

Name of Claimant YADA, Genji

Case 88

Custodian File 8554

<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 % of Total	Sale Price	Total Award 125% of all Sale Prices: % of Total		
2000.	12.50 100.00									112.50
<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			
TOTAL RECOMMENDATION										112.50



CASE NO: 88

JAPANESE PROPERTY CLAIMS COMMISSION.

Kamloops, B.C.,

May 7th, 1948.

IN THE MATTER OF THE CLAIM OF  
GENJI YADA.

PROCEEDINGS AT HEARING.

Original.



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

(HIS HONOUR JUDGE J. R. ARCHIBALD, SUB-COMMISSIONER)

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Kamloops, B.C.,

May 7th, 1948.

IN THE MATTER OF THE CLAIM OF

GENJI YADA

PROCEEDINGS AT HEARING.

20 APPEARANCES:

D. S. McTAVISH, Esq., appearing for the  
 Dominion Government.

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

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J. R. COLLEY, Esq., Secretary to Kamloops  
 Sub-Commission.

MRS. I. C. SMITH, Official Interpreter.

MRS. M. TONKS, Official Reporter.

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G. Yada,  
In Chief.

GENJI YADA, The Claimant herein, being first duly sworn, testified through the Official Interpreter, as follows:

MR. McMASTER: The first case your Honour is No. 88.

It was 130 on the original list.

DIRECT EXAMINATION BY MR. McMASTER:

Q Witness, did you instruct me to prepare this statement with regard to the real property for which you are claiming and is that your signature? A Yes.

10 MR. McMASTER: I would ask to file that statement as Exhibit No: 1, my lord.

STATEMENT MARKED EXHIBIT NO: 1.)

Before proceeding I would ask leave to amend the claim for realty, reducing to \$4500.00 as the value of the real property, crediting the Custodian with \$2000.00.

I would ask leave to file on behalf of my learned friend, what purports to be an appraisal by Messrs. Loewen & Harvey, Limited.

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(APPRAISAL MARKED EXHIBIT NO: 2.)

Referring to Exhibit No. 1, the property is situated at 1007-1007 $\frac{1}{2}$  Odlum Street, Vancouver, British Columbia. The main floor is a store consisting of a store and living quarters - 4 rooms and pantry, full plumbing; the upstairs premises consisting of 7 rooms, bath and toilet; also a two-storey garage, combining garage and storeroom. It is a stucco exterior frame building, with a tar and gravel roof and cement found-

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G. Yada,  
In Chief.

ation, partial basement with a cement floor. It is used as a grocery and confectionery store (main floor). The upstairs is rented out as living rooms. The property was purchased in March 1938. There was a store on the property when purchased and an old garage, which has since been torn down. The property is situated in a residential area and cost, In March 1938 when purchased, \$3750.00, including equipment and stock worth about \$250.00. Since purchasing the premises the claimant has removed the old garage and built a new garage and stock-room, in 1941. The new building consisted of a stock-room above and garage below, with a cement foundation and floor, at a cost of about \$800.00. In 1939 he installed a drum furnace with pipes, at a cost of about \$100.00. In 1939 or 1940 he remodelled the doorway to the store and replaced about half the flooring in the store at a cost of about \$50.00. In 1940 he put in new linoleum in all the rooms upstairs, which he states cost \$150.00. In 1938 he repapered the upstairs, fixed the roof and repaired the plastering. He fixed some windows in 1939 and painted the trim. He had \$3000.00 insurance on the building, placed through Parsons, Brown & Company. He also points out that in 1941 he put in a cement walk and installed a burglar alarm in the garage and stock-room, costing \$50.00. With regard to the Appraiser's report, the claimant states that the stairway to the basement was narrow but was in good



G. Yada,  
In Chief.

condition. The basement had a low ceiling but was serviceable. He states he kept the furnace pipe cleaned and never had trouble with the furnace smoking. The rooms upstairs were all occupied when he was evacuated and were all in fair condition. He says he doesn't know about any window frames being in poor condition or broken glasses, but the cost or repairing if this was the condition, would be small. He says he had an estimate made on fixing the wiring of about \$350.00. This would reduce the value of the property but not as low as the appraisal or sale. The Claimant states that he purchased the premises from a widow who was operating the store with little or no capital and he got a good buy. When he took over the revenue was \$300.00 a month gross; in January 1941 he had built up the business to a turnover that month of \$1900.00 gross and the annual turnover was about \$20,000.00. He states that before he left he had the upstairs rented for a total of \$49.00 per month. Having regard to the good business situation and the potential income from rentals, notwithstanding the repairs, required, he considers \$4500.00 at least, would be a fair price at the date of sale, and the store was a going business when the tenant bought the premises.

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Q Witness, I produce to you several photographs, is the picture of the building I now show you in this photograph, the building in which you are now making claim?

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A Yes.



G. Yada,  
In Chief.

Q I produce to you a picture of what appears to be a garage, is that the garage you built on the premises, with the storeroom above?

A Yes.

Q I produce to you a third picture showing the interior of a grocery and confectionery store, is that a picture of the interior of your store?

A Yes.

10 Q Will you be good enough to advise the Commissioner as to the date on which the picture of the store building was taken, approximately?

A Two years after I purchased it.

Q It would be approximately 1940, is that correct?

A I am not quite certain.

Q When was the picture of the garage taken?

A About a year before I was evacuated.

Q The interior picture of the store - when was that taken?

A I am not quite sure, I don't quite remember.

20 Q It was after you had purchased the premises and were operating the business, is that correct?

A Yes.

Q I understand, witness, that at the time of your evacuation, you arranged to sell all the stock-in-trade and equipment in the store at private sale?

MR. McMASTER: I am sorry Your Honour but my Interpreter says the Interpreter who takes the interpretation is implying the building as well as the stock-in-trade.

30 MR. McMASTER: Q: Just the stock and fixtures, in



G. Yada,  
In Chief.  
Cross-Exam.

other words, groceries and that sort of thing  
scales and that sort of thing?

A There was no stock - - -

MR. McMASTER: I am sorry, I am talking to the witness  
at the time of evacuation. Will you interpret  
that to him?

INTERPRETER: Yes.

MR. McMASTER: Q: At the time of your evacuation  
did you sell your equipment in the store and your  
10 groceries and confections and that sort of thing  
to Mr. Hammett?

A Yes.

Q And you are making no claim with respect to those  
things? A No.

MR. McMASTER: I would like to file these pictures  
which the witness has identified, as the next  
exhibit.

(PICTURES MARKED EXHIBIT NO. 8).

20 CROSS-EXAMINATION BY MR. McTAVISH:

It is submitted that the real property was sold  
for its fair market value.

Q Witness, did you know the condition of the wiring  
in these premises?

A When I left the wiring was in good condition, but  
about a year after I evacuated my lawyer wrote  
and said the wiring was in very bad condition.

Q Did you ever inspect the wiring?

A I didn't inspect it.

30 Q So personally, you don't know what condition it



G. Yada,  
Cross-Exam.

was in?

A No, I don't.

Q What age was the building?

A When I bought it I had a European carpenter to inspect it and he said it was about twenty-five years old.

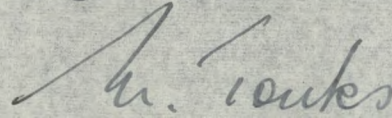
MR. McTAVISH: That is all.

THE COMMISSIONER: Thank you Mr. Yada, you may go now.

(PROCEEDINGS ADJOURNED SINE DIE)

10

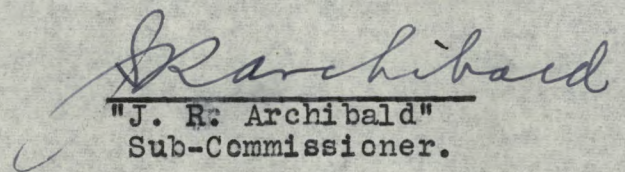
I hereby certify the foregoing to be a true and accurate transcript of the proceedings herein.



"M. Tonks"  
Official Reporter.

I hereby certify that the foregoing transcript purports to be an accurate record of the Evidence adduced before ~~em.~~ me.

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"J. R. Archibald"  
Sub-Commissioner.

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CASE No.

DEC - 5 1947

MAY 7 1948

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

8554

88 Kambeppu MAY 1948

NOTIFIED

APR 15 1948

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

(1) NAME YADA, GENJI (RCMP) Reg. No. 06547

(2) Pre-Evacuation Address 1007 Odlum Drive, Vancouver, B.C.,

(3) Present Address Forest Grove, B.C.,

(4) REAL ESTATE

(a) Street Address (if any) 1007-1007 1/2 Odlum Drive, Vancouver, B.C.

(b) Legal description (lot number, block number, section number, etc.) Lot "B", resubdiv. of Lots 6 to 9 inclus., Block 30, Subdiv. "I" of D.L. 182.

(c) Type of Real Property (cross out words which do not apply):

- (i) Farm
(ii) Residence Type of business GROCERY AND CONFECTIONERY STORE
(iii) Business
(iv) Any other type of property (describe) AND APARTMENT

(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 \$
(ii) Buildings \$ 5600.00
(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) \$ 5600.00
(v) Amount at which Custodian sold property and credited your account \$ 2000.00
(f) Loss (This figure is arrived at by deducting item (v) from item (iv)) \$ 3600.00

(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) - - - - - \$ 3600.00

(6) (a) Place at which claimant prefers to be heard. (b) Do you require the services of an interpreter at the hearing? Yes or no ~~Yes~~ Yes  
(Vancouver, Kamloops, Nelson, Lethbridge, Moose Jaw, Winnipeg, Toronto or Montreal.)  
Kamloops, 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 )  
Province of British Columbia )  
TO WIT: )

I, GENJI YADA of the Village of Forest Grove .00.0032 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 Village of Williams Lake, B.C. in the Province of British Columbia this 27th day of November A.D. 1947.

*Genji Yada*  
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.

See letter from Henry G. Lockwood, Barrister at Williams Lake, B.C. dated 29th November, 1947.



GENJI YADA  
(Claimant's Name)

REAL ESTATE  
(Other than farm)

88-1  
EXHIBIT No. 7  
DATE MAY 7 1948  
FILED BY *mm*

06547  
Reg. No.

1007 + 1007 1/2 Ocean St.

Type of Premises  
(e.g. House, Store, etc.)

No. of Rooms (4 rooms + pentagon)

Type of Finish

Use of Premises

Size of Lot

When Purchased

Date of Purchase

Store +  
apartments  
+ garage (2 stories)  
Type of Locality

Store + living quarters  
main (full plumbing)  
7 rooms upstairs  
(1 bath + 1 toilet)

Stucco exterior  
frame Bldg.  
20' + gravel roof  
Cement foundations  
Partial basement  
Cement floor  
Improvements made by Claimant

Grocery + confection  
store (main floor)  
Upstairs rented  
as living rooms.

53' x 98' Store  
(4 old  
garage space  
from down)  
March 1938

Residential

Cost Price  
\$3750<sup>00</sup> (included  
equipment + stock  
worth about \$250<sup>00</sup>)

Removed old garage +  
built a new garage + stock room  
20 x 24 in 1941 cost about \$800<sup>00</sup>  
Cement foundation + floor

Estimated Value Date of Sale

\$4500<sup>00</sup>

Installed a drum furnace  
+ pipes in 1939 cost about 100<sup>00</sup>

Remodeled doorway to the  
store and replaced about  
1/2 of flooring in the store  
in 1939 or 1940. Cost about 150<sup>00</sup>

Put in new linoleum in  
all rooms upstairs  
in 1940 cost 150<sup>00</sup>

Put in cement walk + installed burglar alarm in garage 1941 cost \$50<sup>00</sup>

Comments re upkeep of premises:

Repaired upstairs  
+ fixed the roof  
Repaired plastering  
+ fixed some windows  
Painted the trim in 1939 } 1938

I had \$3000<sup>00</sup> increase on the Bldg. placed the appraiser's  
Comments re Appraiser's report not covered above: Parsons Brown & Co.

The stairway to the basement was narrow but was in good condition. The basement had a low ceiling but was serviceable. I kept the stove pipe cleaned and never had trouble with the furnace smoking.

The rooms upstairs were all occupied when I was evacuated and were all in fair condition. I don't know about any window frames being in poor condition or broken glasses. But the cost of repairing, if this was the condition would be small.

I had an estimate made on fixing the wiring at about \$350<sup>00</sup>. This would reduce the value of the property but not as low as the appraisal or sale.

I purchased the premises from a widow who was operating the store with little or no capital and I got a good buy when I took over the monthly turnover was only about \$300<sup>00</sup> per mo. gross. In January 1941 I had built up the business to a turnover that month of \$1,900 gross. The annual turnover was about \$20,000<sup>00</sup>. Before I left I had the upstairs rented for a total of \$49<sup>00</sup> per mo. Having regard to the good business situation and the potential income from rentals, notwithstanding the repairs required I consider \$4500 at least should have been a fair price at date of sale. The store was a going business when the tenant bought it.

SIGNATURE



# LOEWEN & HARVEY, LIMITED

FIRE, CASUALTY, BURGLARY  
AUTOMOBILE, PLATE GLASS  
INSURANCE

ESTATE AGENTS INSURANCE  
MORTGAGES REAL ESTATE

AGENTS FOR  
EAGLE, STAR AND BRITISH  
DOMINIONS INSURANCE  
COMPANY LIMITED  
OF LONDON, ENG.

EXHIBIT No. 88-2  
DATE MAY 7 1948  
FILED BY Mr. Mac

TELEPHONE  
MARINE 4341  
CODES  
B.C. 5TH EDITION  
WESTERN UNION  
CABLE ADDRESS  
"LOWHAR"

CASE No.  
88-

MAY 7 1948

751 DUNSMUIR STREET  
VANCOUVER, B.C.

20th January, 1944.

Department of The Secretary of State,  
Office of The Custodian,  
(Japanese Evacuation Section)  
605 Royal Bank Bldg.,  
Granville & West Hastings Streets,  
Vancouver, B.C.

EVACUATION SECTION	
Rec'd	<u>21 1944</u>
File No.	<u>2783</u>
Ans.	
Referred	<u>[Signature]</u>

Dear Sir:-

Re: Catalogue No. 158 - 1007, 1007<sup>1</sup>/<sub>2</sub> Odlum Drive,  
Lot "B" of Lots 6 to 9, Block 30-"I",  
District Lot 182.

This property is **situated** on the South West corner of Odlum Drive and Parker Street, having a frontage on Odlum Drive of 33 feet and on Parker Street of 98 feet, to a 20 foot lane running parallel to Odlum Drive. The lot is level with both streets and lane.

On the street corner is a two storey, Frame and Stucco building with Patent Roof 51 x 27 feet, occupied as a grocery and confectionery store with living quarters, on the ground floor, and seven (7) rooms on the second floor, rented as housekeeping rooms and suites. The building is approximately thirty (30) years old and has been renovated at a later date by stuccoing the exterior. This has not been a good job and the stucco is breaking in several places. Living quarters behind the store consist of Kitchen, Living-room, two (2) Bedrooms, Bathroom with full standard plumbing, and separate pantry with good sink. A store room adjoins the store and from this a poor stair leads to a part basement. This has poor headroom (5 ft 6 inches) and a drum furnace, which the tenant advised smoked badly, due to a very long smoke pipe. The basement walls (3 feet) and floor were of cement, but the floor was damp, and the centre foundation posts, visible from the basement, were damp, but appeared reasonably sound (It was impossible to reach these to inspect them).

The rooms on the upper floor were not in good condition, the plaster in the front one being down and the room not used. There is only one bath and separate toilet. The window frames are in very poor condition and should be replaced - several being without glass. A porch runs across the back of the building with long stairs to the ground. The wiring has been condemned by the City.

At the back of the lot is a double garage, the ceiling floored for storage, There is a brick chimney.

In my opinion a fair valuation is \$1750.00 .

Yours faithfully,  
LOEWEN & HARVEY LIMITED  
A. Rout Harvey DIRECTOR



GOVERNMENT OF BRITISH COLUMBIA

Return to  
GOVERNMENT AGENT  
AT POINT OF MAILING

*3 Photos*

EXHIBIT NO. *88-3*  
DATE *MAY 7 1948*  
FILED BY *Mr. MacGowan*







88-3

EXHIBIT No.

MAY 7 1948

DATE

FILED BY

*Mr. J. J. Taylor*

*←*







①

88-3

EXHIBIT No. \_\_\_\_\_

DATE MAY 7 1948

FILED BY Mr McFarland

✓







EXHIBIT No.

88-3

DATE

MAY 7 1948

FILED BY

Mr. M. G. G. G.



January 31st 1948.

Henry G. Lockwood, Esq.,  
Barrister and Solicitor,  
Williams Lake, B.C.

Dear Sir,

Re claim of Genji Yada #06547

This claim will be heard at Kamloops, but no date has yet been set for the hearing of the claim. It is included with a number of others which will be heard by the County Court Judge, who will in due course fix the dates on which he will receive evidence, and you will be notified.

The Commission is sitting in Kamloops from the 9th to the 13th of February next, but only a limited number of claims will be heard during the sittings.

Yours truly,

*h*

SECRETARY

AW/w.



## HENRY G. LOCKWOOD

Barrister and Solicitor  
Notary Public

DEC 2 1947

POST OFFICE BOX 36  
WILLIAMS LAKE  
BRITISH COLUMBIA

November 29 1947

The Commissioner,  
Office of the Custodian,  
Royal Bank Building,  
Vancouver B. C.

Dear Sir :-

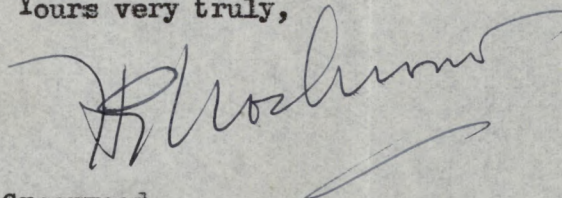
re GENJI YADA # 06547. Formerly 1007 Odium Drive, Vancouver  
B.C.

Please be advised that claim of the above-named is going forward to the Japanese Canadian Citizens' Association at Greenwood and to yourself either direct or through the Association.

In view of the time limit, November 30th., mentioned in the claim form, I am writing you direct to reach you by mail leaving here to-day. The claim itself will have to go via Forest Grove and possibly Greenwood so it will likely be a few days late in reaching your office. If anybody is to be blamed for this, you may lay it to me and the desultory mail service between here, Forest Grove and Vancouver. In any case please accept this letter as explanation and excuse for the delay and allow a reasonable extension of time.

Copy of this letter goes to Mr. Yada, & copy to the Japanese Canadian Citizens' Association, Greenwood B.C.

Yours very truly,


HGL/L  
C/c Genji Yada, Forest Grove,  
& Japanese Can. Cit. Ass'n, Greenwood.



8554

December 3rd, 1947

Mr. Henry G. Lockwood,  
Post Office Box 36,  
Williams Lake, B. C.

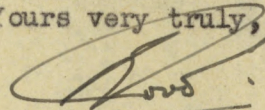
Dear Sir:

Re: Genji YADA, Reg. No. 06547

This will acknowledge receipt of your letter of  
29th November re possible delay in filing of claim for the above.

You will have seen by the newspaper advertisements  
that an extension of time has already been granted so that your  
client's claim should reach here in ample time for consideration.

Yours very truly,



B. Good  
Comptroller

BG: BK