Q And you get your water from a well about 300 feet
away?

A: Yes.

Q And this property is approached by a foot path?

A No, there is a road -- a plank road suitable for
trucks.

30 Q I see, and there is no plumbing of any kind?

J. Asahina,
Cross-Exam.

A No.

MR. HUNTER: That is all, my lord.

THE COMMISSIONER: Any re-examination, Mr. MacLennan?

MR. MacLENNAN: None, my lord.

THE COMMISSIONER: That is all, thank you, Mr. Asahina.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

10

J. P. Horrobin

"T.P. HORROBIN"
Official Reporter.

20

30

base 176

Kamloops

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

File 13696

NOTIFIED

K

Remon

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

(1) NAME ASAHINA JINICHI (RCMP) Reg. No. 07692 Male
(Print) Surname Given Name

(2) Pre-Evacuation Address Lynnour P. O., Lynnour, B. C.

(3) Present Address Box 532, Revelstoke, B. C.

(4) REAL ESTATE

(a) Street Address (if any) Lynnour, B. C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
Lot 7, Blk. 36, District Lot 611, Group 1,
New Westminster district, Plan 2353

(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	- - - - -	\$	<u>250.00</u>
(ii) Buildings	- - - - -	\$	<u>500.00</u>
(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)	- - - - -	\$	<u>750.00</u>
(v) Amount at which Custodian sold property and credited your account	- - - - -	\$	<u>225.00 250</u>
(f) Loss (This figure is arrived at by deducting item (v) from item (iv))	- - - - -	\$	<u>525.00 500</u>

(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 _____

(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) - - - - - \$ 525.00

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

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

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)
 Prov. of B. C.)
 TO WIT:)

I, **Jinichi Asahina** of the **City**
 of **Revelstoke** 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 **Revelstoke**)
 in the **Province** of **B. C.**)
 this **22** day of **November**)
 A.D. 1947.

Jinichi Asahina
[Signature]
 Commissioner for Taking Affidavits
 British Columbia

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.

Sinichi Asahina
(Claimant's Name)

REAL ESTATE
(Other than farm)

EXHIBIT No. 176-1

07692-
Reg. No.

DATE 24 Feb 1948

FILED BY
J.R. McLenahan

Type of Premises (e.g. House, Store, etc.)	No. of Rooms	Size	Type of Finish	Use of Premises	Size of Lot	When Purchased	Date of Purchase
Premises at Side Flats Queen Mary Cruise Vanuatu - house and shed.	4 rooms & shed (1 store)	36 x 39	4 rams: shingle roof (house) - in porch - V-plank inside - fir floors	Residence	50 x 100'	1940	Feb 1948
		12 x 24	Frame - galvanized iron sheet roof.				

Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value	Date of Sale
Fishermen's & boat builders area.	\$500	- House additions: { 10 x 24 (Kitchen) in 1940 } { 12 x 14 (Bedroom) in 1940 } shingle roof, shingle siding - hired laborer mostly - did some myself & hauled materials - cost approx 250	\$750.00	

Comments re upkeep of premises:

at the time I left the property
it was in good condition &
in a good state of repair -
and from the time I bought
in 1940 I made the improvements
noted and did any necessary
repairs

Comments re Appraiser's report not covered above:

I have been shown the appraisal report ~~in Oct 1943~~, of
North Vanuatu Realty Co (E.W. Coppinger) Ltd - dated 6 Oct 1943 - and, under that was
neglect can only conclude that the premises must have been neglected ~~at the~~
my evacuation, if they were in the dilapidated state that the appraiser ~~states~~.
- the only time the high tide came up on the beach was for a few ~~days~~
3 days in late December ~~1942~~ & again in January only. ~~That not made a SP Declaration~~
Comment - while I was evacuated on Mar 6/42, I had not made a SP Declaration
In December 1942 the Custodian wrote me, enclosing SP forms, which I
completed on 19th Dec 42 and returned to him. On these forms, I declared
the above property in respect of which I am now making claim - when
I left in March. I did not know there was such a person as the Custodian
I packed up my property, and did not make any arrangements with
any had concerns type. I never knew any thing about the Custodian
until I received the SP forms in Dec 1942 -
I made no arrangements whatsoever re renting or leasing
nothing about a Mr Cronwell or a Mr Newman.
and know or wonder what circumstances they became
occupant of this property, I have no knowledge whatsoever.
In my opinion the premises were for at least worth 750 at the
time the property was sold by the Cust: for 250 on April 15 1946

mention
L. Asahina
SIGNATURE



61

EXHIBIT No. 176-2

DATE 24 Feb. 1948

FILED BY

J. A. McEwen

Turner
in copy 111