

2013

<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			
<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%							
				95.00	43.70					43.70
TOTAL RECOMMENDATION										43.70

CASE NO: 248.

JAPANESE PROPERTY CLAIMS COMMISSION.

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

IN THE MATTER OF THE CLAIM OF
IWASAKU 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).

10

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

IN THE MATTER OF THE CLAIM OF
IWASAKU 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.

30

I. Kakuno,
In Chief.

IWASAKU KAKUNO, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

MR. McMASTER: In this case, my lord, I would ask leave to amend the claim form. This is a chattel claim and referring to the back of the claim form, items numbered 3 to 7 apparently were left by the claimant out in his fields and were not reported to the Custodian. We are dropping the claim with respect to those. With respect to items 1 and 2, the camera was lost, so the claimant was advised, in August of 1947, and he is reducing the claim on the camera to \$15.00 and leaving the claim on the trailer at \$80.00. That will make his total claim \$95.00. I understand the trailer, the Custodian never found, nor did he do anything about it except to write letters. It wasn't sold in any event. So the net claim is for \$95.00, my lord.

DIRECT EXAMINATION BY MR. McMASTER:

20 Q Witness, did you instruct Mr. Leckie to prepare this statement with regard to your camera and trailer with respect to which you are now making your claim? 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 statement as Exhibit 1, my lord. Perhaps my friend will be good enough to admit that the camera was lost.

I. Kakuno,
In Chief.

MR. HUNTER: Correct, my lord.

MR. McMASTER: Do you want that filed, Mr. Hunter, (indicating), in view of the fact you have only the two items left and didn't do anything with them? I think it just clutters up the record. My lord, referring to Exhibit 1, the camera is an Eastman vest pocket camera, a Kodak, in a leather case, purchased about 1936. He paid \$25.00 for it and is claiming \$15.00. He turned that in to the
10 R.C.M.P. as appears from his statement in Victoria in January, 1942. In July, 1947, the Custodian wrote he had it in storage but he later wrote in August, 1947, that it was missing from storage.

The trailer he left at the Norris Estates on their property, Government Road, Victoria, B. C., and gave this information in his J.P. form. They gave him permission to leave it on their property, but assumed no responsibility for same. He states
20 no arrangements were made with Norris Estates for the sale of his trailer, either at the time of his evacuation or afterwards. The Custodian wrote him in December, 1942, saying the Norris Estates had failed to reply to their letter about the trailer and they asked the claimant if he had sold it, and he didn't reply because he had given full information about it in his J.P. form. Apparently in
30 December, according to a report which I think my friend has, there is some statement that the camera was broken. However, he states it wasn't broken, that it had become slightly loose at one corner and

I. Kakuno,
In Chief.
Discussion.

he had reinforced it to keep it steady. In estimating his values he has allowed for the use and condition of these articles. Your witness, Mr. Hunter.

MR. HUNTER: It is submitted, my lord, that the price asked for the camera is exorbitant.

THE COMMISSIONER: You did not have any appraisal in this instance?

10 MR. HUNTER: I don't see one. We have particulars of it and we can ascertain from dealers what the prices were about those times.

THE COMMISSIONER: What is the situation with regard to the trailer?

MR. HUNTER: The situation with regard to ~~the~~ trailer, my lord, is that it was never found.

THE COMMISSIONER: It was declared though.

20 MR. HUNTER: Yes, my lord. It is submitted, my lord, that the price claimed for the trailer is very exorbitant. If your Lordship will refer to Exhibit 1, you will see that the trailer was complete except he hadn't equipped it with wheels. So it is quite possible when we wrote the Norris Estates, that they didn't recognize it as a trailer. It was of galvanized iron construction as the witness has stated in his claim form. Since the witness has admitted receiving the letter of the 24th of December, 1942, in which we asked for particulars of the trailer, possibly my friend would admit that a subsequent letter was written again asking for particulars.

30 MR. McMASTER: Yes, I will admit those letters.

I. Kakuno,
Cross-Exam.
Re-Direct Exam.

MR. HUNTER: I will file those letters, my lord, letters of December 4th and 24th, my lord, from the Custodian to the claimant, 1942, as one exhibit.

(LETTERS MARKED EXHIBIT NO. 2).

MR. HUNTER: I will file the R.C.M.P. report regarding the Kodak, my lord. It is dated August 18th, 1944, and describes it as one vest-pocket Kodak, lens 6.3, lens serial number 16405. Front piece of camera has been repaired, glued on. Serial number 87399.

10

(REPORT MARKED EXHIBIT NO. 3).

CROSS-EXAMINATION BY MR. HUNTER:

Q Mr. Kakuno, you state in your claim form that you gave the Custodian full particulars of this property. How do you reconcile that with the fact that you never told him there were no wheels on it?

A He said I may have been mistaken in calling this a trailer as it had no wheels. He says I may have made a mistake in describing it.

20

Q What other way would you describe it?

A I don't know exactly what to call it but a trailer.

MR. HUNTER: I see. That is all, my lord.

RE-DIRECT EXAMINATION BY MR. McMASTER:

Q Witness, was this thing which you called a trailer fitted up so that wheels could have been put on it?

A: Yes, wheels could have been put on it.

30 MR. McMASTER: Would my friend admit that the only effort

I. Kakuno,
Re-Direct Exam.

that the Custodian made to locate this was a letter to the Norris Estates and the letters to the claimant which he has filed?

MR. HUNTER: I think that is so, my lord, from the file.

MR. McMASTER: And he received no reply from Norris Estates Limited?

THE COMMISSIONER: Perhaps in the circumstances you better not seek to bind the Government now. After all they have to put in their defence later.

10 MR. McMASTER: Yes, but if they made other efforts, I would like to know before this witness leaves.

MR. HUNTER: From the present file I think all I can say is that that is all I know of, but I wouldn't like to say definitely.

THE COMMISSIONER: Q: Had you put springs on this trailer? A: No.

Q It was just a frame? You had no springs?
A No.

MR. McMASTER: One question, my lord; I am sorry.

20 Q Were you or was someone else living in that trailer before you were evacuated?

A No.

Q Yourself? A: No, an employee.

Q Your employee, was it? A: Yes.

Q Was he paying rental? A: No.

MR. HUNTER: Could you find out who the employer was? Was it Norris Estates?

MR. McMASTER: Q: Who was your employer? Who was
30 living in it? First of all, we may not have got

I. Kakuno,
Re-Direct Exam.

that straight.

A His employer was living there.

Q His employer was living there or employee -- which?

A His employee.

Q Yes, his employee.

A: It changed

from time to time.

Q Just prior to his evacuation, was an employee living
in it?

A: No, nobody

was in it. It was winter and nobody was in it.

10 MR. McMASTER: All right, thank you.

(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.

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
2013

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

(1) NAME KAKINO IWASAKU (RCMP) Reg. No. 09977
(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
CORDOVA BAY, V.I. B.C. except the camera, at Custodian.
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
around the barn
- (c) How stored or packed at time of evacuation
not packed.

NOTIFIED

(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 no one's care, except the camera

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

- | | | |
|---|--------------------|---------------|
| 1. <i>camera (under Custodian's care)</i> | Estimated Value \$ | <i>20.00</i> |
| 2. <i>trailer</i> | Estimated Value \$ | <i>80.00</i> |
| 3. <i>harness</i> | Estimated Value \$ | <i>100.00</i> |
| 4. <i>plough</i> | Estimated Value \$ | <i>12.00</i> |
| 5. <i>harrow</i> | Estimated Value \$ | <i>8.00</i> |
| 6. <i>cultivator</i> | Estimated Value \$ | <i>8.00</i> |
| 7. <i>2 wagons</i> | Estimated Value \$ | <i>30.00</i> |
| 8. _____ | Estimated Value \$ | _____ |
| 9. _____ | Estimated Value \$ | _____ |
| 10. _____ | Estimated Value \$ | _____ |

abandoned

TOTAL CLAIM FOR PROPERTY LOSS \$ *255.00*

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) - - - - - \$ *255.00*

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

John Zurfluh, J.P.
L. Faber

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.

Iwasawa Kazuo
(Claimant's Name)

EXHIBIT No. 748-1
DATE 1 Mar 1948
FILED BY
R. J. McMaster

PERSONAL CHATTELS

09977
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
1 Eastman Vest Pocket Kodak in leather case	about 1936	new	\$ 25.00	good	\$ 15.00
1 Trailer - 4' x 12' - galvanized iron construction - V-joint walls (varnished) inside - bir floor - equipped with sink, bench stove etc - used in summer by employees for cooking & sleep- ing purposes - trailer was com- plete except that I had not equipped with wheels	built by self in 1937	-	materials cost over \$100, with my own labour in addition - had I employed labour cost would have been about \$35.00 -	good	\$80.00
Total claim:					\$ 95.00

Description of Storage of Goods: Camera was turned in to the RCMP in Victoria in Jan 1942
The police later turned over to the Custodian. The Custodian advised
me in July 1947 that he had it in storage but later wrote me (Aug 26/47)
that it was missing from his storage.

I left my trailer with the Norris Estates on their property,
Government Road, Victoria, BC. and gave this information in my S.P. form.
They gave me permission to stage on their property but assumed no responsibility
for same.

Comments
no arrangements were made with Norris Estates for sale of my trailer
either at the time of my evacuation or afterwards. The Custodian wrote
me in Dec 1942 that Norris Estates had failed to reply to his letter
about this trailer and asked me if I had sold it. I did not reply as

Additional Comments, if any: I had given the Custodian full information about it in
my S.P. form. I never did anything with respect to the trailer after my
evacuation.

The camera was not broken as stated in the RCMP report.
The front piece had not been repaired & glued on. It had only
become slightly loose at one corner and I had reinforced
it to keep steady.
In estimating values I have allowed for use & condition of the 2 articles

I. Iwasawa
SIGNATURE

Carbon copy

EXHIBIT 248-2

DATE 1 Mar 1948
FILED BY

J.W.G.Hunter

2013

December 24, 1942

Mr Iwasaku KAKUNO
Registration No.09977
c/o Mr J.H.Mirchell,
Camp Fitzwilliam B-4 B. C.

Dear Sir:

Will you please let us have an immediate answer to
our letter of December 4th, with regard to your trailer?

Yours truly,

H.F.Green
Protection Department

m
I hereby certify that the foregoing words are a true copy
of the original whereof they purport to be a copy.

Date: April 9th 1948

Dr. Scoby

2013

December 4, 1942

Mr Iwasaku KAKUNO,
Reg No. 09977,
c/o Mr J. H. Mitchell,
Fitzwilliam B4, B. C.

Dear Sir:

Re: Chattels

On your registration you declared one trailer containing bunks, sink etc., in the care of Norris Estates, Government St., Victoria, B. C. We wrote this firm on September 21st asking them to acknowledge having this trailer, but have had no reply from them. If it is possible you have sold or otherwise disposed of the trailer, we would like you to advise us if this is the case.

We have had confirmation of the effects you left in the care of Mr Morris, Cumberland Road, Lakehill, B. C. and with Mr L. Kellow, R.M.D. No.4, Victoria, B. C.

Will you please let us have an early reply and oblige.

Yours truly,

H. F. Green
Protection Department.

mm
I hereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy.

Date: April 9th 1948

M. Sealy

248 No 3

ROYAL CANADIAN MOUNTED POLICE

No. 798

DATE Mar 1948
FILED BY

EXHIBIT REPORT

J.W.G. Hunter

Vancouver

CIB

Division and File No.
J.R. 09977

August 18/44

Re: Iwasaku KAKUNO, Victoria, B. C.
(name of file)

On July 30/43 I F.R. Jefferson, Cst.

Came into possession of the following described goods by:

Handed over by R.C.M.P Victoria, B. C.

1 One vest pocket Kodak, lens 6.3,
Lens Serial No.16405, Front piece of Camera
Serial #87399

"File 2013"

REMARKS: Handed to Custodian Alien Property

Date: Aug 16/44

Certified correct

"G. B. Spain"

"F.R. Jefferson" Cst #10559

(signature of recipient or witness)

I hereby certify that the foregoing words are a true copy
of the original whereof they purport to be a copy.

Date: April 9th 1948

mm

M. Scarby