Name of Claimant NAKATSU, Buntaro Case ~~034~~ 304

Custodian File 1425

REAL PROPERTY											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% there-of	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	

PERSONAL PROPERTY								
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 & Not Found & Recorded Now Missing	45% of amount in next preceding column	

NETS						
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	
			386.52 163.48		185.00	200.00

MISCELLANEOUS CHATTELS								
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	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price	
56.68	40.05	12.00	70.26%	21.66	15.22			27.22

TOTAL RECOMMENDATION	227.22

1540

CASE NO: 304

JAPANESE PROPERTY CLAIMS COMMISSION

Grand Forks, B.C.

June 2, 1948

IN THE MATTER OF THE CLAIM OF

BUNTARO NAKATSU

PROCEEDINGS AT HEARING

Original

CASE NO: 304

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 ERIC P. DAWSON, SUB-COMMISSIONER)

10 Grand Forks, B.C.

June 2, 1948

IN THE MATTER OF THE CLAIM OF

BUNTARO NAKATSU

PROCEEDINGS AT HEARING

20 APPEARANCES:

HAROLD W. McINNES, Esq.,	appearing for the Dominion Government.
A.E. COBUS, Esq.,	appearing for the Claimant.

L.A. DODD, Esq.,	Secretary to Grand Forks Sub-Commission
MRS. I.C. SMITH,	Official Interpreter
G. HAMBLETON, Esq.,	Official Reporter

30

MR. COBUS: The claim, your honour, of Nakatsu, Buntaro, No. 64 on the Secretary's list, and it becomes case No. 304, I take it, Mr. Secretary.

THE SECRETARY: Case No. 304.

HATSUE BUNTARO, a witness called on behalf of the claimant herein, being first duly sworn, testified as follows:

10 MR. COBUS: I would ask leave, your honour, to amend the claim, which is a claim for personal property only, by deleting the first three lines under 5 (e), that is, abandoning the fishing vessel claim, subject, of course, to the Terms of Reference being broadened; deleting the following lines two and three. Item 4 remains "Nets cork lines and lead lines", but the amount has been amended to $550.00.

THE COMMISSIONER: $550.00.

20 MR. COBUS: Item 5, "Chattels" remains at $100.00, and we show the credits in two amounts, the credits for nets and lines, $185.00, and the credits for chattels, $40.05, making total credits of $225.05. The net claim becomes $424.95.

DIRECT EXAMINATION BY MR. COBUS:

Q: How are you related to the claimant, Buntaro Nakatsu? A: He is my

30 husband.

Q: And he has authorized you and wishes you to give evidence with respect to the claim which he submitted, is that correct?

A: Yes.

Q: I produce to you, witness, a statement concerning the nets and lines for which your husband has submitted a claim. Did you instruct Mr. Leckie to prepare this statement for you and is that your signature there? A: Yes.

10 Q: In your statement, witness, you refer to a list attached to your statement. I produce to you a list of nets and lines. Was that list prepared by you or for you?

A: I had it written for me.

Q: And is that the list to which you make reference in your statement? A: Yes.

Q: Did you discuss the matters concerning the nets, that is, as to the type of net and the age at evacuation and the original value and the estimated value with your husband?

20

A: Yes.

Q: And are the statements contained in the statement and list attached thereto true to the best of your knowledge and recollection?

A: Yes.

MR. COBUS: I would ask leave, your honour, to file the statement concerning the nets and the list attached as one exhibit.

(STATEMENT MARKED EXHIBIT NO. 1)

30 MR. COBUS: Referring to Exhibit,1, your honour, the

witness has set out the total estimated value of the nets as being $400.00 and lines $150.00, making a total value of the nets and lines claimed $550.00. The witness says that the nets and lines were left in the warehouse of the Phoenix Cannery at Steveston, B.C. The only comment she makes is that depreciation has been allowed on these nets and lines and that she is representing her husband as to this claim. The husband is unable to be here and she has knowledge as to the facts relating to these nets and lines.

Referring to the attached list, your honour, The list the claimant was able to prepare is perhaps not the most desirable list, but it appears to have been the best she could do, and it indicates that all nets were three years old, that the lead and float lines were three years old, and that the gear was used two months in the year. The original value of the nets is lumped at $685.00, and the lead and float lines at $200.00, and the estimated value at evacuation is broken down into nets and lines as covered in the statement.

Q: Witness, I produce to you a statement concerning the personal chattels for which your husband is making a claim. Did you instruct Mr. Leckie to prepare this statement and is that your signature? A: Yes.

Q: Are the statements true to the best of your knowledge and recollection? A: Yes.

Q: In your statement you make reference to a list of chattels for which claim is being made. I produce to you a list showing a series of items with a limited number of details to the right of it, and showing an estimated value for all of the items at the date of evacuation to be $100.00. Did you prepare this list or have it prepared for you?

A: Yes.

10 Q: In arriving at this figure $100.00 as representing the estimated value of all of the goods at the date of evacuation, can you tell me how you arrived at that figure?

A: I didn't quite remember what I had there, so I estimated they were worth about $100.00.

Q: Would you say they were worth more than $100.00 or is $100.00 a conservative estimate?

A: I thought that was a fair price.

MR. COBUS: I ask leave, your honour, to file the

20 statement concerning personal chattels and list attached as one exhibit.

(STATEMENT MARKED EXHIBIT NO. 2)

MR. COBUS: Referring to Exhibit 2, your honour, the goods were left in the home of the claimant at No. 4 house Phoenix Cannery, Steveston. The only comment she makes is that they have allowed for depreciation. She says that she is representing her husband in the matter of this claim as he is unable to appear. She says,

30 too, that she has full knowledge of these

chattels.

I would ask my learned friend to produce the Analysis of Personal Property Claim.

(Handed to Mr. Cobus)

MR. COBUS: I have, produced from the Custodian's file, your honour, the Analysis of Personal Property Claim for Nakatsu, Buntaro. I ask leave to file it on behalf of the Crown.

(ANALYSIS MARKED EXHIBIT NO. 3)

10 MR. COBUS: Referring to Exhibit 3, your honour, I would point out that details of the nets were returned to the Custodian on November 20, 1943, certain articles were removed to storage, and it will be seen that the items listed on that storage list are the very items for which the claimant is submitting a claim. With respect to the nets and lines for which claim is being made, and details of which are shown in column 3 of Exhibit 3, sales were made in the amount of

20 $185.00 by tender.

Would my learned friend produce the details of the sales by tender of nets and cork and lead lines?

MR. McINNES: I have a net statement here, if that is what you want.

MR. COBUS: I have, produced from the Custodian's file, your honour, a net statement concerning the nets and lines of the claimant, Nakatsu Buntaro, dated November 25, 1943, and the

30 total sales shown thereon amount to $185.00 which

corresponds with the amount shown in Exhibit 3; two nets are shown as unaccounted for, and two nets are shown appraised as of no value, November 4, 1943.

I would ask to file the net statement on behalf of the Crown.

(STATEMENT MARKED EXHIBIT NO. 4)

MR. COBUS: I would point out that the declaration of November 20, 1943 is matched by the net statement just filed.

10

Your witness.

MR. McINNES: It will be submitted, your honour, in the first place, that the nets were never declared in the J.P. form. It was only after repeated letters from the Custodian that we got the information about the nets a year and a half later. Those nets which were found and accounted for and which were saleable were sold for their fair market value. With regard to the list of chattels, it is submitted that these were sold for their fair market value.

20

I see no object in cross-examining this witness because it is obvious she knows nothing about the nets.

MR. COBUS: Q: Witness, can you tell me whether you or your husband gave the Phoenix Cannery a list of the nets and lines which you left there?

A: Yes, I gave it to the Custodian. I gave them a list of the things and told them that I had left it at the Phoenix Cannery.

30

Q: Yes, I know. I didn't ask that. I would like to know whether you or your husband, at the time you put the nets into the Phoenix Cannery, had given anyone at the cannery a list of these nets at the cannery.

A: I don't know.

MR. COBUS: That is all, your honour.

THE COMMISSIONER: Well, that is all for the present then, thank you, witness.

10 (Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

Gordon Hambleton

G. Hambleton
Official Reporter

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

Eric P. Dawson

E.P. Dawson
Sub-Commissioner

20

30

64 DEC 23 1947 Claim 304

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

1425

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

(1) NAME Nakatsu (Print) Surname Buntaro Given Name (RCMP) Reg. No. 02513.

(2) Pre-Evacuation Address NO.4 House, Phoenix Cannery, Steveston, B.C.

(3) Present Address P.O.Box 386, Greenwood, B.C. Grand Forks

(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
Chattels left at NO.4 House, Phoenix Cannery, Steveston, B.C.

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

(c) How stored or packed at time of evacuation Chattels pcked in carton or wooden boxes in the house and netsor lines left cannery net house.

(over)

4 GM

(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")

Under Custodian's care.

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

1. ~~Fishing vessel with gas engine~~ Estimated Value $ ~~800.00.~~
2. ~~Sold by Custodian $350.00.~~ Estimated Value $
3. ~~Received by cheque $317.73.~~ Estimated Value $
4. Nets, cork lines and lead lines Estimated Value $ ~~810.00.~~ 550.00
5. Chattels Estimated Value $ 100.00.
6. Received by cheque for nets and chattels ~~$818.20.~~ Estimated Value $
7. Net & Lines 185 Estimated Value $
8. Chattels 40.05 Estimated Value $
9. 225.05 Estimated Value $
10. Estimated Value $

TOTAL CLAIM FOR PROPERTY LOSS $ ~~1,173.98.~~ 650.00

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) - $ ~~1,173.98~~ 1,424.05

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

Greenwood prefer Nelson if neccessary.

(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, Buntaro Nakatsu of the City
of Greenwood 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 Greenwood)
in the Province of B. C.)
this 8th day of December)
A.D. 1947.)

B Nakatsu

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.

Notary Public in & for the Province of British Columbia, Canada.

B Nakatsu —
(Claimant's Name)
per Mrs H Nakatsu

PERSONAL PROPERTY
(Fishing vessels, gear and equipment)

02513
Reg. No.

NETS:

Type	Size	Mesh	Fathoms	Age at Evacuation	Original Value	Estimateded value at Evacuation

For nets and lines claimed see list attached

Total est value — nets — $400.00
lines — 150.00
Total claim $550.00

VESSELS SOLD BY CUSTODIAN

NAME	Reg. No.	Type	Date Purchased	New or Used	Price Paid	Maintenance Work	Condition When Evacuated	With whom left	Estimated Value

n/a

EXHIBIT No. 304-1
DATE 2 June 1948
FILLED BY Claimant

Improvements to Vessel since date of purchase:

Type	Date	Cost

n/a

OTHER GEAR:

Description	Date Purchased	New or Used	Price Paid	Condition when Evacuated	Estimated value at date of evacuation

n/a

Arrangements made for storage when evacuated: Nets and lines were left in the warehouse of Phoenix Cannery at Steveston, BC

Additional Comments, if any: Depreciation has been allowed on these nets and lines. I am representing my husband as to this claim who is unable to appear and have knowledge as to the facts relating to these nets and lines.

H. Nakatsu
SIGNATURE

Reg No.02513

Nakatsu, Buntaro

Claimant Name

Net Type	Size	Mash	Fathoms
Sockeye net	6 1/2	50	150
Spring net	8	40	80
Spring net	8	40	30
Sockeye net	5 1/2	50	150
Sockeye net	6	50	75
Dogsalmon net	7	45	140
Sockeye net	5 1/2	50	200
Cohoe net	6 1/2	50	75
Sockeye net	5 1/2	50	150
Sockeye net	5 3/8	50	50
Spring net	8	40	20
Spring net	8	40	30
Lead Line	600 Fathoms		
Float Line	600 Fathoms		

Age at Evacuation	Original Value	Estimated Value at Evacuation
All net 3 years old	$685.00	~~$400.00~~
Lead & Float Lines 3 years old Used 2 months in a year	$200.00	~~$810.00~~ 150.00
		some part of net replaced every year

Total est value - $550.00

EXHIBIT No. 304-1

DATE 2 June 1948

FILLED BY Claimant

B Nakatsu
(Claimant's Name)
per Mrs H Nakatsu (wife)

PERSONAL CHATTELS

027-13
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
For all chattels claimed see list attached hereto - Total est value					$ 100.00

EXHIBIT No. 304-2
DATE 2 June 1948
FILLED BY Claimant

Description of Storage of Goods:
These goods were left in our home # 4 Lane Phoenix Cannery, Steveston

General Statement as to Chattels not Described above:
all claimed are as per list attached.

Additional Comments, if any: No allowance for depreciation. - I am representing my husband in the matter of this claim as he is unable to appear. I have full knowledge as to these chattels

H. Nakatsu
SIGNATURE

Nakatsu, Buntaro
(Claimant's Name)

PERSONAL CHATTELS

02513
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 Carton Old Clothes 1 Cross Cut Saw 8' 1 Sewing Machine 2 Ironing Board 1 Bread Tray 1 Small Box Junk 1 Wicker Basket Clothes 1 Box Kitchenware 1 Box Sundries 1 H&M. Stool 1 Box Kitchenware 1 Carton Kitchenware 2 Boxes Fishing gear 1 Box Kitchen Utensils 1 Crock (3gal.) 1 Crock (5gal.) 2 Axes 1 Carton Sundries	All chattels 2 or 3 years old	New	$300.00.	Good	$100.00.

~~Description of Storage of Goods:~~

1 Ever-ready Hot shot Battery
1 Tin Sundries(small)
3 Cushions
1 Carton Patterns
1 Shoe box
1 Trunk old clothes
1 Heater
2 H.M.Tables

~~General Statement as to Chattels not Described above:~~

1 Bureau
1 Single bed & spring
5 Chairs
2 Arm chairs
1 C.O.Lamp
1 Broom

EXHIBIT No. 304-2
DATE 2 June 1948
FILLED BY Claimant

stored ~~at~~ in living house, Phoenix cannery, Steveston, B.C.

Additional Comments , if any:

SIGNATURE

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No 1425 EXHIBIT No.

NAME NAKATSU, Buntaro REG. No. 02513

DATE	INVENTORY	DETAILS OF CLAIM		SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND
DECLARATION Apr.3/42 EVACUATION June 1/42	Storage List #62 TAKEN BY DATE June 26/42			AUCTION	TENDER &c		
In Cannery House at Steveston, B.C.	1 Ctn. Old Clothes 1 Cross Cut saw 8' 1 Sewing Machine	Fishing Vessel with gas engine Sold by Custodian $350.00 Received by cheque 317.73	800.00		325 00		
Furniture Household effects Kitchen utensils	2 Ironing Boards 1 Bread Tray 1 Small box junk 1 Wicker basket clothes						
In Custody at New Westminster, B.C.	1 Box Kitchenware 1 Box sundries 1 H.M. Stool	Nets, cork lines and lead lines	810.00		185 00		
1 Gas Boat 7 H.P. "East Hope" Engine 28'x7' Approx.value $800.00	1 Box Kitchenware 1 Carton kitchenware 2 Boxes fishing gear 1 Box Kitchen utensils 1 Crock (3 gal) 1 Crock (5 gal) 2 Axes	Chattels Received by cheque for nets and chattels $218.20)	100.00	40 05			
Declared Nov.20/43.	1 Carton sundries 1 EverReady Hot Shot Battery						
Sockeye Net: 50M,6½MD 150F ($150.00) Spring Net:40M,8MD,80F, ($50.00) Spring Net: 40M,8MD,30F, ($25.00) Sockeye Net:50M,5½MD,150F ($25.00) Sockeye Net:50M,6MD,75F, ($70.00) Dogsalmon Net:45M,7MD, 140F, ($170.00) Sockeye Net: 50M,5½MD, 200F,$30.00) Cohoe Net:50M,6½MD, 75F, (40.00) Sockeye Net:50M,5½MD,150F (70.00) Sockeye Net:50M,5⅝MD,50F, ($30.00) Spring Net: 40M,8MD,20F ($10.00) SpringNet:40M,8MD,30F, ($15.00) Lead Line:600F ($100.00) Float Line 600F($100.00)	1 Tin sundries (small) 3 Cushions 1 Carton patterns 1 Shoe box 1 Trunk old clothes LEFT In the House: (Abandoned as worthless) 1 Heater 2 H.M.Tables 1 Bureau 1 Single bed & spring 5 Chairs 2 Arm Chairs 1 C.O.Lamp 1 Broom						

1425 EXHIBIT No. CASE No.

02513 VENUE

SALES								REMARKS
	TENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD	
	325 00							Sold by JFVDC - Boat released for use by JFVDC on June 6/42. Agreement for Sale signed 23rd July, 1942.
	185 00							See Net Statement giving disposition of nets. NAKATSU's nets first declared Nov.20/43 at our request Oct.12/43, Nov.15/43.
05								Chattels: List ofChattels-as per Col#2- was signed by Buntaro NAKATSU as representing all his chattels in the Protected Area. No other declaration of chattels was made to the Custodian, nor did he ever request information from this office. July 31 & Sept.10/42 this office wrote him asking for comments or further information about goods left in Protected Area. No answer to these letters was received.

EXHIBIT No. 304-3
DATE 2 June 1948
FILLED BY Crocow

C
O
P
Y

NAKATSU, Buntaro,
Reg. No. 02513,
File No. 1425.

November 25, 1943.

NET STATEMENT

Cust. No.	Description	Japanese Value	Purchase Price
387	6½ x 50 - 150 fa	$150.00	$ 30.00
379	8/40 x 8½ x 50 - 80	50.00	10.00
380	8/40 x 8 x 40 - 30	25.00	15.00
383	5/40 x 5½ x 35 - 50	25.00	5.00
378	6/50 x 6½ x 50- 75	40.00	14.00
381	5/40 x 5½ x 50 - 150	75.00	20.00
377	5/40 x 5⅝ x 50 - 50	30.00	12.00
364	8 x 40 - 30	15.00	8.00
372	200 fa. cork line		20.00
373	cork line		5.00
365	cork line		6.00
366	cork line		5.00
367	cork line		5.00
369	200 fa. lead line		20.00
370	lead line		5.00
371	lead line		5.00
	Total Sales.....		$185.00

UNACCOUNTED FOR

386	5/60x 7 x 45 - 140	$ 170.00
375	5/40 x 6 x 50 - 75	70.00

Appraised as of No Value Nov. 4/43.

382	5/40 x 5½ x 50 - 200	$ 30.00
385	8 x 40 - 20	10.00

/ms

EXHIBIT No. 304 - 4
DATE 2 June 1948
FILLED BY Crocow