

Name of Claimant NAKADE, Shinichi

Case251.....

Custodian File 9062

<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
		850		.00						
			85.00	12.50						97.50
<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		
785	196.25									196.25
<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									293.75	

CASE NO: 251.

JAPANESE PROPERTY CLAIMS COMMISSION.

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

IN THE MATTER OF THE CLAIM OF
SHINICHI NAKADE.

PROCEEDINGS AT HEARING.

Original.

IN THE MATTER OF THE "INQUIRIES ACT"
PART I, 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

SHINICHI NAKADE

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.
 G. HAMBLETON, Esq., Official Reporter.

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S. Nakade,
In Chief.
Discussion.

MR. McMASTER: Case No. 15, Mr. Nakade, please.

SHINICHI NAKADE, the claimant herein, being
firstdily sworn, testified as
follows:

DIRECT EXAMINATION BY MR. McMASTER:

Q Witness, did you instruct me to draw this statement
with regard to the real estate for which you are
making a claim? A: Yes

Q And are the contents true, to the best of your know-
ledge and recollection? A: Yes.

MR. McMASTER: I file that as Exhibit No. 1, my lord.

(DOCUMENT MARKED EXHIBIT NO. 1).

THE COMMISSIONER: This dwelling is in Steveston, is it?

MR. McMASTER: Yes, my lord. Referring to Exhibit No. 1,
my lord (reading). My lord, I realize the diffi-
culty. In some ways there is some suggestion of
consent here, but my submission will be that it was
not a consent. He said the price was too low and
while he agreed to it, there was good reason why
he needed the money and actually the transaction
which was ultimately made was not the transaction
which was referred to.

My lord, I have an insurance policy on these
premises. I don't think our practice has been
to file them and for what it is worth, I would refer
to the policy, No. 205124, with the Northwest Fire
Insurance Company, the expiration date December 18,
1943, for one thousand dollars, referring to the
building on these premises. My friend might like to
see that.

S. Nakade,
In Chief.
Discussion.

THE COMMISSIONER: Insurance policies haven't much value. We all know that there are few insurance companies that won't write a policy for anything the applicant asks the policy should be issued for.

MR. McMASTER: It is true, my lord, but as a rule none of us insure for more than we think the premises are worth because we don't like paying premiums for no good reason.

10 Q Now, witness, I produce to you a statement with regard to your 1940 Mercury sedan. Is that your signature on that statement?

A Yes.

Q Did you instruct me to draw this statement?

A Yes.

Q And are the contents true to the best of your knowledge and recollection? A: Yes.

MR. McMASTER: I file that as the next exhibit, my lord.
(STATEMENT MARKED EXHIBIT NO. 2).

20 MR. McMASTER: I produce from the Custodian's file, my lord, the R.C.M.P. receipt dated March 9th, 1942, with respect to this car, 1940 Mercury. The mileage is shown as 10,678 miles, five tires, seat covers and manifold heater. The condition is stated, as appears, good. I file that as the next exhibit.

(R.C.M.P. RECEIPT MARKED EXHIBIT NO. 3).

MR. McMASTER: If I might refer to Exhibit 2, my lord, it shows the date of purchase, new, November or December, 1940, and the price paid, about \$1500.00 including seat covers and manifold heater.

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Your witness.

S. Nakade,
Cross-Exam.
Discussion.

MR. HUNTER: It is submitted, my lord, that the real property was sold for its fair market value. It is further submitted that the vehicle was sold for its fair market value.

CROSS-EXAMINATION BY MR. HUNTER:

Q Witness, I produce two letters and are these both your letters and both signed by you?

A Yes.

10 MR. HUNTER: The first letter, my lord, is dated the 26th of March, 1943, from the witness to the Custodian, or, rather, to Mrs. Russell in the Office of the Custodian, saying, "Thank you very much for your letter about my property, Lots 10 and 11, Block 12, in Steveston, an offer for \$600.00. It is very cheap than the price I was offer before we evacuate. However if you forward me all the cash \$600.00 I will sell it. If you don't send me all the cash, I think I'll just keep it as you see
20 it is no use selling my house if I don't get all my money." Then there is an inquiry about the boat-house which is not a subject of this claim.

The other letter, my lord, is dated August 27th, 1943, addressed to the Office of the Custodian, by the claimant, saying (reading).

Pursuant to that Mrs. Trites put in an offer of \$800.00 and the Canadian Fishing Company put in an offer of \$850.00, the price which was accepted, and it was sold as of the 14th of October, 1943,
30 my lord.

S. Nakade,
Discussion.

There is no appraisal here, my lord.

(LETTER, DATED MARCH 26th, 1943, MARKED
EXHIBIT NO. 4).

(LETTER, dated AUG. 27th, 1943, MARKED
EXHIBIT NO. 5).

THE COMMISSIONER: Any re-examination?

MR. McMASTER: I am just wondering whether my friend will admit, my lord, that it was the practice of the Custodian when these people had assets, not to hand out the whole of the assets at once, but only to hand it out on a monthly basis.

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THE COMMISSIONER: How would that affect the situation?

MR. McMASTER: My lord, if not, I will get the evidence from the claimant that certainly it was the practice with regard to him. I think it is relevant to this question of his saying, "If you will give me the whole \$600.00, I will sell".

THE COMMISSIONER: I see what you mean.

MR. HUNTER: I haven't quite finished yet, my lord.

MR. McMASTER: I am sorry.

20 MR. HUNTER: The vehicle, my lord, was appraised for \$785.00 and sold for that amount to the R.C.M.P.

THE COMMISSIONER: \$785.00?

MR. HUNTER: \$785.00, my lord.

There is a dog declared but I don't think my friend is claiming for that.

MR. McMASTER: I think that was probably lost, my lord.

MR. HUNTER: My friend wants some information about the practice of the office. I am quite sure Mr.

McPherson could supply it, my lord. That is all.

30 THE COMMISSIONER: Mr. McPherson?

S. Nakab,
Discussion.

MR. G. McPHERSON: I didn't really understand the question, my lord.

MR. McMASTER: My understanding, my lord, is that it was the practice of the Custodian, where these people acquired moneys while they were evacuated, not to pay out the whole sum to the claimant but to give them,-- rather, to conserve their moneys and to give them monthly allowances out of the moneys in the hands of the Custodian. I am referring now to 1943 and the period up to then.

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THE COMMISSIONER: The point, I understand, Mr. McPherson, to be this: Mr. McMaster desires to explain the claimant's proposal to accept a figure so low as \$600.00 for the real estate in this way; that he is prepared to accept that offer of \$600.00 so long as he gets his money at once, but, on the other hand, if he is to have it dribbled out to him in monthly payments, he wouldn't take it. Now, can you make any statement with regard to the policy of the Department?

20 MR. McPHERSON: Yes, my lord. Each case was dealt with individually. Generally speaking, the Custodian's policy was not to pay out the total amount held for any particular evacuee until several things had happened: First, that we had ascertained whether or not he left any debts in the protected area -- which I am not aware of in this case; secondly, whether or not he was being maintained in a Security Commission camp, in which case we would probably not pay out the total amount but would let him have so much a month. But if he moved to a self-

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sustaining -- if he moved out and became self-sustaining we gave him all of his money, subject to the other circumstances of debts.

THE COMMISSIONER: This claimant was in a self-sustaining area, was he not?

MR. McPHERSON: Well in that case I would say the policy was, if a Japanese in a self-sustaining area could show he needed the money, we would give him the money. In this case the witness has stated he needed the money for the purpose of building a house. If those circumstances had been explained, I have no doubt but that he would have been given the \$600.00 if we had sold the property.

THE COMMISSIONER: All right, thank you, Mr. McPherson.

MR. McMASTER: My lord, in that respect I would ask to file a letter produced from the Custodian's file, dated March 31st, 1943, to the claimant and setting out rather what my friend has suggested here.
(Reading).

20 THE COMMISSIONER: Of course, in this instance the greater offer was made soon after.

MR. McMASTER: Yes, the greater offer was made before that question arose and he explained his situation there. I file that as the next exhibit, my lord.

(LETTER MARKED EXHIBIT NO. 6).

THE COMMISSIONER: Is that this case?

MR. McMASTER: As far as I am concerned, my lord.

THE COMMISSIONER: Have you anything further, Mr. Hunter?

MR. HUNTER: That is all, my lord.

30 THE COMMISSIONER: All right, thank you, Mr. Nakade.

(PROCEEDINGS ADJOURNED SINE DIE)

Certified a true and accurate transcript.

Gordon Hambleton
"G. HAMBLETON"
Official Reporter.

15

base 251

NOV 25 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

[Signature]

9062

[Signature]

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

(1) NAME NAKADE SHINICHI (RCMP) Reg. No. 04992
(Print) Surname Given Name

(2) Pre-Evacuation Address P.O. BOX 20 STEVESTON, B.C.

(3) Present Address B.R. 1 GRAND FORKS, B.C.

(4) REAL ESTATE

(a) Street Address (if any) 40 CHATHAM ST., STEVESTON B.C.
City or Municipality, Province

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

10-11/12/10 / B3N / R7W / 249

NOTIFIED

(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 2 Lots 11 Fruits Tree \$ 65500
- (ii) Buildings - - - - - \$ 90000
- (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) - - - - - \$ 155500
- (v) Amount at which Custodian sold property and credited your account - - - \$ 84660
- (f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 70840

(5) PERSONAL PROPERTY

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

IN HAND OF RCMP AT HASTING PARK

(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")

CUSTODIAN

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

- | | | |
|-----|-------------------------------------|---------------------------------------|
| 1. | | Estimated Value \$ |
| 2. | 1940 MERCURY DELUX SEDAN | Estimated Value \$ |
| 3. | SERIAL # 105930 SPEEDOMETER READING | Estimated Value \$ |
| 4. | 10678 SEAT COVER MANIFOLD HEATER | Estimated Value \$ |
| 5. | PRESTON ANTI FREEZE | Estimated Value \$ 1150 ⁰⁰ |
| 6. | | Estimated Value \$ |
| 7. | | Estimated Value \$ |
| 8. | AMOUNT RECEIVED FROM CUSTODIAN | Estimated Value \$ 758 ⁰² |
| 9. | | Estimated Value \$ |
| 10. | | Estimated Value \$ |

TOTAL CLAIM FOR PROPERTY LOSS \$ 391.98

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) - - - - - \$ 1100.38

- (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 NO

Greenwood Preferred, Nelson if necessary

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, *Shinichi Nakade* of the *City*
of *Grand Forks* 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)
of *Grand Forks*)
in the *Province of BC*)
this *15th* day of *November*)
William Euerby)
A.D. 1947)

Shinichi Nakade

Magistrate in and for the County of Yale, Province of British Columbia.) 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.

SHINICHI NAKADE
(Claimant's Name)

EXHIBIT No. 251-1 REAL ESTATE
(Other than farm)

04992
Reg. No.

DATE 1 Mar 1948

FILED BY J.A. Wilmason

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
Dwelling House	6 rooms 2 storeys	Frame Shingle Roof	Rented as dwelling	2 lots	House on land	Nov 22/41

Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value Date of Sale
Residential 40 Catham St. Steveston	\$1,500 ⁰⁰		\$1,500 ⁰⁰

Comments re upkeep of premises:
 My father purchased this house about 1929 for \$1,750⁰⁰. He did quite a bit of repair work & improvements before selling it to me. I paid cash for it in 1941 as he needed the money for his own house. It was rented to Mrs. Zintes when I bought at a rent of \$13⁰⁰ per mo.

Comments re Appraiser's report not covered above:
 In March 1943 the Custodian said he had an offer to sell the house for \$600⁰⁰ & asked if I would agree. I answered that it was a cheap price but if I could receive all the cash I would sell. I was building a house at Grand Forks & needed the money. He sent me a deed for this price which I refused to sign as I had received an offer for \$800 from Mrs. Zintes. The Custodian sold the place in Oct 1943 for \$850⁰⁰.

S. Nakade
SIGNATURE

SHINICHI NAKADE
(Claimant's Name)

EXHIBIT No. 251-2

PERSONAL CHATTELS

04992
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
1940 Mercury Sedan	Nov or Dec. 1940	new	About 1500 ⁰⁰ including seat covers, manifold heater.	good condition	\$1150 ⁰⁰

Description of Storage of Goods:

R.C.M.P.

General Statement as to Chattels not Described above:

Additional Comments , if any:

S. Nakade
SIGNATURE

BRITISH COLUMBIA MOTOR-VEHICLE LICENCE.

The motor-vehicle described and registered as shown hereon is hereby licensed for use and operation in accordance with the provisions of the "Motor-vehicle Act" until February 28th, 1941.

Licence and Plate No. 19137

Name. Style.	Model. Weight.	Engine No. Serial No.	Registration No. Orig. Purchase.
-----------------	-------------------	--------------------------	-------------------------------------

MERCURY	09A	1D5930	214181
SEDAN <u>7 CO.</u>	3090	1D5930	11-9-40

(Registered name and address of licensee.)

SHINICHI NAKADE,
CHATHAM ST. & SIXTH AVE.,
STEVESTON, B. C.

214181

1
9
4
0

Not valid unless stamped by issuing office in this space and plate number stated opposite.

LICENCE FEE.
(Full year.)

\$
AMOUNT PAID.

\$

Nakade
(Signature of Licensee.)

T. W. S. PARSONS,
Commissioner, Provincial Police.

SIGN AND CARRY IN CONSPICUOUS POSITION ON MOTOR-VEHICLE.

ROYAL CANADIAN MOUNTED POLICE

Detachment

Seizure No. 23
FOR USE WHEN APPLICABLE

EXHIBIT REPORT

Detachment File No.
Sub-Division File No.
Division File No.
Headquarters File No.

Detachment
Sub-Division
Division
Date

19

RE:- Shinichi NAKADE Fifth and Catham St Box 20 Steveston B C
On Mar 9 19 42 I Goodfellow K.B. MEMBER'S NAME

Came into possession of the following goods by:-

EXHIBIT No. 257-3
DATE 1 mar 1948
FILED BY J.R. McLawar

STATE BRIEFLY AUTHORITY, ETC., WHETHER BY SEARCH WARRANT, ETC.

NO. OF PKGS.	CAPACITY OR SIZE	DESCRIPTION OF CONTENTS DETAILS TO BE GIVEN IN FULL
LICENSE NO. MAKE & MODEL SERIAL NO. ENGINE NO. SPEEDOMETER READING " CONDITION	(42) 7274 ⁷ Mercury (40) 1D5930	TIRE NUMBERS 5
EXTRA EQUIPMENT		Seat Covers Manifold Heater
DESCRIPTION & CONDITION VERIFIED		Prestone Anti Freeze
	X <u>S Nakade</u> Signature of Owner Japanese Registration No. <u>04992</u>	
	Handed over to representative of Custodian whose signature in receipt thereof appears hereunder	
	<u>J. A. Brown</u>	
DATE:	Mar 9	
		<u>K.B. Goodfellow</u> SIGNATURE OF MEMBER SUBMITTING REPORT

EX251-40

DATE
1 Mar 1948
FILED BY

J.W.G.Hunter
Shinichi NAKADE
c/o Mr R. Lawson,
Grand Forks, B. C.

Mar. 26, 1943

Office of the Custodian,
Vancouver, B. C.

Dear Mrs Russell:

Thank you very much for your letter about my property Lot 10 x 11 Block 12 in Steveston and offer for \$600.00. It is very cheap than the price I was offer before we evacuate.

However, if you forward me all the cash \$600.00 I will sell it. If you don't send me all the cash I think I'll just keep it as you see it is no use selling my house if I don't get all my money.

I like to find out about my boat house and ways which I build two years ago on end of Chatham St spend about \$2,500.00 the property belong to A.B.C packer so we didn't put through the Custodian.

Please let me know about this in return mail.

Thanking you I am

Yours truly

"Shinichi Nakade"

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

Date: April 10th 1948

mu
M. Sealy

251-5
EXHIBIT No. _____
DATE 1 Mar 1948
FILED BY
J.W.C. Hunter

Aug 27, 1943

Sana Hunter

Mr George Peters,
Custodian Office,
Vancouver, B.C.

Dear Sir

I have received your letter and a copy of Deed of Land to Canadian Fishing Co. yesterday.

About the offer they made are not much as I got from Mrs Nancy Trites she offered me \$800.00 and I would like to let her take it. She has been living in that house for more than twenty five years.

I am sending back this Deed of Land agreement. Please write to the Canadian Fishing about it.

Thanking you I am,

Yours truly

"S. Nakade"

m

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

Date: April 10th 1948

M. Sealy

RP 11

EXHIBIT NO. 251-6
DATE 1 mar 1948
FILED BY J. R. Mcmaster

9062

March 31, 1943.

Mr. Shinichi NAKADE,
Registration No. 04992,
Grand Forks, B. C.

Dear Sir:

We are in receipt of your letter of the 26th inst.

With regard to the condition you suggest, please know that it is the policy of the Custodian to maintain as high a credit balance as possible for all of its Japanese wards. The reason for this will be plain to you. It is the practice to disburse whatever may be needed for maintenance monthly, so that funds will not be dissipated more quickly than is necessary.

On the other hand, in any case in which there is any reason for which any person requires the funds at credit, consideration will be given. This applies to the present case. If, therefore, there is any reason why you need the whole fund to be derived from your house on Chatham Street, please so state, explaining fully. We shall not proceed with the matter of the proposed sale until we hear from you.

Inasmuch as you did not put the boathouse and ways into the charge of the Custodian, we have no knowledge of it at present, but enquiry will be made. Can you give the lot and block number of the property on which your boathouse and ways were built?

Yours truly,

P. H. Russell,
Administration Department.

PHR:NDE