

Name of Claimant

KITAGAWA, George Genzo

Case 70

Custodian File

<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
80.00	4.00 12.50									5.00 16.50
<u>PERSONAL PROPERTY</u>										
Motor Vehicles		Boats and Boat Gear								
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Recorded Now Missing		45% of amount in next preceding column		
<u>NETS</u>										
Total award for Nets plus Sale Price	Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing			Percentage Total Award to Total Claim	Claim for Nets Sold Declared Not Found, & Recorded Now Missing	Apply % ratio to Claim	Deduct Custodian Sale Price			
<u>MISCELLANEOUS CHATTELS</u>										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Applica- tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
			46%	72.50		33.35				
TOTAL RECOMMENDATION										54.85

Kamloops. July 11th 48.

Nitigawa George Genzo

(70)

Real & Pers^l

claimant - per his master -

Statement of real property -

situate on Knight Rd. at 41st Ave
vacant land. 33 $\frac{1}{2}$ lot -

Ex 1.

Sold at Jan'y 1946. for \$30-

Statement of personal property

Ex 2.

Camera lost or stolen - conceded
by custodian -

Hunter -

Real property was sold
for fair mkt. value -

Camera not worth amount
claimed - approval when
stolen \$30-

Kiligama geo. 3.

(70)

Summary. Feb. 48.

vacant lot right road. 33x112.

Sold Jan'y 1946. \$80 - value \$750. claim \$670

Pens. 1925 Eastman Kodak 6 special 1014

-autographic - leather case.

value. \$250

Camera lost

Consider nothing in real estate claim.

gross overall = camera. Question
of val =

CASE NO: 70.

JAPANESE PROPERTY CLAIMS COMMISSION

Kamloops, B. C.,

February 11th, 1948.

IN THE MATTER OF THE CLAIM OF

GEORGE GENZO KITAGAWA.

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 11th, 1948.

IN THE MATTER OF THE CLAIM OF
GEORGE GENZO KITAGAWA.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
R.H. 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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G.G. Kitagawa,
In Chief.

MR. McMASTER: My lord, I would ask for leave to amend the claim herein by striking out the personal chattels from line No. 4 on the chattel claim on the back to the end, leaving only a Kodak Special No. 1-A Autographic camera. It would appear, my lord, that this was what is commonly called a forced sale, but not one made through the Custodian.

THE COMMISSIONER: I see; all right.

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GEORGE GENZO KITAGAWA, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. McMASTER:

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

A Yes.

Q Did you instruct Mr. Leckie to prepare a statement with regard to your real property with respect to which you are claiming?

20 A Yes.

Q And is this the statement?

A Yes.

Q Would you be good enough to sign it, please?
I wish to file that as an exhibit, my lord.

(STATEMENT MARKED EXHIBIT NO. 1).

THE COMMISSIONER: Is this a statement of real property?

MR. McMASTER: This is the statement re real property.

My lord, I would draw attention to the fact in that statement it shows that this property was situate in the City of Vancouver on Knight Road,

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G.G. Kitagawa,
In Chief.

out near 41st Avenue. This is a vacant piece of land, fronting on Knight Road, about 5 blocks away from the old South Vancouver City Hall, and the claimant shows that he purchased it away back in 1913 for \$700.00.

THE COMMISSIONER: He must have paid a lot of taxes on it in the meantime.

10 MR. McMASTER: He certainly must have. He proceeds in the statement to show the basis on which he based the value of \$750.00, but doesn't hold himself out as an expert; that at the time he left, the area was starting to build up and the property was sold subsequent to that date. Perhaps my friend would be good enough to advise us when. It was February, 1946, I believe the property was sold.

MR. HUNTER: January 23rd, 1946, the property was sold. I beg your pardon, the adjusting date is February 11th, 1946. The sale was consummated January 23rd.

MR. McMASTER: It doesn't matter which date.

THE COMMISSIONER: Sold at what price?

20 MR. HUNTER: \$80.00, my lord.

THE COMMISSIONER: They held it a long time for you, Mr. McMaster.

MR. McMASTER: Yes, they certainly did, my lord.

The opinion of the witness as stated here, or his justification of value as I say was that the area was starting to build up and he understands it has been built up and Knight Road has been put through in front of his place and it has become a residential district. He can't say what the situation was in February, 1946, because he wasn't

G.G. Kitagawa,
In Chief.

there. So it will primarily, then, be a matter, my lord, of perhaps other evidence to substantiate his claim in that respect.

Q Now, witness, with respect to this camera, did you request Mr. Leckie to draw this statement and give him the information contained therein?

A Yes.

Q Will you be good enough to sign it, please? I will file that.

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(STATEMENT MARKED EXHIBIT NO. 2).

Q Do you state that the statements in this personal chattel form are true to the best of your knowledge and recollection? A: He says yes, to the best of his ability.

MR. McMASTER: My lord, we have a quantity of correspondence here with regard to this camera, the net result of which appears to be that the camera was in the possession of the B.C. Police originally and ultimately I think in the possession of the Custodian.

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MR. HUNTER: We will admit it is gone. It has been stolen.

MR. McMASTER: It was lost or stolen apparently some time in 1947 -- about May of 1947.

THE COMMISSIONER: Then it is simply a question of proving value.

MR. McMASTER: Yes, the claimant has shown on the statement the belief that cameras were rather difficult to get in the year 1947 and therefore the camera would have retained its original value. That will be a matter on which I will have to call evidence,

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G.G. Kitagawa,
In Chief.

my lord.

THE COMMISSIONER: Yes.

MR. McMASTER: Your witness.

THE COMMISSIONER: What does he say the original value was? Oh yes, \$67.50.

MR. McMASTER: And the case, \$5.00.

MR. HUNTER: My lord, we submit that the real property was sold for its fair market value and that the camera is worth, not what they claim with the case, but a lower figure. The valuation which we had showed the property was worth \$50.00. The property was sold for \$80.00 two years after. The camera is old, 20 or 25 years, and we shall call evidence later to show its approximate value at the time of theft was about \$30.00. I don't think there is any point in asking the claimant about the age of the camera. It can be so easily established by the serial number, and so on.

THE COMMISSIONER: Yes, very good.

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(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.

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Case 70. DEC - 2 1947

NOTIFIED

IN THE MATTER OF a Commission to Investigate Claims of Japanese Canadians for Property Losses.

TO: The Commissioner,
Office of the Custodian,
Royal Bank Bldg.,
Vancouver, B.C.

ACKNOWLEDGED

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9353
Kamloops

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

- (1) NAME George Genzo Kitagawa (RCMP) Reg. No. 10456
(Print) Surname Given Name
- (2) Pre-Evacuation Address 741 - 3rd. Avenue West Prince Rupert B.C.
- (3) Present Address R.R. # 1 Kamloops B.C.
- (4) REAL ESTATE
 - (a) Street Address (if any) near 41st. Avenue and Knight Road, Vancouver B. C.
City or Municipality, Province
 - (b) Legal description (lot number, block number, section number, etc.) Lot 12, Block 1, D.L. 715, Group 1, N.W.D., Plan 2780,
 - (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 - - - - - \$ 750.00
 - (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) - - - - - \$ 750.00
 - (v) Amount at which Custodian sold property and credited your account - - \$ 59.18
 - (f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 690.82

(5) PERSONAL PROPERTY

- (a) Place or places at which property was left by the claimant at date of evacuation Taken possession of by Provincial Police and stored at Police Office Court House
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.) Prince Rupert B.C.
- (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")

Provincial Police
Prince Rupert B. C. (As per letter May 31/1947 in hands of

Custodian, 506 Royal Bank Bldg. Hastings & Granville Vancouver B.C.)

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

1. Kodak Special No 1A Autographic Camera	)	Estimated Value \$	
2. Serial No. 12630, with leather case.	)	Estimated Value \$	
3. 6.3 Lense	)	Estimated Value \$	72.50
4. China ware sold to Mr. Thompson son of	)	Estimated Value \$	
5. Mr. Syd Thompson Wholesaler Fraser St.	)	Estimated Value \$	
6. Prince Rupert and Bill of sale given to	)	Estimated Value \$	
7. Custodian, Mr. Horie, Chartered Accountant	)	Estimated Value \$	
8. Wallace Bldg. 3rd. Ave. for Collection.	)	Estimated Value \$	110.00
9. because of forced evacuation.	)	Estimated Value \$	
10. _____	)	Estimated Value \$	72.50

TOTAL CLAIM FOR PROPERTY LOSS \$ 182.50

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) - - - - - \$ 873.52

(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 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 B. C.)
 TO WIT:)

I, George Genzo Kitagawa of the City
 of Kamloops 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 Kamloops)
 in the Province of British Columbia)
 this 28th day of November)
 A.D. 1947.)

George G. Kitagawa

J. Bowen Colthurst
 A Commissioner 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.

George Gongo Kitagawa
(Claimant's Name)

EXHIBIT No. 70-1
REAL ESTATE
DATE 11 Feb 1948 (Other than farm)
FILED BY R.J. [unclear]

10456
Reg. No.

9353

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
Vacant land being Lot 12, B71, DL71, Gp1. NWD, Plan 2730	n/a	n/a	n/a	33x122	1913	

Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value	Date of Sale
Fronting on Knight Rd (near #1st Ave) - 5 blocks from S Vancouver City Hall. - a partly built up residen- tial residential district - Comments re upkeep of premises: n/a -	\$700.00 cash.	none (Knight Road is slanted & graded past my lot, fronting on Knight Road)	\$750.00	

Comments re Appraiser's report not covered above:

I consider that the appraisal at \$50.00 and the sale by the Custodian at \$75.00 is very much under a fair market value for this lot. I paid \$700 for it in 1913, at which time there were but a few houses in the area. Since that time the district has progressed and when I was evacuated in May 1942 there were about 15 houses erected in the area, the nearest of which was about 500' away from my lot. Also in 1942 Knight Road had been graded past my lot. I do not remember when this was done but I do know that the street was not graded when I bought. I am not aware as to the further development in the area at the time of sale by Custodian in Feb 1946.

Comment In fixing 750 value for this land I have based same on what I paid (\$700.00) and have added \$50.00 as increased value for the reasons set out in the next preceding paragraph - I believe 750 would represent a fair value at the time of my evacuation and at the time of sale by the Custodian, although it may have had additional value in 1946 because of further construction in the area, but as to this I am unaware.

George Kitagawa
SIGNATURE

George Gonzo Kitayawa
(Claimant's Name)

EXHIBIT No. 70-2 PERSONAL CHATTELS
DATE 11 Feb 1948
FILED BY R. J. [unclear]

10456
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
Kodak Special 2014 auto- graphic, serial # 12630, with leather case	1925	new	\$67.50 (camera) 5.00 (case)	Excellent condition - used but seldom	\$67.50 (cam) 5.00 (case)

Description of Storage of Goods: I surrendered this camera & case to the BC police
at Prince Rupert in Feb 1948

General Statement as to Chattels not Described above: n/a

Additional Comments, if any: In Nov 1947 the Curator advised me that he was unable to
locate the camera and that burglary and vandalism had
occurred and in Dec 47 he wrote me that it was not among those
in storage and pointed out that I might file a
claim with this Commission. In May 48 he had
advised me by letter that he was still holding the
camera & case in superb condition. I have valued at
cost as in excellent shape and I understand prices in 1947 were very high & cameras
hard to obtain

George Kitayawa
SIGNATURE