

Name of Claimant **KOBAYASHI, Takematsu**

Case **53**

Custodian File **4887**

<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
<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	Applica-tion 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										

CASE NO: 53.

JAPANESE PROPERTY CLAIMS COMMISSION.

Kamloops, B.C.,
February 10th, 1948.

IN THE MATTER OF THE CLAIM OF
TAKEMATSU KOBAYASHI.

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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Kamloops, B.C.,
 February 10th, 1948.

IN THE MATTER OF THE CLAIM OF
TAKEMATSU KOBAYASHI.

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.
 G.N.R. UPTON, Esq., Official Interpreter.
 T.P. HORROBIN, Esq., Official Reporter.

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Discussion.

MR. McMASTER: While I am speaking to the list, my lord, I might speak to No. 34 on the list which was the last case, No. 53, at Lytton.

I would ask for leave to withdraw the claim in that case.

THE COMMISSIONER: Yes. That is the case that you had already informed me privately was to be withdrawn?

MR. McMASTER: Yes, my lord.

(Concluded)

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

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

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DEC 29 1947

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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.

NOTIFIED

ACKNOWLEDGED

4887

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

(1) NAME KOBAYASHI TAKEMATSU (RCMP) Reg. No. 12731.
(Print) Surname Given Name

(2) Pre-Evacuation Address QUEEN CHARLOTTE CITY B.C.

(3) Present Address Mc GILLIVRAY FALLS B.C. East Lillooet

(4) REAL ESTATE

(a) Street Address (if any) QUEEN CHARLOTTE CITY, B.C.
City or Municipality, Province

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

REGISTERED IN PRINCE RUPERT
LEGAL DESCRIPTION NOT KNOWN NOW

(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) HOUSEHOLD EFFECTS, LIGHT PLANT.

(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 \$500.00 \$ 500.00

(ii) Buildings \$2250.00 - FURNITURE \$1050.00 \$ 3300.00

(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) \$ 3800.00

(v) Amount at which Custodian sold property and credited your account - - \$ 1000.00

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 2800.00

(5) PERSONAL PROPERTY

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

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

(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")

(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) - - - - - \$ 2800.00

(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 }
Lillooet of B.C. }
 TO WIT: }

I, TAKEMATSU KOBAYASHI (MRS) of the POST OFFICE
 of Mc GILLIVRAY FALLS in the Prov. 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 Village }
 of Lillooet } Mrs Sami Takematsu Kobayashi
 in the Province of British Columbia }
 this 27 day of December }
 A.D. 1947. } Sampson
 A Commissioner &c. Hubert Peay

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.

January 27th 1948.

Mr. T.P.Horrobin,
New Lytton Hotel,
Lytton, B.C.

Dear Horrobin,

Before we left Lytton
Counsel was instructed to speak to the Kobayashi
claim when we open in Kamloops. He will then
indicate that the claim has been abandoned.

Yours truly,

HIB/W.

JAPANESE PROPERTY CLAIMS COMMISSION

COURT HOUSE
VANCOUVER, B.C.

New Lytton Hotel,
Lytton, B.C.

January 25th, 1948.

The Honourable Mr. Justice H.I. Bird,
Law Courts,
Vancouver, B.C.

Dear Sir:

Re Case No. 53, Takematsu Kobayashi, the case of the above-named claimant was on the Lytton list for hearing, being No. 37 on that list. The case was called on January 20th and spoken to, it being my understanding that Mrs. Kobayashi was expected in on the afternoon bus from Lillooet.

The only record we have of this case, from a reporting point of view, is what was said on the morning of the 20th which was in the nature of general discussion. The case was put over until the afternoon session and was not formally dealt with by your Lordship in open session. I am informed by Mr. Hambleton, my associate reporter, that the claim was withdrawn but unfortunately for the sake of the file there is nothing on record to so indicate, and it may be at some later date when your Lordship is going through claimants' files you may wonder just what the disposition was of this matter.

May I be good enough to suggest that your Lordship consider the advisability of having this case placed on the Kamloops list to be spoken to in a formal way in order that we may prepare a transcript of the disposition of the case and attach it to the claim form.

Yours very truly,

T. P. Horrobin

T.P. Horrobin.

C.C. to A. Watson, Esq.

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Yours very truly,

T. P. Horrobin
T.P. Horrobin.

C.C. to A. Watson, Esq.

Dear Sandy:

I am enclosing the claim form in this matter for your information.