

Name of Claimant **KAKUNO, Emiko**

Case 247

Custodian File **6555**

<u>REAL PROPERTY</u>										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village			
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			
<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			
137	71	21.30	51.82%	43.25	22.41					43.71
TOTAL RECOMMENDATION										43.71

CASE NO: 247.

JAPANESE PROPERTY CLAIMS COMMISSION.

Grand Forks, B. C.,
March 1st, 1948.

IN THE MATTER OF THE CLAIM OF
EMIKO KAKUNO.

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

(THE HONOURABLE MR. JUSTICE H.I. BIRD, COMMISSIONER).

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Grand Forks, B. C.,
 March 1st, 1948.

IN THE MATTER OF THE CLAIM OF
EMIKO KAKUNO.

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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I. Kakuno,
In Chief.
Discussion.

MR. McMASTER: I will call No. 11 on the list, E. Kakuno.

In this case, my lord, the husband is giving evidence for his wife. This case is his wife's case, E. Kakuno.

IWASAKU KAKUNO, a witness called on behalf of the claimant herein, being first duly sworn, testified through the Interpreter as follows:

MR. McMASTER: In this case, my lord, I would ask to amend the claim form which is a chattel claim by reducing it to \$180.25. I admit, my lord, I ran into difficulty in trying to ascertain how much should be credited to the Custodian on this claim. I am going to file a copy of the Custodian's analysis of personal property claim, striking out from it certain items with respect to which no claim is made, having been received, I believe, by the claimant. The claim is made in the original claim in rather general terms, such as kitchenware and chinaware and that sort of thing, so the Custodian has not broken it down into either one of those categories. Perhaps in conjunction with my learned friend, the Custodian might state later the exact amount that should be deducted and credited.

THE COMMISSIONER: Very well.

DIRECT EXAMINATION BY MR. McMASTER:

Q Witness, I understand your wife was unable to be here today and has asked you to give evidence on her behalf in respect of the chattels that were registered in her name?

A: Yes.

I. Kakuno,
In Chief.

Q Did you instruct Mr. Leckie to prepare this statement with regard to those chattels?

A Yes.

Q Would you be good enough to sign it, please? Are the statements contained therein true to the best of your knowledge and recollection?

A Yes.

MR. McMASTER: I file that as Exhibit No. 1, my lord.
(STATEMENT MARKED EXHIBIT NO. 1).

10 Q Witness, I produce to you a copy of the analysis of personal property claim which has been prepared by the Custodian. On this copy there are certain items struck out, and certain figures are shown in ink. Were those changes in that form and additions made pursuant to your instructions?

A He said Mr. Leckie put those on.

Q On his instructions? A: Yes.

MR. McMASTER: If that could be marked as Exhibit 2, my lord, if my friend would like to see it.

20 (ANALYSIS MARKED EXHIBIT NO. 2).

MR. McMASTER: My lord, referring to Exhibit No. 1, the witness has shown in that statement just three or four items of some size and their age and price, and so on. In Exhibit 2 it just shows the values that he is claiming. The goods for which he is claiming, he originally stored in the home of Mr. S. Ohara on Salt Springs Islands at Ganges. When Mr. Ohara was evacuated a Mr. Mouatt, who was representing the Custodian, took charge of the goods, according to the information he has received.

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I. Kakuno,
In Chief.

Apparently on the J.P. form the wife had set forth certain cost prices for the various items and he has revised those items having regard to depreciation for their use. Your witness, Mr. Hunter.

MR. HUNTER: May I see Exhibit 2 so I can find out what items are crossed out? I don't know what your Lordship wishes to do. There is one sheet of items which was sold at auction. Would you like us to take two or three minutes and see if we can compare it with the items for which claim is made?

THE COMMISSIONER: Yes, it might be helpful if you did so. I suppose this will take five minutes.

MR. HUNTER: It won't take longer, I don't think.

THE COMMISSIONER: We will recess then for five minutes.

(PROCEEDINGS RESUMED AFTER A SHORT RECESS)

MR. HUNTER: If your Lordship would refer to Exhibit 2 opposite the figures which have been written in there, I can give you the following figures. The bed set, \$34.00, that is the sale price; the two sideboards, we sold one for \$11.00, the dining room table, \$3.50; the congoleum rug which also includes at the very bottom linoleum carpets, we sold for \$2.25. The kitchen chairs, we sold 13 of them for \$8.00. The baby chair, \$4.00, the chesterfield \$1.00, the baby's playing horse, \$2.00.

THE COMMISSIONER: What about two clocks?

MR. HUNTER: We didn't sell them, my lord. This kitchen cutlery we didn't sell. The next is called framed pictures, we sold that for a dollar. The next one down, the toaster, we sold for \$4.25, which means, my

I. Kakuno,
In Chief.
Discussion.

lord, for articles for which they have claimed \$137.00, we have received \$71.00, and it means all the items claimed -- of the items claimed, the two clocks and the kitchen cutlery shown down below and the ten tablecloths are missing. It is submitted, my lord, that the prices that were received were the fair market value and that the prices asked or the amount asked for property which was lost is exorbitant. There are no questions, my lord.

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MR. McMASTER: That is all on this case, my lord.

(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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base 247

DEC 30 1947

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

6555

Fraud Dept

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

(1) NAME KAKUNO EMIKO (RCMP) Reg. No. 09979
(Print) Surname Given Name

(2) Pre-Evacuation Address CORDOVA BAY, V.I., B.C.

(3) Present Address MIDWAY, 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 _____

GANGES, SALT SPRING IS., B.C.

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

LATE MR. S. OHARA'S HOUSE

(c) How stored or packed at time of evacuation _____

Stored at House #1, Room 2, unpacked.

(over)

NOTIFIED

W

J. J. M. Minter

(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")

MR. MOUT of SALT SPRING IS., B.C.

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

1.	FURNITURE (SIDE BOARD, BED SET, etc.)	Estimated Value \$	317. ⁰⁰
2.	KITCHEN UTENCILS.	Estimated Value \$	34.10
3.	CHINA WARES	Estimated Value \$	19.70
4.	SILVER WARES	Estimated Value \$	10.50
5.	MISC.	Estimated Value \$	6.75
6.		Estimated Value \$	
7.		Estimated Value \$	
8.		Estimated Value \$	
9.		Estimated Value \$	
10.		Estimated Value \$	

TOTAL CLAIM FOR PROPERTY LOSS \$ 388.05

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) - - - - - \$ 388.05

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

GREEN WOOD, B.C.

(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)
of)
TO WIT:)

I, _____ of the _____
of _____ in the _____

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 Town)
of Midway)
in the Province of B.C.)
this 13 day of Dec.)
A.D. 1947.)

A Commissioner &c.

John Zupfleh, J.P.
Emiko Kakuro

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.

Mrs Emelio Rascano
(Claimant's Name)

EXHIBIT No. 247-1

PERSONAL CHATTELS

- 09979 -
Reg. No.

DATE 1 Mar 1948

FILED BY
J.R. Mcmaster

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
1 Bed set (4 pieces)	1936	new	80.00	good	50.00
2 sideboards	"	"	25.00	"	15.00
4 rugs (conglomerate)	"	used	46.00	"	30.00

The above articles and the other articles for which I am claiming and the values I have estimated for same are listed and set out on the Custodian's Analysis of personal property form. Articles not being claimed are struck out on this form.

Description of Storage of Goods: The goods for which I am claiming were originally stored in the home of Mr S Chara, Salt Spring Island, B.C. when Mr Chara was evacuated, Mr Mault, who was representing the Custodian took charge of the goods, according to information which I received.

General Statement as to Chattels not Described above:

Additional Comments, if any: although declared by my wife, these goods belonged to me. In her SP form she showed cost prices except in the case of smaller articles where estimates of value were given. In estimating values as now given I have allowed for depreciation by reason of use. None of the articles claimed were included in shipments to my wife and myself by the Custodian.

J. Rascano
SIGNATURE

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE NO. 6555

EXHIBIT No. _____

NAME Emiko KAKURO (Mrs. Iwasaki)

REG. No. 59779

DATE	INVENTORY	DETAILS OF CLAIM	SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND
			AUCTION	TENDER &c		
DECLARATION <u>April 27/42</u>	TAKEN BY _____					
EVACUATION <u>Sept. 1/42</u>	DATE _____					

Left in the care of Mr. S. Ohara, Salt Spring Island, Ganges, B.C. furniture, household effects utensils, etc. as:

- 34.00 1 bed set 80.00
- 11.00 2 sideboards 25.00
- 1 stove 28.00
- 3.25 1 dining table 8.00
- 2.25 4 rugs 46.00
- 8.00 15 kitchen chairs 15.00
- 4.00 1 baby chair 5.00
- 1 baby bed 12.00
- 1 chesterfield 20.00
- 1 Singer sewing machine 28.00
- sofa set 25.00
- 1 net for garden 50.00
- 2 clocks 7.00
- 2.00 baby's playing horse 7.00
- 1 doz cups 1.35
- 2 pos dishes 1.80
- 1 pos. spoons 4.50
- 1 pos. forks 3.00
- 9 pos. butter knife 2.25
- 1 knife-kitchen .75
- 1 Jap. teaset 4.25
- 1 doz. rice bowls 1.20
- 1 glass cups .60
- 1.00 2 picture frames 64.00
- 6 pots 10.50
- 1 kettle 3.75
- 4 tea kettles 2.10
- 1 wash tub 2.75
- 2 tin pans 3.50
- 4.25 2 frying pans .45
- 1 toaster 6.50
- 1 roast pan 2.00
- 10 table cloths 12.00
- 2 milk bottles .15
- 20 cushions 19.00
- doz soup bowls 1.20
- 1 meat grinder 2.70
- 1 large pot 2.50
- 1 school bell 2.75
- carpets 20.00

claim sold
 50.00 34
 15.00 11
 5.00 3
 30.00 250
 10.00 8
 7.00 4
 12.00 1

congo/leum

not sold
 5.00
 5.00 2
 1.00
 1.50
 3.00
 3.00
 2.25
 3.00

Framed pictures 10.00

5.00 425.
 A (10.00)

(cinderblock) 15.00

claim 37.30 sold at 7/1
 A missing

Left in care of Mrs. Best, Ganges, B.C.
 1 clock 18.00
 Silverware 40.00
 China tea set 20.00
 spoons & forks 15.00
 Jap. lacquerware 40.00
 Glassware 30.00

TOTAL claim 180.25

Property left at Mr. S. Ohara's house:-
 furniture (sideboard, bed set, etc.)
 Kitchen Utensils

317.00	67.25
34.10	4.25
19.70	
10.50	
6.75	3.60
<u>388.05</u>	<u>75.10</u>

Recap of Claim:

\$357.85 sold for \$75.10
 30.20 not accounted for.
 \$ 388.05

EXHIBIT No. 247-2
 DATE 1 Mar 1948
 FILED BY R. J. McMaster.

SALES

TENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD	REMARKS
							Date of auction: Nov. 3/43
							Shipments:
							Nov. 10/43 - 13 pieces to husband of Mrs. Eiko Kakuno.
							Aug. 11/42 - 2 pieces to Mrs. Eiko Kakuno.
					19.70		
					10.50		
					<u>30.20</u>		
							<i>Matthewson Feb 11/48</i>

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25

60

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