

Name of Claimant TAMAKI, Ichitaro

Case 328

Custodian File 4060 & 3297

<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		
						% of Total	Amount			
<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			
377.50	157.30	47.19								47.19
TOTAL RECOMMENDATION										47.19

CASE NO: 328

JAPANESE PROPERTY CLAIMS COMMISSION

Grand Forks, B.C.

June 8, 1948

IN THE MATTER OF THE CLAIM OF

(MRS) ICHITARO TAMAKI

PROCEEDINGS AT HEARING

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
(HIS HONOUR, JUDGE M.M. COLQUHOUN, SUB-COMMISSIONER)

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Grand Forks, B.C.
June 8, 1948

IN THE MATTER OF THE CLAIM OF
(MRS) ICHITARO TAMAKI

PROCEEDINGS AT HEARING

20 APPEARANCES:

HAROLD W. McINNES, Esq.,	appearing for the Dominion Government
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A.E. COBUS, Esq.,	appearing for the Claimant
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L.A. DODD, Esq.,	Secretary to Grand Forks Sub-Commission
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MRS. I.C. SMITH,	Official Interpreter
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G. HAMBLETON, Esq.,	Official Reporter
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I. Tamaki
In Chief

MR. COBUS: The claim, your honour, of Tamaki, Ichitaro, No. 95 on the Secretary's list.

(MRS) ICHITARO TAMAKI the claimant herein, being first duly sworn, testified through the official interpreter as follows:

MR. COBUS: I would ask leave, your honour, to amend this claim by deleting the items under 5 (e); those are abandoned in toto; and under 4 (e)
10 (3), that item of \$1200.00 has been amended to read \$477.50 and that is for store fixtures only. There is no claim for goodwill. We credit the Custodian with \$156.55, leaving a net and total claim herein of \$320.95.

THE COMMISSIONER: Amendment allowed.

DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I produce to you a statement concerning the store fixtures for which you have submitted a claim. Did you instruct Mr. Leckie to
20 prepare this statement for you and is that your signature?

THE WITNESS: A: Yes.

Q: And in your statement you make reference to a list of items, the value of which you estimate to be \$477.50 in your statement. I produce to you a list. Is this the list to which you make reference?
A: Yes.

Q: Is the information contained in your statement and in the attached list true to the best of
30

I. Tamaki
In Chief

your knowledge and recollection?

THE INTERPRETER: A: Yes.

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

(STATEMENT AND LIST MARKED EXHIBIT NO. 1)

MR. COBUS: Referring to Exhibit 1, the statement
portion of exhibit 1, the witness says that the
goods claimed were left in the store at 501
Burrard Street, Vancouver, and were later moved
10 by the Custodian to his storage at 992 Powell
Street, Vancouver. The only comment she makes
is that she has allowed for depreciation on the
articles claimed.

Would my learned friend produce the signed
inventory dated August 31, 1942, signed that
is, by the claimant?

MR. McINNES: Yes. I produce, your honour, a signed
inventory, purporting to be signed by Mrs.
I. Tamaki, dated the 31st of August '42, headed,
20 "Goods on Hand at 992 Powell Street."

MR. COBUS: Q: Witness, I produce to you a list of
articles dated August 31, 1942. From whom did
you receive this list? Perhaps I had better go
back on that -- is that your signature?

THE WITNESS: A: Yes.

Q: From whom did you receive this list?

A: From the Custodian.

Q: You received it from the Custodian?

A: Yes.

30 Q: And you signed it and returned it? A: Yes.

MR. COBUS: I file the signed inventory as the next exhibit, your honour.

(INVENTORY MARKED EXHIBIT NO. 2)

MR. COBUS: I don't think the Analysis in this case is of much assistance, your honour, since we have abandoned the items under "Personal Property" on the claim form.

Your witness.

10 CROSS EXAMINATION BY MR. McINNES:

Q: You had had these two cash registers that you claim since 1935? A: Yes.

Q: They were second hand, of course, when you bought them? A: Second hand.

Q: Who did you buy them from?

A: When we bought the store.

Q: I beg your pardon? A: 1935, when we bought the store, that time I bought them.

Q: Oh, I see, you took them over as part of the store. A: Yes.

Q: What kind of a store was this? A: Grocery and confectionery.

Q: And you bought it as a going concern in 1935?

A: Yes.

Q: Now, when you bought it, did you just pay a lump sum price, if you know what I mean, for the whole business? A: I paid for the fixtures and the groceries.

Q: Well, you just paid so much money for the whole thing, did you? A: Yes.

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I. Tamaki
Cross exam

Q: Do you understand me? A: Yes.

Q: How much did you pay? A: \$2000.00.

Q: \$2000.00. So that when you say here in this list that you paid \$85.00 for the two cash registers, actually, you don't know how much you paid for them, do you? A: Oh, yes, the man figured how much. \$1000.00 I paid for the fixtures.

Q: Yes, but you paid \$2000.00 for the whole thing, cash registers, business and all. A: No.

10 \$1000.00 I paid for the groceries.

Q: Yes. A: \$1000.00 on the fixtures.

Q: \$1000.00 for the fixtures? A: Yes.

Q: I see. That was in 1935? A: Yes.

Q: You were evacuated in 1942? A: Yes.

Q: So that you had the use of these fixtures for seven years? A: Yes.

Q: Is that right? A: Yes.

Q: And you were in business all that time?

20 A: Yes.

Q: Well, now, you are claiming here for a meat slicer and a table, you are claiming \$70.00.

A: Yes.

Q: And you say that in 1935 you paid \$100.00 for those. A: I bought that one.

Q: I beg your pardon? A: I bought that one myself.

Q: You bought that yourself? A: Yes.

30 Q: Well, you say here you got it approximately in 1935 and it was second hand when you bought it.

I. Tamaki
 Cross exam
 Re-Direct exam

A: Yes, I bought it.

Q: Where did you buy it? A: I don't know
 the name of the second hand store.

Q: You bought it from a second hand store?

A: Yes.

Q: And you paid them \$100.00 for it? A: Yes.

Q: And you used this meat slicer then for seven
 years? A: Yes.

10 Q: What about these three showcases? A: They
 were all bought with the store.

Q: You bought them with the store?

A: Yes.

Q: That was part of your \$1000.00.

A: Yes.

Q: For the fixtures. A: Yes.

Q: And they were in the store, of course, for seven
 years? A: Yes.

MR. McINNES: That is all, thank you.

20 RE-DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, in that list of articles for which you
 are claiming, I notice one item purchased in
 1941 and another one purchased in 1940, another
 one purchased in '37. I take it that those
 articles were not purchased with the business;
 you bought those separately? A; I bought
 them myself, yes.

Q: Later. A: Yes.

30 Q: When you bought the business for \$2000.00, I
 understood you to say that \$1000.00 was for mer-

chandize and \$1000.00 was for store fixtures.

A: Yes.

Q: At the time of purchase, were you given a list of the store fixtures that were there?

A: Well, I haven't got any list.

Q: You may not have it, but were you given one then? Perhaps you don't remember.

A: Yes.

MR. COBUS: All right. Nothing more, your honour.

10 If it please your honour, it seems to me we should have in the auction sheets, if the Crown wouldn't mind producing them. There are three yellow sheets indicating the sales which were made by the Custodian, and it will be noted by the Commissioner that she is not claiming for all of the items, but that all of the items can be found somewhere on the three sheets.

MR. McINNES: I only have two auction sheets. No, here is the other.

20 At the request of my friend, your honour, I am filing three auction sheets covering March 23, 1944, March 24, 1944, and September 15, 1943, as one exhibit.

(AUCTION SHEETS MARKED EXHIBIT NO. 3)

THE COMMISSIONER: That is all, then.

MR. McINNES: Your honour, through an inadvertence, I omitted to make my submission in this case, that the goods of this claimant were sold for their fair market value.

30 THE COMMISSIONER: Very well.

(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.

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M.M. Colquhoun
M.M. Colquhoun
Sub-Commissioner

20

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Numbered, Net Claim #340.95 328
8/6/48, M.M.C.

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]

4060
J. J. J. Nelson

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

(1) NAME TAMAKI ICHITARO
MRS ICHITARO TAMAKI (RCMP) Reg. No. 00031
(Print) Surname Given Name

(2) Pre-Evacuation Address 501 BURRARD ST. VANCOUVER, B.C.

(3) Present Address GREENWOOD, B.C. CANADA

(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 CONFICIONARY & GROCERY
- (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) - - - - - \$ 1,200
- (iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - \$ X
- (v) Amount at which Custodian sold property and credited your account - - - \$ 145.47
- (f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 725.73

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation 573 East Hastings St - Vancouver B.C.

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

(c) How stored or packed at time of evacuation
pasteboard Box.

30A

(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")

The custodian

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

1.	<i>chiffonier</i>	Estimated Value \$	<i>25.00</i>
2.	<i>coat closet</i>	Estimated Value \$	<i>18.00</i>
3.	<i>Bed & Spring</i>	Estimated Value \$	<i>25.00</i>
4.	<i>Groceries</i>	Estimated Value \$	<i>25.00</i>
5.	<i>Kitchen Utensils</i>	Estimated Value \$	<i>15.00</i>
6.		Estimated Value \$	
7.		Estimated Value \$	
8.		Estimated Value \$	
9.		Estimated Value \$	
10.		Estimated Value \$	

TOTAL CLAIM FOR PROPERTY LOSS \$ *108.00*

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) - - - - - \$ *833.73*

(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

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, Ichitaro Tamaki of Greenwood in the City of 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 18th day of November)
A.D. 1947.)

Mrs Ichitaro Tamaki

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*

Mrs. Ichitaro Tamaki
(Claimant's name)

PERSONAL CHATTELS

00031.
Reg No.

<u>Description of Major Items (and particularly of goods lost, stolen or destroyed)</u>	<u>Approximate date Purchase</u>	<u>New or Used When Purchased</u>	<u>Price Paid</u>	<u>Condition when Evacuated</u>	<u>Estimated value at date of Evacuation.</u>
2 cash registers	1935	used	\$85.00	good	\$60.00
1 meat slicer and 1 table	1935	used	100.00	good	70.00
3 show cases	1935	used	150.00	good	100.00
1 cookie display	1935	used	15.00	good	10.00
1 coco cola box		used	20.00	good	15.00
2 magazine display	1936	new	14.00	good	9.00
2 magazine hangers	1936	new	7.00	good	5.00
2 counters	1935	used	85.00	good	60.00
2 tables and 2 chairs	1935	used	15.00	good	5.00
1 vegetable display case	1941	new	28.00	good	20.00
1 post card display		new	5.00	good	3.50
2 awnings	1940	new	65.00	good	50.00
2 bottle syrup containers	1935	used	14.00	good	10.00
1 cigar display case	1935	used	10.00	good	5.00
1 wrapping paper stand	1936	used	10.00	good	5.00
1 gas stove and pipes	1936	new	50.00	good	30.00
3 grocery display tables	1937	new	30.00	good	20.00
			<u>\$703.00</u>	Total	<u>\$477.50</u>

EXHIBIT No. 328-1
DATE 8 June 1948
FILLED BY claimant

SIGNATURE.

Mrs I Tamaki
(Claimant's Name)

PERSONAL CHATTELS

00031

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 items claimed (confectionery & store fixtures) see itemized list attached -					477.50

EXHIBIT No. 328-1
DATE 8 June 1948
FILLED BY Claimant

Description of Storage of Goods: The goods claimed were left in the store at 501
Burrard St, Vancouver and later moved by the Custodian to
his storage at 992 Pausell St, Vancouver

General Statement as to Chattels not Described above:

— none claimed except as noted on list attached. —

Additional Comments, if any:

I have allowed for depreciation —

Mrs Ichitaw Tamaki
SIGNATURE

EXHIBIT No. 328 - 2

DATE 8 June 1948

FILED BY

Crown

August 31st, 1942

File No. : 4060

Name: Mrs Ichitaro Tamaki,

Reg. No. : 00031

GOODS ON HAND AT 992 POWELL STREET

1. 2 Cash Registers ✓
2. 2 Drink Fountains ✓
3. 4 Show Cases ✓
4. Small Show case ✓
5. 1 table ✓
6. 4 Small Tables "(2)" ✓
7. Show Case ✓
8. Table ✓
9. Glass Counter ✓
10. 2 Counters ✓ "(abandoned)"
11. Coco Cola Case ✓
12. 3 Counters ✓ "(abandoned)"
13. Biscuit Display ✓
14. Meat Slicer ✓
15. 1 Stand ✓
16. Canada Display Rack ✓
17. Glass Jars etc. ✓

This is all the property I have in the restricted area of British Columbia.

Signed... "Mrs. I. Tamaki".....

*Closing personal property on this file
since sold at auction Nos. 1, 14, 15 & mostly
accounted for. S.P.*
I hereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy.

Aug. 31, 1948

C. McBlighan
m.a.

Original sent - See Oct 31/44.

NAME: TAMAKI, Ichitaro

REGISTRATION No. 00158

FILE NO. 3297

The following chattels were sold by public
auction at 992 Powell, Vancouver, B. C. on March 3, 1944.

Counter glass case	\$ 1.75
Tools	1.00
Gas Stove	23.00
Wall show case	2.00

EXHIBIT No. 328-3
 DATE 8 June 1948
 FILED BY Grown
 C.M.

Total		\$ 27.75
Less Expenses:	(Auctioneer's Fee; \$2.75	\$
)Advertising: 0.64	5.09
	(Moving: 1.67	
Net Proceeds Credited:		\$ 22.66

Members of Custodian Staff Present. Mr. Wills

Extracted from Auctioneering List No. Vancouver 14

Remarks: "Goods removed from B. C. Purchasers warehouse"

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

Aug. 31, 1948

m.a. C. McLaughlin

Original sent - see Oct 31/44

NAME: TAMAKI, Ichitaro

REGISTRATION No. 00158

FILE NO. 3297

The following chattels were sold by public auction at 992 Powell, Vancouver, B. C. on March 24, 1944

Glass shelving	\$ 0.25
Carton of trays	1.10
Door Jam	3.50
Hand saw	1.50
Hatchet	1.50
Advertising Stand	0.50
5 Boxes of Bottles	3.25
Galvanized tub & contents	1.50
5 Chairs	2.00
Bread box and lamp	0.70

Total	\$ 15.80
Less Expenses: (Auctioneer's Fee; \$1.58	
(Advertising: 0.37	\$ 2.98
(Moving: 1.03	
Net Proceeds Credited:	\$ 12.82

Members of Custodian Staff Present. Mr. Wills

Extracted from Auctioneering List No. Vancouver, 15

Remarks: "Goods removed from B. C. Purchasers warehouse"

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

Aug. 31, 1948

m.a. C. McLaughan

Original sent - see Oct 31/44

NAME: TAMAKI, Ichitaro (Mrs.)

REGISTRATION No. 00158

FILE NO. 3297

The following chattels were sold by public

auction at Vancouver, B. C. on September 15, 1943.

Cash Register	\$15.00
Cash Register	43.00
Meat Slicer	32.00
Bench	.25
Table	1.00
Show Case	16.00
3 Display Racks	.25
2 Tables	1.50
Glass bowl & 2 Jars	2.00
Coca Cola Case	4.00
Counter	.50
Show Case	1.00
Show Case	7.00
2 Glass Bowls & Stand	2.00
Iron Rack	1.00
Biscuit Case	.80
Drain Board Stand	.50

Total		<u>\$127.80</u>
Less Expenses:	(Auctioneer's Fee: \$12.78	\$
	(Advertising: 4.45	\$
	(Moving: 7.46	<u>28.44</u>
	(Rent: 3.75	
Net Proceeds Credited:		<u>\$ 99.36</u>

Members of Custodian Staff Present. Mr. Wills

Extracted from Auctioneering List No. Vancouver 1.

Remarks: "Goods removed from 501 Burrard"

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

Aug. 31, 1948

C. McHugh