Name of Claimant ASARI, Sadajiro Case ~~XX~~ 36

Custodian File 893

REAL PROPERTY

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: % of Total	Amount	Sale Price	Total Award 125% of all Sale Prices: % of Total	Amount	

PERSONAL PROPERTY

Motor Vehicles		J.F.V.D.C.			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 & Not Found & Recorded Now Missing	45% of amount in next preceding column	

NETS

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	

MISCELLANEOUS CHATTELS

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	

TOTAL RECOMMENDATION	----

CASE NO: 36.

JAPANESE PROPERTY CLAIMS COMMISSION.

Lytton, B.C.,

January 14th, 1948.

IN THE MATTER OF THE CLAIM OF

SADAJIRO ASARI.

PROCEEDINGS AT TRIAL.

Original.

CASE NO: 36.

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).

Lytton, B.C.,

January 14th, 1948.

IN THE MATTER OF THE CLAIM OF

SADAJIRO ASARI.

PROCEEDINGS AT HEARING.

APPEARANCES:

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

R.J. McMASTER, Esq., appearing for the Claimant.

A. WATSON, Esq., Secretary.

G.N.R. UPTON, Esq., Official Interpreter.

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

THE COMMISSIONER: Will you call the Asari case, Mr. Secretary?

MR. McMASTER: My lord, I would like to speak to that case, if I may. I spoke to it the other day. That is the case of the sale of the vessel. The communications and correspondence that I have seen, and from what appears in the Custodian's file that he has produced, it would appear that the sale took place after the vessel vested in the Custodian. However, there is correspondence which took place between the Japanese Disposal Committee and the claimant after the vessel was vested in the Custodian, or after I allege it had vested in the Custodian, and I asked Mr. Shears to obtain for me the file from the disposal committee. He wired down yesterday to Vancouver and produced to me this morning a file. Unfortunately, my lord, all the correspondence in the file which was sent up to him deals with matters subsequent to the sale, and gives little indication of the background. This man has come over here from Lillooet and has been waiting around here and my suggestion would be that we set the case on the list, say, for Monday to give Mr. Shears an opportunity to try to get fuller production of documents and we can see if we are in a position Monday to proceed with it. I hesitate to proceed at this time because I think the claimant might well be prejudiced without full production of

documents or letters which may have been written.

THE COMMISSIONER:. What have you to say, Mr. Hunter?

MR. HUNTER: We have now produced, my lord, everything that we have. If we are to get anything more we should have to get it from the Japanese Vessels Disposal Committee. I don't know who keeps those files, but I suppose Mr. Justice Sidney Smith has those somewhere. They furnished files to the Custodian but the files are incomplete in many cases.

THE COMMISSIONER: .Well I could find out from Mr. Justice Sidney Smith. Suppose we stand it down until after the luncheon adjournment and I will talk to Mr. Justice Sidney Smith at the adjournment by long distance telephone.

MR. HUNTER: That would be fine, my lord.

THE COMMISSIONER: Then I will do that.

(PROCEEDINGS ADJOURNED UNTIL 2:00 P.M.)

(2:00 P.M. PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT).

SADAJIRO ASARI, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. McMASTER:

Q Mr. Asari, is this your signature on this claim form, and did you swear the declaration thereon? A: Yes.

THE COMMISSIONER: Now in this case, I understood you had a preliminary objection, Mr. Hunter, or what is the status of it?

MR. HUNTER: Originally my preliminary objection was, my lord, that this did not come within the terms of reference, having been disposed of by the Fishing Vessels Disposal Committee. However, the situation does seem to be a little more obscure, or I haven't been able to get complete information on it, but it may appear that it may be that this vessel did vest in the Custodian.

From our information, and I have nothing on file to show it, it does appear the vessel was disposed of by the Disposal Committee, and Mr. Asari signed the transfer. The money was paid to the Disposal Committee and they in turn paid it to Mr. Asari, and in fact looked after it & all the details of the transaction.

THE COMMISSIONER: In view of the doubt, might it not be well to proceed subject to your objection?

MR. HUNTER: I think so, my lord.

THE COMMISSIONER: Is that satisfactory to you, Mr. McMaster?

MR. McMASTER: Yes, my lord, and subject to the production of these documents, if they are ever found, my lord, perhaps my learned friend would assist in shortening the procedure by admitting the name of the boat in question is the "Glendale V", the official registration number 172338, registered in Vancouver Ship's Registry. I don't know whether it is material but it was a motor screw ship, 80 B.H.P., 51.5 feet in length; its main breadth to outside of plank,

14.3 feet; Depth from top of deck to the bottom of keel, 8.6 feet. I am quoting from a copy of the mortgage, my lord.

The diesel engine does not appear on this document. The gross tonnage is 33.82 and the registered tons, 26.78. Perhaps at the same time my learned friend would admit there was a mortgage given by Asari against this boat on the 4th of June, 1940, to H. Bell-Irving & Company Limited in the sum of $8000.00.

MR. HUNTER: I don't think I can admit that, my lord. My information is exactly the same as yours, Mr. McMaster.

MR. McMASTER: I will file the mortgage then produced from my learned friend's file.

(MORTGAGE MARKED EXHIBIT NO. 1)

MR. McMASTER: Q: Is the boat described in this document the boat with respect to which Mr. Asari is making a claim?

A Yes.

Q And is this his signature on this document?

A Yes.

Q And in fact did Bell-Irving & Company advance him $8000.00 as shown in that mortgage?

A Yes.

Q On the security of the boat described in there?

A Yes.

Q And on no other security except his personal covenant? A: Yes.

THE COMMISSIONER: You will probably find his catch

was committed to Bell-Irving's.

MR. McMASTER: It is likely, my lord.

Q Was there any agreement at the time with Bell-Irving & Company when they advanced that money to you that you would deliver the fish that you caught to one or another of their canneries?

A Yes.

Q I produce to you, witness, a wire, purporting to be from the Director of Marine Services and addressed to yourself, dated January 14th, without any statement of what the year was. Didyou receive that letter?

A Yes.

Q And what year was that?

A 1941.

Q I would ask the witness to just recall as to whether he is correct in his recollection of 1941. It was dated in January.

A 1942.

MR. McMASTER: I will file that, my lord, purporting to be from the Director of Marine Services.

(TELEGRAM MARKED EXHIBIT NO. 2)

Q Is the boat "Glendale" referred to in that wire the boat in question with respect to your claim?

THE COMMISSIONER:. What was the date of acquisition?

MR. McMASTER: January 14th is the date of the wire, my lord.

THE COMMISSIONER: 1942?

MR. McMASTER: 1942.

Q Now did you subsequently receive a letter from the Department of Transport confirming the wire?

A Yes.

Q Is this the letter which you received?

A He says he can't read.

Q Will you translate it, then, please?

THE COMMISSIONER: Is there anything in the letter that is of any moment?

MR. McMASTER: Just one thing. It repeats the wire and then proceeds to say, "an advisory board which sits periodically in Vancouver for the purpose of making recommendations on charter hire of requisitioned vessels to the undersigned will be requested to take your vessel under consideration as soon as possible and arrangements should be made if you desire to be represented". It goes on and points out it is intended to arrange the charter hire terms.

THE COMMISSIONER: We are not concerned with that at all, are we?

MR. McMASTER: It will be an element in the case, my lord. I don't know that this letter is terribly important to establish that.

THE COMMISSIONER: Once you get the terms.

MR. McMASTER: Unfortunately the terms of the charter hire were never determined, my lord. That is where one of the difficulties arises.

Q Now, did you, pursuant to the instructions given you in the wire and the letter, deliver the

boat as requested? A: Yes.

Q Now when he delivered the boat, did he remove any equipment from the boat?

A Yes, he did.

Q And did he subsequently receive any instructions from the Navy or any other Government Department as to the returning of that equipment?

A Yes, he returned it.

Q Pursuant to instructions?

A Yes.

Q And was he given any sort of receipt for the equipment which he returned?

A He says yes and he points to some document.

Q Is this the receipt you were given, or a copy of it? A: Yes.

MR. McMASTER: This is an inventory, my lord, of "Glendale V" of February 12th, 1942, listing quite a large variety of equipment for a boat at the end of which is stated, "The above inventory has been mustered and found correct", and signed by a Sub-Lieutenant of the Royal Canadian Navy. I wish to file that as an exhibit.

(INVENTORY MARKED EXHIBIT NO. 3).

Q Now, in August of 1942, did you have an exchange of correspondence with a Mr. Kimura of the Japanese Fishing Vessels Disposal Committee?

A Yes.

Q Did you keep copies of the letters which Mr. Kimura wrote to you, or keep the letters, I am

sorry? A: Yes.

Q Did you keep copies of the letters which you wrote to Mr. Kimura?

A No.

Q And do you now recall exactly what it was that you wrote in those letters?

A He said he was talking about making a charter.

Q Would you interpret it, or is he stuck? What I wish to know, my lord, is I want to make sure I am clear as to whether he knows what I am talking about.

A He wrote asking for the charter fees.

Q Yes, but does he remember the particular contents of the letters which he himself wrote to Kimura--which he himself wrote to Kimura?

A He says no.

Q I produce to you a letter. Is that one of the letters which you received from Mr. Kimura?

A Yes.

MR. McMASTER: That is a letter, my lord, written on the letterhead of the Japanese Fishing Vessels Disposal Committee, addressed to the claimant and dated August 11th, 1942, written in Japanese. I have had a translation made which I can prove later, my lord, if it is required.

THE COMMISSIONER: Very well.

MR. McMASTER: I would like to put that letter in and refer to the contents of the letter, my lord. (reading). I would ask to have it marked as an exhibit and I will have the

translation dealt with later, my lord.

(LETTER MARKED EXHIBIT NO. 4).

Q Now do you recall whether you replied to that letter? A: He says that to the best of his recollection he asked for the charter money but he isn't quite sure.

Q Yes. Did he receive another letter after that from Mr. Kimura?

A Yes.

Q And is that the letter that he received (producing)? A: Yes.

MR. McMASTER: This is a letter on the same stationery, my lord, dated August 14th, 1942, addressed to the claimant from Kimura. I have a translation which I will prove subsequently. (Reading).

THE COMMISSIONER: The date again?

MR. McMASTER: That letter was dated August 14th, 1942, and presumably was mailed in Vancouver. I ask to have that marked, my lord.

(LETTER MARKED EXHIBIT NO. 5).

Q When would you receive that letter in the ordinary course of the post?

A In about three days, he says.

Q Yes, now in the meantime did you receive a wire from Mr. Kimura?

A He says he doesn't quite know with regard to the dates. That might be correct.

Q Did he receive this wire in any event from Mr. Kimura? (Producing).

A Yes.

MR. McMASTER: This is a wire, my lord, dated August 15th, addressed to the claimant and signed "Kimura". (Reading).

Q This wire refers to the"Glendale IV". Did you consider the wire as relating to the "Glendale V"?

A Yes.

THE COMMISSIONER: That again is from Kimura, is it?

MR. McMASTER: That is from Kimura, my lord. I file that.

(TELEGRAM MARKED EXHIBIT NO. 6).

Q Do you recall if you replied and, if so, what was the nature of your reply to that wire?

A He says he would like to know the meaning of that telegram.

Q Will you translate it to him in a minute? Mr. Interpreter, would you be good enough to translate Exhibit 6 to the claimant?

(Exhibit 6 Interpreted).

A He says that he is not perfectly certain, but if he did reply there must be some copy.

Q He doesn't have a copy?

A No.

Q Now some time shortly after August 19th, did he receive this communication from Mr. Kimura?

A Yes.

MR. McMASTER: This is a memorandum, my lord, on Japanese Fishing Vessels Disposal Committee letterhead, dated August 19th, 1942, written in English and signed by Mr. Kimura?. (reading).

I would ask to have that marked as the next

exhibit.

(MEMORANDUM MARKED EXHIBIT NO. 7).

Q Shortly after that did you receive a further letter from Mr. Kimura?

A Yes.

Q Is that the letter? A: Yes.

MR. McMASTER: This is a letter, my lord, which is written entirely in Japanese, of which I have had a translation made on plain paper. According to the translation, it is addressed to the claimant, dated August 26th, signed "K. Kimura", and I will prove the translation later, my lord,(reading). I ask to have that marked.

(LETTER MARKED EXHIBIT NO. 8).

Q Now, witness, do you recall at any time signing a bill of sale to this boat?

A He doesn't recollect signing anything.

Q Can he say that he never signed any bill of sale?

A He says he can't be certain.

Q It is possible, then, that he may have signed a bill of sale? A: He says that he wrote to Kimura asking for the charter money when he got that letter, but he is not certain in his mind whether he signed a paper or not.

Q Can he recall whether he ever agreed to sell the boat for $14,800.00?

A He says that he did say that the boat could be sold but it was more or less because he had no option to do so.

Q Now is it his specific recollection that he agreed to the sale of the boat at $14,800.00?

A He says there was no option for him to do otherwise.

Q Now, I think we probably better ask him why he says there was no option to do otherwise?

A He says because they wouldn't buy for any other price. He was told they wouldn't buy for any other price. He said he got that letter and if he didn't sell for that price that he would have to go to the Exchequer Court, and that he couldn't get any more.

Q Yes. And why would that compel him to sell for that price if he had to go to the Exchequer Court? A: He said he had no money to go to the Exchequer Court.

Q Now, witness, my understanding is that you don't have a copy of the bill of sale?

A No.

THE COMMISSIONER: My recollection of such documents is that only one is made as a rule and it is filed in the office of the Ship Registry.

MR. McMASTER: I haven't had an opportunity of examining the Bill of Sale to see what date it is.

THE INTERPRETER: A: Do you want me to tell him that?

Q Yes, tell him I haven't had an opportunity. Now, I might also say that my learned friend is unable to advise me as to the date of that bill of sale. Now, supposing that the date of

that bill of sale is prior to the last letter which I showed to you that you received from Mr. Kimura in which he referred to the Exchequer Court, cam you bring to your mind what reasons might have moved you to execute a bill of sale? I am sorry if I have not put it clearly. Would you mind reading it back to the Interpreter, Mr. Reporter?

(Question read and Interpreted).

A He says that he did not consent to the sale of the boat, but he merely referred to the charter money.

Q Now I realize I am putting you in a difficult position because you don't recall exactly having consented to the sale. That is what I understood, but let me put it this way: He has said he had certain discussions by correspondence with Mr. Kimura concerning the charter moneys which he considered were payable to him by the Navy or by the Government. Would you just confirm that? That is my recollection of what he said.

A I don't think he has got the meaning of it.

Q Skip that question, he has given his evidence on the point. Now the moneys which you considered you were entitled to receive from the Government for the charter of this boat from January until August, would that be a substantial amount of money or a small amount?

A He said it would be a big amount.

THE COMMISSIONER: Supposing you get from him what a vessel of this description could be chartered for as at January, 1942.

MR. McMASTER: I might have the last file, please, Mr. Hunter.

Q Were you required after this boat had been taken, pursuant to the telegram that you received, to supply the Fishing Vessels Disposal Committee, or some other authority with details concerning the boat?

A Have you got the document?

Q I am not sure. This certainly isn't the document he prepared himself.

A If I could ask him whether he signed a document of that sort?

Q No, that is not his document, I am satisfied on that. Let me put it this way. Did he supply the Fishing Vessels Committee or any other committee or authority with information concerning the charter rate of this boat in 1940 and 1941? A: Yes, he did.

Q And what were the charter rates which you advised them were the charter rates for this boat in those years? A: $21.00 a day.

Q And did you have the boat chartered during 1940 or 1941 -- in part or the whole of that time -- did you have it chartered?

A Yes.

Q Who to? A: The A.B.C. Packing Company.

Q Now was that the bare boat, or did that include wages to the skipper or to any other person?

A The boat only.

THE COMMISSIONER: What does "bare boat" mean? Is it a vessel less crew, or is a vessel less equipment?

MR. McMASTER: My lord, I must confess I will have to consult the law books on that, I am not sure.

THE COMMISSIONER: It is my impression it is a vessel less crew, but I am not sure.

THE INTERPRETER: From my knowledge of shipping, I think I can confirm a bare boat charter is less crew.

MR. McMASTER: Q: I produce to you a photograph. Can you identify that photograph?

A He says that was taken the day after the boat had been completed, the "Glendale V".

MR. McMASTER: I will file that as an exhibit, my lord. And can he identify that picture as well? These two can go in as one exhibit.

A This is after, when she went out on her first trip.

(TWO PHOTOGRAPHS MARKED EXHIBIT NO. 9)

Q When was this boat built?

A It was started on the 4th of January and completed on the 12th or 14th of July.

THE COMMISSIONER: 1940, is that it?

A Yes.

MR. McMASTER: Q: And did you have the boat built for yourself? A: Yes.

Q And how much did it cost you to have it built?

A $18,000.00.

Q Is that the exact amount, or is that in round figures? A: It isn't the exact amount, he thinks.

THE COMMISSIONER: Q: I might ask him who built her?

A He built it himself.

MR. McMASTER: Q: Now that was in 1940, witness.

A Yes.

Q Did you do any work or have any work done on the boat in 1941? A: Yes.

Q What? A: He said the hatch was a little damaged, and he had that altered, and the seine table.

Q He had the hatch repaired, is that right?

A Yes.

Q Does he recall how much that cost?

A About $100.00 or slightly upwards.

Q Did he have the boat in drydock in 1941 at all?

A Yes.

Q And what did you have done when it was in drydock? A: It was sort of renovated and painted. The underwater parts were examined and scraped and painted.

Q Is that a memorandum which you handed to me, witness, yesterday?

A Yes.

Q From what source did you take the information

that is set out on that memorandum?

A From invoices.

Q Do you still have the invoices?

A No. He says he took those from the invoices and brought it over when he came over here.

Q When did he take it from the invoices?

A About the time that he made up his 1941 income tax.

Q And was he required at any time by the Japanese Vessels Disposal Committee to produce his 1941 income tax? A: No.

Q He doesn't recall producing it to them?

A No.

MR. McMASTER: My lord, I think that is a list that might be helpful to your Lordship. I realize I haven't a very solid foundation for putting it in. It is a statement that helps the claimant himself.

THE COMMISSIONER: I have no doubt there will be evidence called say by the representatives of the A.B.C. Packing Company who made a loan on this vessel in 1941.

MR. McMASTER: Yes, my lord.

THE COMMISSIONER: It would be infinitely of more value than that.

MR. McMASTER: Very well, my lord.

THE COMMISSIONER: Are you aware, Mr. McMaster, whether this vessel was chartered either by the Navy or by some other Government authority?

MR. McMASTER: My lord, I am not aware of anything

more than what appears in the correspondence, and what the claimant has been able to tell us today. From the correspondence it appears to me they chartered her, or those were the instructions under which he handed it over. Ultimately they changed their mind in August and decided to buy it, and they came along and said, "We will pay the price fixed at the 1st of January and you can't have any charter".

THE COMMISSIONER: Of course the telegram of July 14th certainly contemplates a chartering for hire on a bare boat basis. However, perhaps that is not a matter which I am called upon to consider. It is a matter that Government counsel might take into consideration, however. All right, Mr. Hunter.

MR. HUNTER: I have no questions, my lord.

THE COMMISSIONER: Very well. Now this evidence is taken subject to objection and it will depend on what information you get later as to whether there was a vesting of this vessel in the Custodian.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

T.P. Horrobin

"T.P. Horrobin"
Official Reporter.

Lytton, B.C.,

January 16th, 1948.

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

MR. McMASTER: My lord, in this case you will recall that I put in certain translations ofsome letters and I undertook to have the Interpreter swear that he had translated those documents to the best of his ability, unless, perhaps, my learned friend is prepared to admit that he so did and save the formality.

THE COMMISSIONER: Who made the interpretation?

MR. McMASTER: Mr. Iwasa.

THE COMMISSIONER: Mr. Iwasa has been sworn?

MR. McMASTER: Yes, my lord.

THE COMMISSIONER: Do you want to go through the motions of having him swear that he made a true interpretation?

MR. HUNTER: I think for the record that might be a good idea.

THE COMMISSIONER: Very well.

MR. McMASTER: I wonder if by any chance Mr. Watson has those letters down here.

THE SECRETARY: No, the Reporter has them, the other Reporter.

MR. McMASTER: We will deal with them at a later time.

THE COMMISSIONER: If you get them after the luncheon adjournment, Mr. Secretary, we can dispose of that then.

MR. McMASTER: I think my learned friend has some

comment to make.

MR. HUNTER: My lord, this letter is actually in connection with the Asari case, but it gives some general information. It is a letter from Miss Matheson of the Custodian's office, who was formerly secretary to the Japanese Fishing Vessels Disposal Committee, to Mr. Shears. I thought we would put it in the Asari case as it is headed that way, but it will give all of us some general information which may be helpful in other cases.

It is a letter which was received this morning by Mr. Shears, dated January 14th, 1948, and it is re Asari, Sadajiro, and M.V. "Glendale #5". Insomuch as we are putting this in, my lord, I suggest that it not be transcribed. (Reading first three paragraphs of letter). Then it goes on to give some particulars about the mortgage and title of the "Glendale", which is not particularly relevant.

THE COMMISSIONER: That is a letter to Mr. Shears from --

MR. HUNTER: Miss Matheson of the Custodian's office. She was formerly secretary on the Smith Committee, my lord.

THE COMMISSIONER: That is Exhibit 10 on the Asari file.

(LETTER MARKED EXHIBIT NO. 10)

THE COMMISSIONER: I assume that you will endeavour to ascertain whether there is further corres-

pondence in the files of some other Government Department and, if so, produce it.

MR. HUNTER: We are going to do our best to track it down, my lord.

THE COMMISSIONER: Yes.

(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.

Lytton, B.C.,

January 19th, 1948.

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

MR. McMASTER: My lord, before we proceed with the next case I would like to return to the case of Mr. Asari, case No. 36. You will recall, my lord, there were three letters filed with translations from the Japanese into English, and I undertook to call the Interpreter with regard to the translation.

THE COMMISSIONER: Oh yes.

MR. McMASTER: I will call Mr. Iwasa, my lord.

TATSUMI IWASA, a witness called on behalf of the Claimant, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. McMASTER:

Q Mr. Iwasa, you have been sworn already in these proceedings as an interpreter.

A Yes.

Q I produce to you Exhibits Numbered 4, 5, and 8 in Case No. 36, the case of Mr. Asari. Did you translate the letters which are written in Japanese into English in each of those cases?

A Yes.

Q Are the translations true, to the best of your knowledge and ability?

A Yes.

Q You understand both the Japanese and English languages?

A: Yes.

MR. McMASTER: That is all, thank you.

THE COMMISSIONER: Any cross-examination, Mr. Hunter?

MR. HUNTER: No, my lord.

THE COMMISSIONER: All right, thank you, Mr. Iwasa.

(Witness aside)

THE COMMISSIONER: The translations have already been put in, have they?

MR. McMASTER: Yes, my lord.

THE COMMISSIONER: All right.

(PROCEEDINGS ADJOURNED SINE DIE)

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

T. P. Horrobin

"T.P. Horrobin"
Official Reporter.

10.

DEC - 2 1947

Case 36.

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 N

NOTIFIED N 893

Vancouver Lillooet

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

(1) NAME ASARI (Print) Surname SADAJIRO Given Name (RCMP) Reg. No. 04049

(2) Pre-Evacuation Address VANCOUVER CANNERY, EBURNE, B.C.

(3) Present Address EAST LILLOOET, B.C.

(4) REAL ESTATE

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

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

(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.) .....

(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) - $.....

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

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

(5) PERSONAL PROPERTY

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

(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") In possession of Custodian.

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

1.	Seine Fishing Boat (Glendale Five)	Estimated Value $
2.	and Equipment	Estimated Value $ 18,000.00
3.		Estimated Value $
4.	Sold for $14,647.00	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) - $ 3353.00

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

(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)
Province of British)
Columbia TO WIT:)

I, Sadajiro Asari of the District
of Lillooet 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".

Sadajiro Asari

DECLARED before me at the Village)
of Lillooet)
in the Province of British Columbia)
this 18th day of November)
A.D. 1947.)

A Commissioner &c. for taking Affidavits within 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.

PRESCRIBED BY
THE COMMISSIONERS OF CUSTOMS AND EXCISE
WITH THE CONSENT OF THE BOARD OF TRADE

Registry Form No. 11

MORTGAGE (to secure Prin

(INDIVIDUALS OR JOIN

Official Number	Name of Ship
172338	Glendale V

Whether a Sailing, Steam or Motor Ship

Motor Screw

MORTGAGE "A."
Vol. 22 Fol. 74
Registered at the Port of Vancouver, British Columbia, at 2.30 o'clock p m, this 6th day of June 1940
A. Carmichael
Registrar of Shipping.

Length from fore part of stem, under the bowsprit, to the aft side of the head of the stern post ....

Main breadth to outside of plank ....

Depth from top of deck at side amidships to bottom of keel ....

NUMBER OF TONS

Gross ..... 33[illegible]2

and as described in more detail in the Certificate of the Surveyor and the Register Book.

(a) I the undersigned (b) Sadajiro Asari, Fisherman, of E B

Hsh S.A.

in consideration of ~~Six~~ Eight Thousand ($8000.00) Dollars this day lent to (c) me by under the laws of British Columbia with registered office a

do hereby for (e) myself and (f) my heirs, covenant with the said H. Bell-Irving & C

executors, or administrators, will pay to the said H. Bell-Irving & Co. Limited

together with interest thereon at the rate of five per cent. per annum on the (g) Two thousand (2000.00) D Two thousand (2000.00) D Two thousand (2000.00) D Two thousand (2000.00) D day

day (a) I or (f) my heirs, executors, or administrators, will, during such time as the same or any par

interest on the whole or such part thereof as may for the time being remain unpaid, at the rate of five

and first day of January in every year; and for better securing to the sa H. Bell-

the repayment in manner aforesaid of the said principal sum and interest (a) I hereby mortgage to the

64/64 shares, of which (h) I am the Owner in the Ship above particularly described, and i

and (f) my heirs, covenant with the said H. Bell-Irving & Co Limited and i

and that the same are free from incumbrances (i) and further that I will during the continuance of this interest with a company approved by the Mortgag mortgagee may insure and pay the premiums and chan

In witness whereof (a) I have hereto subscribed (f) my name and affixed (f) my seal this

NOTE.—The prompt registration of a Mortgage Deed at the Port of Registry of the Ship is essential to the security of the Mortgagee, as a Mortgage takes its priority from the date of production for registry, *not from the date of the instrument.*

NOTE.—Registered Owners or Mortgagees are reminded of the importance of keeping the Registrar of Shipping informed of any change of residence on their part.

Executed by the above-named
Sadajiro Asari

in the presence of‡
Harry D Lord (Salmon Canner)
989 Hastings St. West Vancouver B.C.

(a) "I" or "we." (b) Here insert full name and address with description of the mortgagor or mortgagors. (c) "Me" or "us." adding "as Joint Mortgagees" where such is the case. (e) "Myself" or "ourselves." (f) "My" or "our." (g) Insert the day fix appears by the Registry of the said Ship." ‡Name, address and description of witness. † Space for signature and seal.

1463
3-38

C (to secure Principal Sum and Interest)

(INDIVIDUALS OR JOINT OWNERS)

Name of Ship	No., Date, and Port of Registry
endale V	No. 74 ~~43~~ 1940 Vancouver B.C.

	Horse Power of Engines, if any
	80 B.H.P.

	Feet	Tenths
the stern post	51	5
	14	3
	8	6

NUMBER OF TONS

33[illegible]2	Registered	26.78

herman, of E Burne, Province of British Columbia

this day lent to (c) me by (d) H. Bell-Irving & Co Limited, a Body Corporate Incorporated th registered office at 989 Hastings St. West, city of Vancouver, Province of British Columbia H. Bell-Irving & Co. Limited Nth S.A. firstly: That (a) I or (f) my heirs, Co. Limited the said sum of ~~Six~~ Eight Thousand ($8000.00) Dollars Two thousand (2000.00) Dollars October first 1940 the (g) Two thousand (2000.00) Dollars October first 1941 day of next; and secondly, that if the said principal sum is not paid on the said Two thousand (2000.00) Dollars October first 1942 Two thousand (2000) Dollars October first 1943 ing such time as the same or any part thereof remains unpaid, pay to the said H. Bell-Irving & Co Limited, at the rate of five per cent. per annum, by equal half-yearly payments on the first day of July uring to the said H. Bell-Irving & Co Limited I hereby mortgage to the said H. Bell-Irving & Co Limited p above particularly described, and in her boats, guns, ammunition, small arms, and appurtenances. Lastly, (a) I for (e) myself Limited and its assigns that (a) I have power to mortgage in manner aforesaid the above-mentioned shares, during the continuance of this security keep the said vessel insured to the amount of the Mortgagees approved by the Mortgagee with loss, if any, payable to the Mortgagee or its assigns, and in default pay the premiums and charge same to the Principal sum of the Mortgage affixed (f) my seal this 4th day of June One thousand nine hundred and Forty

Sadajiro Asari †

or mortgagors. (c) "Me" or "us." (d) Here insert full name and address of mortgagee or mortgagees with their description in the case of individuals, and "My" or "our." (g) Insert the day fixed for payment of principal as above. (h) "I am" or "we are". (i) If any prior incumbrance add, "save as

† Space for signature and seal.

EXHIBIT No. 36-1
DATE 14 Jan 1948
FILED BY
R-J McMaster.

N.B.—In case of Transfer it may be made by endorsement in the following form:—

TRANSFER OF MORTGAGE

(a) "I" or "We." [a].....the within-mentioned.....

in consideration of.....

(b) "Me" or "Us." this day paid to [b].....by.....

.....

(c) "Him" or "Them." hereby transfer to [c].....the benefit of the within-written security. In witness

(d) "I" or "We." whereof [d].....ha.....hereunto subscribed [e].....name.....and affixed [e].....

(e) "My" or "Our." seal....., this.....day of.....one thousand nine hundred

and.....

(f) Name, address and description of witness.

Executed by the above-named.....

.....

in the presence of [f]

N.B.—In case a Mortgage is paid off, the following Memorandum of its discharge may be used:—

Received the sum of Four thousand three hundred and eighty four 44/100 dollars.

in discharge of the within-written security. Dated at Vancouver, BC

this 29th day of October 1942.

Witness.....

of.....

Vol. 22 Fol. 74
Registered at the Port of Vancouver, British Columbia, at 11, O o'clock A m, this 29th day of October 1942
A. Carmichael
Registrar of Shipping.

.....
Director

.....
Director.

C.D. 1X

CANADIAN PACIFIC COMMUNICATIONS

STANDARD TIME INDICATED

CANADIAN PACIFIC TELEGRAPHS

World Wide Communications

W.D.NEIL, GENERAL MANAGER OF COMMUNICATIONS, MONTREAL

28 WA SS 87 DL GET REPLY 6

OTTAWA ONT JAN 14 550P

1942 ?

676

V SADAJIRO ASARI -
EBURNE BC FREE VANCOUVER

BY AUTHORITY OF POWER DELEGATED TO ME BY MINISTER OF NATIONAL DEFENCE UNDER DEFENCE OF CANADA REGULATIONS VESSEL GLENDALE IS HEREBY REQUISITIONED FOR NAVAL SERVICE TO BE DELIVERED FORTHWITH TO COMMANDING OFFICER PACIFIC COAST AT STEVESTON BC STOP VESSEL REQUISITIONED FOR HIRE ON BARE BOAT BASIS AND TERMS OF CHARTER HIRE WILL BE DETERMINED LATER STOP CANCEL ALL MARINE INSURANCE POLICIES FROM TIME VESSEL HANDED OVER TO COMMANDING OFFICER PACIFIC COAST STOP PLEASE CONFIRM YOUR UNDERSTANDING THESE INSTRUCTIONS AND INFORM UNDERSIGNED DATE AND HOUR VESSEL HANDED OVER

DIRECTOR OF MARINE SERVICES

EXHIBIT No. 36-V
DATE 14 Jan 1948
FILED BY
R. J. McMaster

424P

Telephone % Richmond 11652
% Kimitakahara

Long Distance
Advises no phone
507P

Naguchi
Hi 1606 L

CORU 57P

INVENTORY OF "GLENDALE V" February 12th 1942.

EXHIBIT No. 36-3
DATE 14 Jan 1948
FILED BY R. J. McMaster

UPPER DECK.

1 3/8" Air Whistle.
2 Engine Controls.
10 Feet of 6" galvanized stove pipe.
1 Mast with 3 lights.
1 Port running light.
1 Starboard " "
1 Meat Safe
1 Flood Light.

WHEEL HOUSE.

1 7" Compass (No Binnicle)
1 Deviation card in frame.
2 Light fixtures.
4 Wall switches.
1 Rubber mat
1 Bunk.
2 Clothes Cupboards.
2 Drawers.

GALLEY.

1 #7 Albion coal stove.
1 18"x12" Sink.
1 ½" Hand Pump.
1 Coal Scuttle.
1 Pyrene Hanging Bracet.
2 Brooms.
2 Light Fixtures.
2 Wall Fixtures.
2 Wall switches.
1 Small shovel.
1 Table "
1 Bench Seat.
1 Stove plate handle.
1 Stove rocker "
1 Stove flue cleaner.
1 Stove poker.
1 Soap dish.

MAIN DECK.

1 Cargo Boom.
~~1 Seine Table complete.~~ REMOVED TO GIBSONS WHARF AT NORTH VANCOUVER BY HMCS "TALAPUS" AT OWNERS REQUEST
1 Deck Winch.
1 3" Diaphram Pump with Handle.
3 Deck light fixtures.
1 Ventilator.
150 Feet of 4" rope.
125 Feet of 4" "

FORECASTLE.

6 Bunks.
1 Bench Seat.
1 Stool
1 Broom
1 Receptacle for 3 fire buckets.
1 Light Fixture.
2 3" single blocks (wood) with 7 feet of ½" wire spliced to each
50 Feet of 2" rope

ENGINE ROOM.

I ½" Runwell hand pump.
1 10 gallon fuel service tank.
1 5" Air Gauge.

INVENTORY OF "GLENDALE V" February 12th 1942.

ENGINE ROOM

1	Storm Lantern minus funnel.
4	Main Engine piston compression rings.
1	" " " oil "
1	Switch board complete.
1	Rheostat.
1	Pyrene Hanging Bracket
1	Flywheel Bar.
1	Marlin Spike.
1	1½" Spanner.
1	Claw Hammer.
3	Fuel Filter Elements (used)
	Assortment of used bolts and nuts and fittings.
1	Quart Marine Paint (black)
1	50 gallon steel drum with one ½" hand pump attached.
1	5 " gasoline tank.
4	Light fixtures.

TOILET AFT.

1	Toilet Built In.
1	Light Fixture.
1	Wall Switch.

The Following Articles have since been returned to Vessel by Owner.

1	Wood snatch block
1	Wood double "
2	Wood single "
1	Searchlight.
30	Feet 1¼" hose.
1	Brass nozzle
1	125 lb. anchor
1	C.O 2 Extinguisher
2	Fire axes
1	Box Flares
1	20 ft. length 5/8" galvanized chain
1	30 " " 3½" manilla
1	20 " " 2" "
1	20 " " 1" "
1	35 " " ¾" "
3	25 W-32V Light globes.
6	Life jackets
5	6 Volt Hart Batteries.
2	Pyrene Extinguishers
2	Lifebuoys
1	Blocks wood single
1	Blocks " double

TOOLS.

1	Engine turning bar.
1	18" Stillson
1	8" "
1	Machinist hammer
1	Claw "
1	Fuel deck plate key
1	6" Crescent wrench
2	10" " "
1	Pr. pliers.
1	Screw driver.
1	Hand shovel
1	1 7/16"x1 5/8" Blue point ring spanner
1	1 1/16"x1 ½" Chrome Vanadium "
1	80 fathoms 4" anchor line
1	Set cyl. head gaskets.
1	Set exhaust manifold gaskets

INVENTORY OF "GLENDALE V" February 12th 1942

The following articles have since been returned to Vessel by owner.

Tools

1 Set Grumets
~~1~~ 2 Purse Seine davits [illegible]
2 1½" check Valves.

THE ABOVE INVENTORY HAS BEEN MUSTERED AND FOUND CORRECT.

[signature]
PAY SUB LIEUT, R.C.N.V.R.
a/S.O.A.V.

[signature]
OWNER.

[signature] Cd. Eng. R.C.N.
a/E.O.A.V.

2M-3-42.

TELEPHONE PA CIFIC 9331

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

MEMORANDUM

(1)

FROM

TO Mr. Sadajiro Asari,
Lillooet, B.C.

1528 MARINE BUILDING
VANCOUVER, B.C.

Aug. 11th, 1942.

拝復七日附貴信拝諭. 濠船"Glendale II"の件が新聞に出て居たのは事実でありますが当時は該船のチャーター料を査定する為めの見積價格であったのであります.
其後軍需者より「最底値段幾らなら船主は売るか調べて頂き度し」と申込みがありましたので七月廿七日附にて照会申上げた次第であります. 勿論確実に軍需者が買ふとは云って居りませんが上記の次第でありますから至急「幾らなら売ってもよい」と返事が頂き度うございます.

匆々

木村岸三.

EXHIBIT No. 36-4
DATE 14 Jan 1948
FILED BY
R-g. memorandum

(1) Translation of letter from K. Kimura to S. Asai

Aug. 11, 1942

Mr. Sadajiro Asai
Lillooet, B.C.

Dear Sir:

I have read your letter dated 7th. It is true that item about "Glendale V" was advertised in newspaper but at this date it was an estimated value to investigate the charter fee of this boat.

Later on I ~~am~~ received a request from the Department of Munitions to inquire — "what is the lowest price at which the owner is willing to sell his boat" — so I wrote to you on July 7th to inform ~~you~~ you about this proposal. Of course Department of Munitions have not made a definite promise to buy, but as the matter stands as above, would like to receive an immediate reply — "at what price you are willing to sell."

Signed K. Kimura.

EXHIBIT No. 36-4
DATE
FILED BY

2M-3-42.

TELEPHONE PACIFIC 9331

②

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

MEMORANDUM

FROM

TO Mr. Sadajiro Asari,
Lillooet, B.C.

1528 MARINE BUILDING
VANCOUVER, B.C.

Aug. 14th, 1942.

拝復十一日附貴信拝誦. 現在の處軍需省の方針としてはロイドのサーベイヤーが見積りした値段より高い船は買はぬ模様であります. 従て "Glendale V" も $14,800.00 なら買上げるものと思ひます. 尚ほ念の為め A.B.C. Packing Co. の Mr. Harry Lord へもこの話を致し諒解を求めて置きましたから此の点は休心被下い. 依て確かに軍需省に於て買ふ様ならば早速御打電申上げます. 先は御一報まで

匆々

木村岸三

EXHIBIT No. 36-5
DATE 14 Jan. 1948
FILED BY R. J. McMaster.

(2)

Translation of letter from K. Kimura to S. Asai

Aug 14th 1942

Mr. Sadajiro Asai
Lillooet, B.C.

Dear Sir:

Read your letter dated 11th. Present policy of the Department of Munitions is not to purchase boat with a price higher than that set down by Lloyds' Surveyors. So I think they will also buy Glendale V at $14,500.00. Also to make sure I have talked with Mr. Harry Lord of B.C. Packing Co. and received his understanding, so let ease on this matter. If Department of Munitions shows a definite sign to purchase the boat, I will let you know by writ.

EXHIBIT NO. 36-5
DATE
FILED BY

Signed. K. Kimura.

Form No. 2 XX.
200,000—3-41

GOVERNMENT TELEGRAPH SERVICE

DEPARTMENT OF PUBLIC WORKS

DOMINION OF CANADA

The following message was received by the Government, for transmission, subject to the terms and conditions printed on the blank form No. 1, which terms and conditions have been agreed to by the sender.

F. G. SIMS, *General Superintendent.*

EXHIBIT No. 36-6
DATE 14 Jan 1948
FILED BY R. J. McMaster.

1 AB 34 NL CPR

VANCOUVER, B.C. AUG 15

SABAJIRO ASARI

LILLOOET B.C.

DEPARTMENT OF MUNITION AND SUPPLYES WILL PURCHASE YOUR BOAT GLENDALE 4 AT FOURTEEN THOUSAND EIGHT HUNDRED DOLLARS STOP BELLIVING WILL AGREE SALE IF YOU AGREE STOP WILL YOU CONFIRM OR ADVISE ME IF OTHERWISE

KIMURA.

912AM.

2M-3-42.

TELEPHONE PA CIFIC 9331

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

MEMORANDUM

FROM

1528 MARINE BUILDING
VANCOUVER, B.C.

TO Mr. Sadajiro Asari,

Lillooet, B. C.

August 19th, 1942.

RE "GLENDALE V"

With reference to the above vessel, we have made an arrangement whereby the Department of Munitions and Supply has agreed to purchase her.

We are enclosing you herewith Bills of Sale on the vessel therefore, please have it properly executed and return to us immediately.

Kindly do not forget to have the document witnessed.

Also if you have the Registry of the vessel, please have it sent too.

Yours very truly,

K. Kimura

EXHIBIT No. 36-7
DATE 17 Jan 1948
FILED BY
R. J. McMaster

③

EXHIBIT No. 36-8
DATE 14 Jan. 1948
FILED BY R. J. McMaster.

洗利宣誓命叢

拝復十八日附書、宣拝滿致しました。
ウレンデール五ロウ売却の件は既に得ましたが、実は
ナヤーター粋の方は見込がありません。
先日来、徴発能に関して言ると云ふ渉致しましたが
其の中に中村長助氏より同氏許有能に譲に
附き

売給承知、但し十二日より、八日迄のナヤーター粋
は別に誓らに受ける事

との事がありこれも其儘として軍需省に云ふ渉
致しました。「能譲、法定は最近の事なり
実際の能譲、見積りは徴発者時に為したもの
にて日本に不満なりはオタワの Exchequer Court にて
判決をして誓えばよいとの事であります。然し此の
点も略るとすれば、オタワにて代言も依頼せねばならず
相当の費用を要する事とて遂に中村氏も
思はかりたる決定です。
左の有様故ナヤーター粋は誓らしくさうでなく、又
能譲の改正も云ふ勢なし。結局ナラ部分の能法は
見積り直段にて売給し、残餘のうちで異なこれ
に準じ売給せらるゝ様に見受けられます。
実は左の内報なり

八日廿六日

[illegible]
大村宇三

(3)

Translation of letter from K. Kimura to Asaki

Aug. 26th.

Mr. Sadajiro Asaki

Dear Sir:

Received your letter of 18th, and your consent to sell Glendale, but there is no hope of getting charter fee.

Several days ago I have started negotiation with regard to the boats that have been commandeered, and came across following statement with regard to Shosuke Nakamura's three boats - I will consent to sell providing charter fee from December to August be paid beside the price offered - with this principle as basis, I continued negotiation with the Department of Munition & Supply. "Result - price of the boat was settled recently - actual estimate price of the boat was based on the date the boat was commandeered and if you are not satisfied with this price, you must go to Exchequer Court in Ottawa and await their decision". However, if you take this latter course, you will have to go to Ottawa, require the service of a lawyer, and will run into considerable expenses - so Mr. C. Nakamura had no alternative and had to concede to the offer.

As above, there is little hope of getting charter fee, and it is also difficult to change the price of the boat, so most of the boat owners have agreed to sell at the estimated price, and remaining owners also have a tendency to sell at the above proposition.

Signed K. Kimura


GLENDALE V

EXHIBIT No. 36-9.

DATE

FILED BY

A. C. PHILLIPS
Personal Service
35
Quality Finish
Snapshots
315 Cambie St.

1940.


CLENDALE V

EXHIBIT No. 36-9
DATE 14 Jan 1948
FILED BY
R. J. McMaster

Order No. 25154A
When ordering extra copies
of this Photograph.
DOMINION PHOTO CO.
Vancouver, B. C.

1940.

S. Casari

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131
PLEASE REFER TO 893
FILE NO.

506 ROYAL BANK BLDG.
HASTINGS AND GRANVILLE
VANCOUVER, B. C.

EXHIBIT No. 36 - 10
DATE 16 Jan 1948
FILED BY R. J. McMaster

January 14, 1948

Mr. F. G. Shears,
Lytton Hotel,
Lytton, B. C.

Dear Sir: Re: ASARI, Sadajiro #04049 and M.V."Glendale #5"

You mentioned letters from the Japanese Fishing Vessels Disposal Committee to ASARI which ASARI had produced but which had not been found on the boat file. In connection with this, you will remember that, after the vessels were turned over to the Custodian by Naval Service, the Committee was instructed by the Department of Munitions and Supply to negotiate the purchase of requisitioned vessels. These requisitioned vessels were not necessarily Japanese fishing boats.

Correspondence carried on by the Committee in connection with negotiations to purchase these vessels does not appear on the individual boat files nor in the general files turned over to the Custodian by the Committee. A general file of correspondence between the Committee and the Department of Munitions and Supply is among the JFVDC general files here, and letters on that file indicate that difficulties were encountered in obtaining bills of sale from the Japanese boat owners. Since many of the boat-owners were evacuated at the time these negotiations were taking place it seems certain that communication must have been by letter. Since the work was carried on for the Department of Munitions and Supply, possibly the correspondence files were turned over to that Department.

The general files of the Committee show that the "Glendale #5" was requisitioned before February 24, 1942. Possibly the requisitioning order was issued in January, 1942. This order would be sent to the owner by the Department that requisitioned the boat, and, of course, does not appear on Committee file.

The record of the "Glendale #5" at Port of Vancouver shows the following entries:

June 4, 1940 - Mortgage "A" $8,000.00 in favour of H. Bell-Irving Co. Ltd.

August 26, 1942 - Transfer of title from Sadajiro ASARI to His Majesty the King.

The Mortgage was satisfied after the transfer of title, and the Discharge of Mortgage on October 29, 1942, was deleted from the Registrar of Shipping record, as the boat was not, at the time of the Discharge of Mortgage, registered at Vancouver.

Duplicates of documents concerning registered boats are contrary to regulations. The Marine Bill of Sale signed by ASARI would likely be in the hands of the Department of Munitions and Supply.

I don't know if the information in this letter is of any interest to you.

Yours truly,

F. Matheson

F. Matheson,

/FM