

Custodian File 13196

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% 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	
PERSONAL PROPERTY											Total
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				
NETS											Total
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											Total
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				
144.55	71.25	21.37	49.14%	170.45	83.75						
TOTAL RECOMMENDATION											105.12

CASE NO: 395

JAPANESE PROPERTY CLAIMS COMMISSION

Nelson, B.C.

June 16, 1948

IN THE MATTER OF THE CLAIM OF

TAKEJI SAMEJIMA

PROCEEDINGS AT HEARING

CASE NO: 395

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)

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Nelson, B.C.

June 16, 1948

IN THE MATTER OF THE CLAIM OF
TAKEJI SAMEJIMA

PROCEEDINGS AT HEARING

20 APPEARANCES:

DONALD MACDONALD, Esq.,

appearing for the
Dominion government

A.E. COBUS, Esq.,

appearing for the
Claimant.

 W.J. STURGEON, Esq.,
Secretary to Nelson
Sub-Commission.

MRS. I.C. SMITH,

Official Interpreter

G. HAMBLETON, Esq.,

Official Reporter

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T. Samejima
In Chief

MR. COBUS: The claim of Samejima, Takeji, No. 52 on
the Secretary's list.

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

10 MR. COBUS: This, your honour, is a claim for personal
property only. A list was attached to the claim
form and is now replaced by setting the items
up on the Custodian's Analysis sheet which
will be filed along with the statement, so that
on the claim form we show simply a total claim,
\$315.00, for chattels and a credit to the Custo-
dian of \$71.25, leaving a net claim of \$243.75,
and that makes the total claim under 5 (f),
\$243.75.

DIRECT EXAMINATION BY MR. COBUS:

20 Q: Witness, I produce to you a statement concern-
ing the personal chattels for which you have
submitted a claim. Did you instruct Mr. Leckie
to prepare that statement for you and is that
your signature? A: Yes.

30 Q: In your statement, witness, you make reference to
certain goods shown on the Custodian's Analysis
of Personal Property Claim. I produce to you a
copy of the Analysis of Personal Property Claim,
and in the third column are listed by the Custo-
dian a copy of the items for which you have sub-
mitted a claim. I see now that certain items

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In Chief

have been deleted by pencil lines. Did you instruct Mr. Leckie to delete those items from your claim?

A: As the Custodian's file said that these things were not found, he thought that he would abandon them.

Q: He would abandon them. Did you instruct Mr. Leckie to cross them out?

10 A: Under the circumstances, as there was no record on the Custodian's file, he --

Q: Yes, I now, I now, but did you tell Mr. Leckie to abandon those items, yes or no?

A: Yes.

Q: Now, under a pencilled heading here, "Revised Claim," are certain new values set beside the items which remain in your claim. Are those the values which you instructed Mr. Leckie to place upon those items?

A: Yes.

20 MR. COBUS: If my friend would produce the Analysis of personal Property Claim which I marked for him last night. I have set up, on the copy produced from the Custodian's file, the claim as now outlined. Mr. Leckie felt that the list was too long to ask the witness to re-do it, and he has used the Custodian's form to set the claim out. Therefore, the Analysis is filed on behalf of the Crown, and the pencilled amendments thereon are our amendments.

30 THE COMMISSIONER: Put in on behalf of the claimant.

T. Samejima
In Chief

MR. COBUS: Yes, your honour.

THE COMMISSIONER: That takes the place of the personal property statement.

MR. COBUS: Yes, your honour -- well, it takes the place of the list that would usually accompany it.

THE COMMISSIONER: That is usually attached to it. That should go in first, then; the personal property statement should be marked first, then, shouldn't it?

10

MR. COBUS: Yes, your honour. Haven't I asked that the statement be marked Exhibit 1? I will ask that it be marked, then, exhibit 1.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. COBUS: Referring to Exhibit 1, the statement, your honour, the witness says that the above goods and other goods for which he is claiming were stored at the Nanaimo Japanese School. He says that all chattels claimed, including the above listed items, where he has set out certain major items, are set out in the Custodian's Analysis of Personal Property Claim, with deletions as to items crossed out thereon. He says that the goods for which he is claiming are exclusively his own property and were not included amongst goods received from the Custodian. He says that the reason some of his goods were marked "Togo"--

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Q: Were some of them marked "Togo?"

30 A: Togo.

MR. COBUS: "Togo," was that he had been carrying on

T. Samejima
In Chief

a shoe repairing business under that name. He says that he has allowed for depreciation on the goods claimed.

(ANALYSIS OF PERSONAL PROPERTY CLAIM MARKED EXHIBIT NO. 2)

MR. COBUS: Your witness.

MR. MACDONALD: I submit, your honour, that the goods sold were sold at their fair market value and that the goods claimed which did not come into the care or custody of the Custodian and were not reported, in any event, are being claimed at an exorbitant value.

THE COMMISSIONER: Well, I take it that the claim has been abandoned except in respect of the goods which came into the Custodian's hands and were sold, is that right, Mr. Cobus?

MR. COBUS: That is correct, your honour, all of the items under "No record at any time," were abandoned.

THE COMMISSIONER: All claim is abandoned in regard to those.

MR. MACDONALD: Not all, your honour, some were sold; some are claimed for which were not sold and they come under "Declared and not found."

MR. COBUS: Yes, but they were declared, yes.

MR. MACDONALD: Yes.

THE COMMISSIONER: Well, does your note as to abandonment only cover those recorded under the column "No record at any time," Mr. Cobus?

MR. COBUS: Yes, that is correct, your honour.

THE COMMISSIONER: It doesn't cover "Declared, not

found."

MR. COBUS: No, no, we are still claiming for that.

THE COMMISSIONER: Yes, I see. I just wanted to be clear on that.

CROSS EXAMINATION BY MR. MACDONALD:

Q: You were evacuated on March 23, 1942?

A: Yes.

10 Q: When did you put your goods and chattels in the Nanaimo School?

A: I think it was at the end of February, 1942.

Q: Just before you were evacuated?

A: Just before he evacuated.

Q: And you didn't report or make your J.P. declaration until the 15th of December, 1942?

A: I was at Road camp and my wife was at Hastings Park, but she couldn't read or write English and she didn't know the particulars about it, so I didn't send in any report.

30 Q: You never at any time notified the Custodian that you had left your goods at the Japanese School At Nanaimo, did you?

A: I had no communication with the Custodian, but my wife might have done so.

Q: Well, you didn't, yourself.

A: No.

Q: Have you any experience in the value of second hand furniture and chattels?

A: No, I have none.

30 Q: You were running a shoe repair shop?

A: Yes.

Q: You never had these goods appraised by anybody?

T. Samejima
 Cross exam
 Re-Direct exam
 Re-Cross exam

A: No.

MR. MACDONALD: That is all, your honour.

RE-DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, did many of the Japanese store their goods at the Nanaimo Japanese School at the time you stored yours there?

A: When I put my things there, there were two or three people, but after that I don't know.

10 Q: You had no opportunity of making a J.P. form before you were sent to road camp, is that not so?

A: Yes.

MR. COBUS: I think that is all, your honour.

THE COMMISSIONER: Is that all, Mr. MacDonald?

RE-CROSS EXAMINATION BY MR. MACDONALD:

Q: Some of the articles you had put the name "Togo" on. Did you put a tag on them with the name "Togo?"

20 A: It was my trade name. The reason why it was marked "Togo" was, the box he had some leather in he had sent from Vancouver so he put all his things in there and it was marked "Togo."

Q: The box was marked "Togo" and he just put his stuff in the box that had been previously marked, he didn't mark "Togo" on himself, did he?

A: No.

30 Q: There was no way of identifying then, whether the the goods in this box marked "Togo" belonged to

T. Samejima
 Re-Cross exam
 Re-Direct exam

him?

A: It was a partnership, so of course some might have belonged to me and some to the other partner.

Q: Did he put a tag with his own name on any of his belongings when he put them into the Japanese school?

A: Some I had marked, some I hadn't, because it was very confusing at the time.

10

RE-DIRECT EXAMINATION BY MR. COBUS:

Q: Anybody in Nanaimo would know who the Togo shop was, would they not?

A: Yes.

MR. COBUS: Yes.

MR. MACDONALD: No further questions, your honour.

THE COMMISSIONER: All right, that is all we can do now, and the matter will be proceeded with later.

20

(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.

E.P. Dawson
 Sub-Commissioner.

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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
NOV 20 1947

File 13196

Nelson

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

(1) NAME SAMEJIMA Takeji (RCMP) Reg. No. 07889
(Print) Surname Given Name

(2) Pre-Evacuation Address 494 Stewart Avenue, Nanaimo, B. C.

(3) Present Address Slocan City, 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 _____
Nanaimo, B. C.

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

(c) How stored or packed at time of evacuation Just left at Japanese School.

(over)

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(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

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

1.	Dining Suite - 4 pieces	Estimated Value \$	44.00
2.	Bedroom suite - 11 pieces	Estimated Value \$	121.50
3.	Kitchen Equipment - 4 pieces	Estimated Value \$	115.45
4.	Household Goods - 5 pieces	Estimated Value \$	41.00
5.	Garden tools - 6 pieces	Estimated Value \$	19.65
6.	Carpenter tools - 3 pieces	Estimated Value \$	22.00
7.	Plumber tools	Estimated Value \$	25.00
8.		Estimated Value \$	
9.		Estimated Value \$	
10.		Estimated Value \$	

TOTAL CLAIM FOR PROPERTY LOSS \$ 388.60

315-
7125
24375

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) - - - - - \$ 388.60

(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 Yes No

New Denver, B. C.

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, Takeji Samejima
of Slocan

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 Slocan)

in the Province of British Columbia)

this 18th day of November)

A.D. 1947)

Howard Danks 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.

Amman M.B.

Subscribed by Custodian

DESCRIPTION OF PERSONAL PROPERTY

1. Dining Suite - Four pieces:

Table	10.00	
China Cabinet	15.00	
Couch	17.00	
Heater	5.00	(Sold by Custodian for \$3.00)
Total:	<u>\$47.00</u>	

2. Bedroom Suite - 11 pieces:

One Chest of drawers	10.00	(Sold by Custodian for 7.50)
One chiffonier	28.00	" 7.00
Mattress	15.00	" 7.00
Bed stand	10.00	" 3.00
Mirror	6.00	" 4.00
Baby chair	10.00	" 1.25
Swan rocker	2.00	" 1.50
Cushions	10.00	" 7.25
Wardrobe	16.00	" 11.00
Bed spring	15.00	
Baby carriage	38.00	
Total:	<u>\$160.00</u>	

3. Kitchen Equipment - 4 pieces

Kitchen table	5.00	(Sold by Custodian for 1.25)
Kitchen range	35.00	" 7.50
Three chairs	3.75	
Carpet	80.45	
Total:	<u>\$124.20</u>	

4. Household Goods: - 5 pieces

One electric Hotpoint iron	5.00	
Alarm clock	4.00	
Eight window blinds	12.00	
Window curtains	15.00	
Gramophone	15.00	(Sold by Custodian for 10.00)
Total:	<u>\$51.00</u>	

5. Garden Tools: 6 pieces

One lawn mower	10.00
Water hose	5.00
Grass shears	1.15
One hoe	1.25
One rake	1.00
One shovel	1.25
Total:	<u>\$19.65</u>

6. Carpenter tools - 3 pieces

One Disston hand saw	5.00
Two Wood planes	10.00
Six wood chisels	7.00
Total:	<u>\$22.00</u>

7. Plumber Tools: Total \$25.00

Dakeji Samujina
Papawan y
Urbodim: Krt.

Y. Samejima
(Claimant's Name)

EXHIBIT No. 395-1
DATE June 16/48
FILED BY Cobus

PERSONAL CHATTELS

07889
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 chiffonier —	1939 —	new —	28 ⁰⁰ —	good —	20 ⁰⁰ —
1 Baby carriage	1940 —	new —	40 ⁰⁰ —	good as new	35 ⁰⁰ —
1 Kitchen range	1939 —	new —	40 ⁰⁰ —	good —	30 ⁰⁰ —
4 rolls of carpet (carpet about 96 yds)	1940 —	new —	80 ⁴⁵ —	good —	60 ⁰⁰ —
Plumbing tools: 3 pipe wrenches; set of dies; pipe cutter chain vice; handsaw.	1935 —	new	45⁰⁰ —	good —	25⁰⁰ —

Description of Storage of Goods:

The above goods (and other goods for which I am claiming) were stored at Nanaimo-Japanese school —

General Statement as to Chattels not Described above:

all chattels claimed (including the above listed items) are set out on Custodian's analysis of personal property sheet — with deletions as to items crossed out thereon.

Additional Comments, if any:

— the goods for which I am claiming are exclusively my own property. were not included among goods received from the Custodian. The reason some of my goods were marked "Lagg" was that I had been carrying on a shoe repair business under that name — I have allowed for depreciation on goods claimed.

SIGNATURE

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 13196

EXHIBIT No. _____

NAME SAMEJIMA, Takeji

REG. No. 07889

DATE DECLARATION EVACUATION	INVENTORY TAKEN BY DATE	DETAILS OF CLAIM	SALES			SOLD WITH REAL PROP.	DECL. NOT FOUND
			AUCTION	TENDER &c			
Dec. 15/42							
Mar. 23/42							
Left at Nanaimo Japanese School	Shipped Dec. 2/42	1. Table	10.00				
Carpet	1 crated heater	2. China Cabinet	15.00		15.00		15.00
Stove	1 box effects	3. Couch	17.00		-		
Heater	1 tub effects	4. Heater	5.00	3.00	5.00		
Bedstead & Mattress	5 ctns. effects.	5. Chest of Drawers	10.00	7.50	10.00		
1 Quilt		6. Chiffonier	28.00	7.00	20.00		
5 Bx. Dishes & Kitchen Utensils		7. Mattress	15.00	7.00	15.00		
Cabinet		8. Bedstead	10.00	3.00	10.00		
Table		9. Mirror	6.00	4.00	6.00		
2 Bureaus		10. Baby Chair	10.00	1.25	10.00		
Baby Carriage		11. Swan Rocker	2.00	1.50	2.00		
Nov. 20/43		12. Cushions	10.00	7.25	10.00		
Request for shipment		13. Wardrobe	16.00	11.00	16.00		
1 Cardboard Box cont. Curtains		14. Bed Spring	15.00		15.00		
1 Apple Box cont. 1 saw, 2 planes, 6 chisels		15. Baby Carriage	38.00		35.00		38.00
1 New Baby Chair		16. Kitchen Table	5.00	1.25	5.00		
Approx. 7 or 8 Cushions unpacked		17. Kitchen Range	35.00	7.50	30.00		
10 x 12 Paper Box cont. Gramophone & approx. 100 Jap. records		18. 3 Chairs	3.75				
1 Baby's bathtub		19. Carpet	80.45		60.00		80.45
1 Baby's Quilt		20. Electric Hotpoint Iron	5.00				
1 New Boiler (red)		21. Alarm Clock	4.00				
Tools left in hall unpacked		22. 8 Window Blinds	12.00				
		23. Window Curtains	15.00		15.00		15.00
		24. Gramophone	15.00	10.00	15.00		
		25. 1 Lawn Mower	10.00				
		26. Water Hose	5.00				
		27. Grass Shears	1.15				
		28. Hoe	1.25				
		29. Rake	1.00				
		30. Shovel	1.25				
		31. 1 Disston Hand-saw	5.00		5.00		5.00
		32. 2 Wood Planes	10.00		10.00		10.00
		33. 6 Wood Chisels	7.00		6.00		7.00
		34. Plumber Tools	25.00				
		1 Quilt		.25			
			448.85	71.50			170.45
			<i>Total claim</i>		315.00		
			<i>Cr.</i>		<u>71.50</u>		
					243.50		

EXHIBIT NO. 395-2
 DATE FILED 1/19/48
[Signature]

Req. Claim

SUM
Good
"

SALES									
SECTION	TENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD		REMARKS
	15.00		15.00	10.00					
	3.00			17.00					Cabinet reported in JP. Dec.15/42
	7.50								
	7.00								
	7.00								
	3.00								
	4.00								
	1.25								
	1.50								
	7.25								
	11.00								
	1.25		38.00						Sold with bed Reported in JP Dec.15/42
	7.50								
	6.00		80.45	3.75					In JP.Dec.15/42- Actually congoleum-Mar.11/46
				5.00					
				4.00					
				12.00					
	15.00		15.00						Not in JP, but reported Nov.20/43
	15.00			10.00					
				5.00					
				1.15					
				1.25					
				1.00					
				1.25					
	5.00		5.00						No tools reported in JP
	10.00		10.00						First reported in Nov.20/43.
	6.00		7.00						
				25.00					
	25								
	71.50		170.45	96.40					

SUMMARY OF CLAIM

Goods for which Japanese claims \$182.00 sold at auction for \$71.50
 " " " " " 170.45 declared, but not found.
 " " " " " 96.40 no record at any time.

Matheson
 apr 27/48

315.00
 71.50
 243.50