

REAL PROPERTY										
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
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 & Recorded Now Missing		45% of amount in next preceding column		
						% of Total	Amount		% of Total	Amount
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
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	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
427.50	185.60	55.68	43.41	131.40 131.40	57.05 57.05					112.73
TOTAL RECOMMENDATION										112.73

CASE NO: 336

JAPANESE PROPERTY CLAIMS COMMISSION

Grand Forks, B.C.

June 9, 1948

IN THE MATTER OF THE CLAIM OF

NAOYE YAMASHITA

PROCEEDINGS AT HEARING

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 M.M. COLQUHOUN, SUB-COMMISSIONER)

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Grand Forks, B.C
June 9, 1948

IN THE MATTER OF THE CLAIM OF
NAOYE YAMASHITA

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

G.N.R. UPTON, Esq., Official Interpreter

G. HAMBLETON, Esq., Official Reporter

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N. Yamashita
In Chief

MR. COBUS: The claim, your honour, of Yamashita,
Naoye, which is No. 110 on the Secretary's list.

THE COMMISSIONER: No. 336.

NAOYE YAMASHITA, the Claimant herein, being
first duly sworn, testified
through the official inter-
preter as follows:

10 MR. COBUS: I would ask leave, your honour, to amend
the claim which is a claim for personal property
only by showing a new value for chattels of
\$621.00 less 10% depreciation -- that is how
she has arrived at her estimated value -- leav-
ing an estimated value of \$558.90. We show a
credit to the Custodian of \$260.60, leaving the
net claim \$298.30.

THE COMMISSIONER: Amendment allowed.

DIRECT EXAMINATION BY MR. COBUS:

20 Q: Witness, I produce to you a statement concerning
the personal chattels for which you are submitting
a claim. Did you instruct Mr. Leckie to prepare
that statement and is that your signature?

A: Yes.

Q: Are the statements contained herein true to the
best of your knowledge and recollection?

A: Yes.

MR. COBUS: I would ask leave to file the statement
concerning personal chattels as the first exhibit.

(STATEMENT MARKED EXHIBIT NO. 1)

30 MR. COBUS: Referring to that exhibit, the claimant has

N. Yamashita
In Chief

listed all of the items for which she is making claim, showing the details with respect to each item, including price paid, and the estimated value as shown as a total of \$558.90 which is the cost price less 10% depreciation.

Q: Witness, in your statement you show that all of these goods were purchased in December, 1941.

THE WITNESS: A: Yes.

Q: Were you married in 1941? A: Yes.

10 Q: You were married in December, 1941?

A: Yes.

MR. COBUS: Well, that explains that. She says that the chesterfield suite and bedroom suite were left at the home of Y. Oye at Chatham Street, Steveston, B.C., the other articles were left in the house at Chatham Street and Dyke Street where she was living with her father, and mother-in-law, Mr. and Mrs. Yamashita. She says that they were all evacuated in May of 1942 and,
20 when leaving, the house was locked and the windows boarded. In her J.P. form she declared the location of her chattels as now stated. She is informed that the Custodian states that he wrote her father and mother-in-law in 1943, 1944, and 1945 inquiring about her chattels left at Chatham Street, Steveston. During those years she says she was living in Slocan City. She adds that her father and mother-in-law never informed her about those letters and the Custodian never wrote her at any time concerning
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N. Yamashita
In Chief

the chattels. She says she knows nothing about those letters.

If my learned friend would produce the Analysis of Personal Property Claim.

(Handed to Mr. Cobus)

MR. COBUS: I ask leave to file the Analysis of Personal Property Claim on behalf of the Crown.

(ANALYSIS MARKED EXHIBIT NO. 2)

10 MR. COBUS: The analysis indicates in the first column, which is taken from the J.P. form by the Custodian, that certain goods declared on April 23, 1942 were stored at Y. Oye's at Chatham Street, Steveston, B.C., and certain other chattels were left at Chatham and Dyke Street, Steveston, B.C. Her claim column on the analysis sheet under "Details of Claim" agrees with the now amended list of goods save for one item, the very last item in the list there, the new cookstove, which is abandoned, and all other
20 goods remain.

Your witness.

MR. McINNES: It will be submitted, your honour, that certain of the goods in respect of this claim were left supposedly at the home on Dyke Street never came into the possession of the Custodian and therefore do not come within the Terms of Reference. As to the remaining goods, it will be submitted the same were sold for their fair market value.

CROSS EXAMINATION BY MR. McINNES:

Q: Mrs. Yamashita, these goods were purchased by you personally, were they?

A: Yes.

Q: Prior to or following your marriage?

A: Before my marriage.

Q: You married in December, 1941? A: Yes.

Q: You paid for them yourself? A: Yes.

Q: Where did you buy this chesterfield suite?

10 A: Woodward's.

Q: In Vancouver? A: Yes.

Q: And you paid \$150.00 for it? A: Yes.

Q: Did you buy it with cash or did you have a bank account to write a cheque?

A: Cash.

Q: What business were you in that enabled you to pay accounts like this? A: I was working at the cannery, but I received the money from my mother.

20 Q: Yes. And that is the amount, and I suppose you used this chesterfield suite from September 1941 until you were evacuated, is that right?

A: Yes.

Q: When were you married? A: December, 1941.

Q: In that month, December? A: December, 1941.

Q: And you and your husband lived together at Steveston, is that right? A: Yes.

30 Q: Where is your husband now? A: Greenwood.

Q: Now, did you buy the other articles at Woodwards as well; for instance, the bedroom suite, \$250.00? A: Restmore Company.

Q: Yes. Did you pay for that in cash, too?

A: Yes, cash.

Q: Now, in your J.P. form you refer to -- well, let me put it this way: In your claim form you have attached a list and you refer to a new cookstove, \$150.00. A: Yes.

10 Q: Now, that cookstove is not referred to in your J.P. form.

MR. COBUS: My friend knows, of course, your honour, that the cookstove has been abandoned.

THE COMMISSIONER: I understood that.

MR. COBUS: It is not in issue now.

MR. McINNES: Would you mind if I cross-examined on it?

MR. COBUS: Well, I see no point in it, your honour.

THE COMMISSIONER: We may presently.

20 MR. McINNES: Q: Is that your signature on the J.P. form? A: Yes.

Q: You sold this stove yourself, did you not; you arranged the sale of it to Erickson, is that right? A: Yes. Somebody came from the Custodian and said that they would sell it.

Q: For \$75.00? A: Yes.

Q: And you agreed to that? A: Yes.

Q: Now that was a new stove? A: Yes.

30 Q: Where did you buy that stove?

A: At Mac and Mac.

Q: You bought that in December, 1941, too?

A: Yes.

Q: Did you pay cash for it? A: Yes.

Q: \$150.00? A: Yes.

Q: And you consented to the sale of it for \$75.00 to Erickson? A: Yes.

Q: Is that right? A: Yes.

MR. McINNES: Perhaps my learned friend will now
10 understand what I was leading to. Thank you,
that is all.

RE-DIRECT EXAMINATION BY MR. COBUS:

Q: In answer to the question about the sale of the stove, witness, when you say you sold the stove, what you meant in fact was that you consented to the sale of the stove by the Custodian.

MR. McINNES: I think that is what my question said.

20 MR. COBUS: That is correct. I wanted to make certain that I understood it, Mr. McInnes. I might say that that is shown on the Analysis of Personal Property Claim as having been sold by tender for \$75.00 and we have abandoned the claim, for good reason.

Your honour, if my learned friend could, would he tell me the date of the first inquiry made by the Custodian respecting the chattels and to whom the inquiry was directed?

30 MR. McINNES: Well, I don't understand my friend.

N. Yamashita
Discussion

MR. COBUS: The note on the analysis sheet, if you look at it, you will find there is a remark to the effect that certain inquiries were instituted by the Custodian on certain dates in July -- whether it is July in each of the years -- in 1943, 1944, and 1945.

MR. McINNES: I would say the first inquiry was dated July 27, 1942 when Mr. Mather took an inventory.

10 MR. COBUS: I am making reference to the remark on the Analysis sheet on the extreme right-hand corner.

MR. McINNES: I have no information.

THE COMMISSIONER: Well, the language in the column referred to is quite clear, Mr. Cobus.

MR. COBUS: Except, your honour, I want to make certain that the letters were not addressed to the claimant.

20 THE COMMISSIONER: Well, the only evidence before the Commission is that they were addressed to her parents-in-law.

MR. COBUS: That is the evidence, your honour, of the claimant.

THE COMMISSIONER: That is the only evidence.

30 MR. COBUS: Yes. It seems very strange that the file wouldn't contain carbon copies of such letters, and if my friend won't admit that the inquiries were directed to the parents, then I would ask that he produce these letters before the hearings in Vancouver. Perhaps my friend will admit

that.

MR. McINNES: Well, I haven't any more information, your honour, than my friend has. All I know is what is contained on the analysis. There is no correspondence.

MR. COBUS: Would my learned friend undertake to produce copies of the letters to which those inquiries and the remarks in the remarks column of the analysis sheet refer?

10 MR. McINNES: If there are such letters I will undertake they will be produced.

MR. COBUS: Then will my learned friend indicate or undertake to explain the type of inquiry that is referred to?

MR. McINNES: I can't go any further than I have gone.

THE COMMISSIONER: That is fair. He undertakes to produce them if found.

MR. COBUS: Well, then, of course I will take objection to that remark, certainly, if any evidence
20 is adduced or attempted to be adduced that any inquiry was directed to this claimant.

MR. McINNES: Which remark?

MR. COBUS: The remark in the analysis sheet.

MR. McINNES: I don't know anything about that.

MR. COBUS: I am not suggesting you do.

THE COMMISSIONER: Well, that is all on the record, Mr. Cobus.

MR. COBUS: That is all.

30 THE COMMISSIONER: Are there any other documents you

want produced?

MR. COBUS: I beg your pardon?

THE COMMISSIONER: Are there any other documents
you want produced?

MR. COBUS: No, there are none.

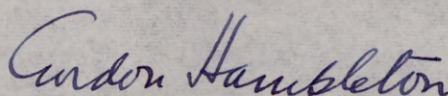
THE COMMISSIONER: All right.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

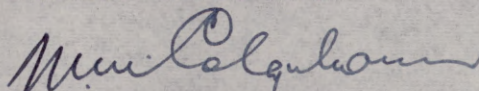
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I hereby certify the foregoing to be a true
and accurate transcript of the proceedings
herein.



G. Hambleton
Official Reporter

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



M.M. COLQUHOUN
Sub-Commissioner

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Submitted - Net Claim reduced to \$298.30

DEC - 2 1947

336

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

5243
47070/Ko

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

(1) NAME Naoye Yanashita Naoye (RCMP) Reg. No. 06246
(Print) Surname Given Name

(2) Pre-Evacuation Address Garry Point, Steveston, B.C. (681 7th Ave)

(3) Present Address P.O. Box 569, Greenwood, 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 re-
ceivable) - - - - - \$ _____
(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 _____

Left at V. Oye's, Garry Point, Steveston, B.C. where Mrs. Erickson occupied

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

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

(over)

200

(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 Mrs. P. Erickson's care and reported to the Custodian

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

1. Household furniture, see the statement	Estimated Value \$ 771.00
2. _____	Estimated Value \$ _____
3. Received from Custodian	Estimated Value \$ 220.62
4. _____	Estimated Value \$ 550.38
5. _____	Estimated Value \$ _____
6. _____	Estimated Value \$ _____
7. _____	Estimated Value \$ _____
8. _____	Estimated Value \$ _____
9. _____	Estimated Value \$ _____
10. _____	Estimated Value \$ _____

TOTAL CLAIM FOR PROPERTY LOSS \$ 550.38

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) - - - - - \$ 550.38)

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

(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, Naoye Yamashita
 of Greenwood
 of the City
 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 20th day of November)
 A.D. 1947. **LaDolts**)

N. Yamashita
 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.*

	150.00.
1 Set of Chesterfield	250.00.
1 ELECTRIC Lamp stand	10.00.
1 Table Clock	15.00.
1 Coffee table & side table	20.00.
1 Dining table	10.00.
4 Pieces bed room suite	250.00.
1 Bed side lamp	10.00.
1 Closet	10.00.
1 Table lamp	8.00.
1 Electric Clock	15.00.
Carpet	40.00.
Window shades & Curtains	30.00.
3 Cushions	10.00.
10 Chairs	25.00.
2 Irons	18.00.
1 New Cook stove	150.00.
Above goods sold by the Custodian at	
\$220.62.	

Mrs M Yamashita
(Claimant's Name)

PERSONAL CHATTELS

06426
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 chestofdrawers (3 pieces)	Dec 1941	new	150.00	used only 7 mos (good as new)	\$ 559.90
1 Electric lamp stand	"	"	10.00	"	
1 Table cloth	"	"	15.00	"	
1 coffee table (and side table)	"	"	20.00	"	
1 Dining table	"	"	10.00	"	
4 piece bedroom suite (walnut)	"	"	250.00	"	
(bed complete; chest of drawers; vanity dressing and stool)	"	"	10.00	"	
1 Bedside lamp	"	"	10.00	"	
1 closet (wardrobe)	"	"	2.00	"	
1 Table lamp	"	"	13.00	"	
1 Electric clock	"	"	40.00	"	
Rino for 3 rooms	"	"	30.00	"	
Window blinds and curtains	"	"	10.00	"	
3 cushions	"	"	25.00	"	
10 chairs	"	"	18.00	"	
2 electric irons	"	"		"	
Total cost			621.00		
			allow 10% depreciation		
					Total claim \$ 559.90 (net)

EXHIBIT No. 336-1
DATE 9 June 1948
FILLED BY Claimant

General Statement as to Chattels not Described above:

all goods claimed for
are listed above
Storage - The chestofdrawers and bedroom suite were left at the home of my
father at Chatham and Dyke St. Steveston. The other articles claimed were left in the house at
Chatham and Dyke St. Steveston, where I was living with my father and mother-in-law
and when leaving the house was locked and windows boarded. In my
comment - I am informed that the Custodian states that he wrote my father +
mother-in-law in 1943-44-45 inquiring about my chattels left at Chatham and
Dyke St. Steveston. During those years I was living in Slocan City, B.C. My father
and mother-in-law never informed me about their letters and the Custodian never
wrote me at any time concerning these chattels. I know nothing about these
letters whatsoever. I have allowed for depreciation as noted.

SIGNATURE M. Yamashita

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 5243

EXHIBIT No. _____

NAME YAMASHITA, Naoye (Mrs. Akira)

REG. No. 06246

DATE	INVENTORY	DETAILS OF CLAIM	SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND
			AUCTION	TENDER &c		
DECLARATION <u>April 23/42</u>	TAKEN BY <u>J. D. Mathers</u>					
EVACUATION <u>May 1/42</u>	DATE <u>June 27, 1942</u>					
<u>Stored at:</u>						
<u>Y.OYE'S of Chatham St.,</u>	1 3 pc. Chesterfield	1 Set of Chesterfield	150. 00	75.00		
<u>Steveston, B.C.</u>	1 Bureau	1 Electric Lamp Stand	10. 00			
	1 Chiffonier	1 Table Clock	15. 00			
1 Living room suite	1 Small Table	1 Coffee table & side				X
Bedroom suite (4 pce.)	2 Chairs	table	20. 00			
	1 Wardrobe containing	1 Dining Table	10. 00			X
<u>At Chatham & Dyke St.,</u>	clothes.	4 Pcs. Bedroom Suite	250. 00	98.00		
<u>Steveston, B.C.</u>	1 Table Lamp	1 Bedside Lamp	10. 00	.60		
	3 Rolls Oilcloth.	1 Closet	10. 00	.25		
Lamp Stand		1 Table Lamp	8. 00			
Coffee Table	(The above were found	1 Electric Clock	15. 00	7.50		
Side Table	in home of Mrs.	Carpet	40. 00	4.25		
Closet	Kazue OYE)	Window Shades & curtains	30. 00			X
Bed Lamp		3 Cushions	10. 00			X
Table Lamp		10 Chairs	25. 00			X
Electric Clock		2 Irons	18. 00			X
2 Carpets		1 New Cook Stove	150. 00		75.00	
Mantle Clock		Custodian Sales				
Window Shades & curtains		TOTAL OF CLAIMED ITEMS	771.00			
3 Cushions		Received from Custodian				
2 Irons		(net)	220.62			
1 Table		TOTAL CLAIM	550.38			
10 Chairs						
<u>Letter March 16/44</u>		CORRECTED RECAP.				
<u>Goods left at home of</u>		Custodian Sales		185.60	75.00	
<u>Kazuye OYE.</u>		(gross)		75.00		
				260.60		
Bdles. Linoleum		Amount of Claim	771.00			
Bdle. Blinds (4 or 5		Custodian Sales (gross)	260.60			
blinds)		CLAIM	510.40			
Living room set						
Bed room set (complete						
bed with box spring						
and mattress						
(1 bureau & 1 vanity						
set with large round						
mirror						
Range stove (Fawcette)						
Electric Clock						
Closet						

SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD	REMARKS
AUCTION	TENDER &c							
75.00			X					JP- Naoye YAMASHITA declared living room & bedroom suite to be left in care of M Y.OYE Steveston, B.C. Remainder of goods to be left with family goods in house on ATAGI Dyke. No chattels were found in house on Atagi Dyke. Custodian made inquiries re. these chattels on July 27/43, July 3/44, March 21/45 addressed to Mr. & Mrs. Manjiro YAMASHITA (father & mother-in-law of the claimant). No reply to these inquiries was received.
98.00			X					
.60								
.25								
7.50			X					Mar. 16/44 Naoye YAMASHITA wrote concerning goods left by her in Kazuye OYE's house. She stated that goods marked "YAMASHITA" belonged to her.
4.25			X					
	75.00		X					NOTE: This stove sold by YAMASHITA for \$75.00 to Peter Erickson, tenant in house of Mrs. Kazuye OYE. Money came into this office, but the sale was made by the Japanese. (Jan. 4/45 and Feb. 28/45).
185.60	75.00							
75.00								
260.60								

EXHIBIT No. 336-21
DATE 9 June 1948
FILLED BY Crow