

<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
1130	56.50 12.50							Special		270 69
<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		
<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	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
<b>TOTAL RECOMMENDATION</b>									<b>339.00</b>	

CASE NO: 403

JAPANESE PROPERTY CLAIMS COMMISSION

Nelson, B.C.

June 18, 1948

IN THE MATTER OF THE CLAIM OF

MEI MATSUSHITA

PROCEEDINGS AT HEARING

CASE NO: 403

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 18, 1948

IN THE MATTER OF THE CLAIM OF  
MEI MATSUSHITA

PROCEEDINGS AT HEARING

20 APPEARANCES:

DONALD MACDONALD, Esq.,

appearing for the  
Dominion Government

A.E. COBUS, Esq. ,

appearing for the  
Claimant.

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

MRS. I.C. SMITH,

Official Interpreter

G. HAMBLETON, Esq.,

Official Reporter

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MR. COBUS: The claim, your honour, of Mei Matsushita, which is No. 73 on the Secretary's list. This claim, your honour, was submitted on other than the usual claim form, and I don't happen to have a copy of it, unfortunately. This claimant made claim for certain realty in the amount of \$1400.00. On the second page of this home made claim form, under 5 (e), he states:

10 "I estimate the real property and chattels worth \$1500.00." That claim for chattels is abandoned, so it becomes a claim for realty in the amount of \$1400.00, with a credit to the Custodian of \$1130.00, leaving a net realty claim of \$270.00.

I call Mei Matsushita.

MEI MATSUSHITA, the claimant herein, being first duly sworn, testified through the official interpreter as follows:

20

THE COMMISSIONER: Matsushita, I am glad that you have counsel representing you. I think you are going to benefit very much by having counsel. You would have found it very difficult, I think, to have handled it yourself.

DIRECT EXAMINATION BY MR. COBUS:

Q: Now, witness, this property for which you have submitted a claim was located at 2133 Pine Street in the City of Vancouver, is that correct?

30 A: Yes.

M. Matsushita  
In Chief

- Q: How long ago did you purchase this property?  
A: 1941, August.  
Q: August of 1941. How much did you pay for the property?  
A: I think \$1000.00.  
Q: About \$1000.00. And were there any buildings on this land, was there a house on the land?  
A: There was a house on the land.  
Q: How many rooms in the house?  
10 THE WITNESS: A: Six rooms.  
Q: Was it a two storey or one storey building.  
A: Two storey building.  
Q: I see. How many rooms upstairs?  
A: There were three bedrooms and one bathroom upstairs.  
Q: And downstairs? A: There was a parlor and dining room and kitchen and pantry.  
Q: And a basement? A: Yes.  
Q: A full basement? A: Full basement.  
20 Q: What sort of a heating plant did you have in the building? Did you have a furnace in the basement? A: Oh, yes, I got a furnace.  
Q: What kind of a furnace was it; a hot air pipe furnace? A: Yes, a hot air pipe furnace.  
Q: You had pipes to every room in the house?  
A: Oh, yes.  
Q: The walls inside, were they board or plaster?  
30 A: They were plaster.

M. Matsushita  
In Chief

Q: How were they finished, painted or papered?

A: They were papered.

Q: Did you do any papering in the house while you were in there?

A: Oh, yes, I did one room.

Q: You did one room. Which room?

A: One upstairs bedroom.

Q: Did you do any other improvements on the property while you were in there?

10 A: Oh, yes.

Q: What did you do? A: I fixed up the verandah and stairs.

MR. MACDONALD: I can't hear. Speak a little louder, will you?

MR. COBUS: Q: Speak a little louder, will you, witness? You fixed the verandah and what else - the stairs, you say? A: Yes.

Q: Anything else. How was the house finished on the outside? A: It was shingled

20 all over.

Q: And the roof? A: The roof was shingled, yes.

Q: Shingled. Was it in good condition?

A: Oh, yes.

Q: Did the roof leak? A: No.

Q: Were the shingles painted? A: Yes.

Q: How long ago? A: I couldn't tell you.

Q: How old was the house? A: I don't know.

30 Q: You don't know that? A: No.

M. Matsushita  
In Chief

Q: And you estimate that a fair market value for the property at the time it was sold by the Custodian would be \$1400.00? A: Yes.

MR. COBUS: Would my learned friend produce the appraisal on this particular property?

(Handed to Mr. Cobus)

MR. COBUS: I have had produced from the Custodian's file what purports to be an appraisal by J.R. Reid and Company, dated April 6, 1944, at Vancouver. I think this should go into the record, your honour, because it appears to be a very good description of the property, and might be of some assistance.

THE COMMISSIONER: Yes.

MR. COBUS: This property comprises approximately 30 x 120 feet adjoining the British Columbia Electric Railway on which is erected a 6 room house with shingle exterior walls and roof.

"The main floor consists of a small hall leading to living room, dining room and kitchen with pantry and sink. Upstairs there are three small bedrooms and bathroom. Full basement (not floored) with hot air furnace. The exterior is in poor condition, but the present tenants have done some decorating to the interior.

"Valuation \$1400.00. "

That is filed on behalf of the Crown.

(APPRAISAL MARKED EXHIBIT NO. 1)

MR. COBUS: Would my friend advise the date of sale of this real estate and the amount for which it

M. Matsushita  
In Chief

was sold?

MR. MACDONALD: August 8, 1944, your honour.

MR. COBUS: And the amount?

MR. MACDONALD: At \$1130.00 cash.

MR. COBUS: \$1130.00. And to whom was the property sold?

MR. MACDONALD: It was sold to Jules Germain.

THE COMMISSIONER: I didn't get the amount, Mr. MacDonald.

10 MR. MACDONALD: That was on August 8, 1944, your honour, for \$1130.00.

MR. COBUS: Q: Did you rent this property before you left Vancouver? A: Yes.

Q: To whom? A: To Mr. Welch.

Q: For how much did you rent the property to Mr. Welch? A: \$17.00. I am not sure. I think it was \$17.00 a month.

Q: \$17.00 a month, yes. A: Yes.

Q: And who collected this rent for you?

20 A: Mr. Perry.

Q: Mr. Who? A: Mr. Perry.

Q: Did you not receive rentals from the Custodian at all? A: Oh, yes. I

received -- I don't know exactly, but --

Q: You received some money from the Custodian for rents, did you?

A: Oh, yes.

MR. COBUS: Your honour, I have had produced from the Custodian's file a carbon copy of the ledger sheet of the account of Mei Matsushita which

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M. Matsushita  
In Chief

shows that rents were collected by the Custodian.

THE COMMISSIONER: Over what period would that be?

MR. COBUS: Under date of November 2, 1943, is the amount \$175.00, which would be ten months at \$17.50, I believe, and then a second amount is shown, July 27th, of 1944, \$140.00, and the final entry for rents is August 8th, 1944, the balance of the rents to date, \$18.24. I notice as well, your honour, that certain amounts were expended by the Custodian for repairs, under date of December 15, 1942, in the amount of \$23.41, and that would appear to be the only entry with respect to that.

10

THE COMMISSIONER: Are you filing that as an exhibit?

MR. COBUS: I think, perhaps, for the sake of the record the ledger sheet produced from the Custodian's file should be filed on behalf of the Crown.

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(LEDGER SHEET MARKED EXHIBIT NO. 2)

MR. COBUS: Would my learned friend advise the assessed valuation of this property for the year '44, being the year of sale.

MR. MACDONALD: The only record I have, your honour, is in a letter written to the Custodian by Morrow Realty Company of Vancouver, B.C., and the second paragraph of it sets out: "The building is assessed at \$700.00 and the land at \$500.00, total \$1200.00."

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MR. COBUS: That appears in a letter, I believe, does

M. Matsushita  
In Chief

it not?

MR. MACDONALD: This appears in a letter to the  
Custodian.

MR. COBUS: Well, your honour, perhaps we would be  
able to have the tax notice filed later.

THE COMMISSIONER: That can be filed later.

MR. COBUS: I think we should have that. In the  
Custodian's file there is a real property summary  
which indicates that the property was rented  
10 for \$17.50 a month, water being for the account  
of the owner. It indicates the plumbing and  
sundry repairs for the owners account amounted  
to \$29.03.

Q: Witness, do you know how much your property was  
assessed for in 1942? Did you ever get a tax  
notice from the city? A: Yes. I think  
it was \$1200.00.

Q: \$1200.00. A: \$1200.00,  
\$500.00 for land and \$700.00 for house.

20 THE COMMISSIONER: Well, that appears to confirm  
that. He says it was assessed at \$1200.00;  
that would appear to confirm your letter, Mr. Mac-  
Donald.

MR. MACDONALD: Yes.

MR. COBUS: Q: Do you have any pictures of your  
house? A: Nothing here.

MR. COBUS: Your witness.

CROSS EXAMINATION BY MR. MACDONALD:

30 Q: Now, you bought this house in 19 -- what year

did you buy it?

A: 1941.

Q: For \$1000.00? A: Yes.

Q: And you didn't do very much improving of it, did you? A: I fixed the

verandah and stairs and the paper in the upstairs.

Q: You papered a room upstairs. A: Yes, one room.

10 Q: Did you do the work yourself? A: Yes.

Q: Now, you haven't any experience in valuing real estate in Vancouver, have you, yourself?

A: No, no.

Q: This is just your own estimate?

A: Yes.

MR. COBUS: And that of your appraiser, Mr. MacDonald.

MR. MACDONALD: This is a letter, your honour, that I wish to file. It is really a summary. I should like to read from the part of it dealing with administration, your honour. "The appraisal value was \$400.00 by J.R. Reid and Company and this was the minimum acceptable price but was later reduced by the Advisory Committee after special consideration had been given to the offers received and the poor condition of the building. The administration of this property was normal and no difficulties occurred during tenancy."

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30 It would seem that while they tried to sell

it for \$1400.00 the bids didn't come up to that and the committee finally reduced it.

THE COMMISSIONER: You are probably going to file that letter, are you?

MR. MACDONALD: It is a summary made by someone in the Custodian's office; it is not a letter.

THE COMMISSIONER: It is really a report.

MR. MACDONALD: I think possibly it should be filed.

THE COMMISSIONER: Very well.

10 (Summary marked Exhibit No. 3)

MR. COBUS: That is going in, of course, your honour, subject to proof.

THE COMMISSIONER: Mr. MacDonald, you didn't make the usual submissions. I suppose you want to make the usual submission that the real property was sold for its fair market value?

MR. MACDONALD: I submit, your honour, the real property was sold for its fair market value. There is no personal property claim.

20 I have no more questions.

MR. COBUS: Nothing more, your honour.

THE COMMISSIONER: That is all that we can do, Mr. Matsushita, and the matter will be proceeded with later.

(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

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

E.P. Dawson, Sub-Commissioner

403

Nelson

ACKNOWLEDGED

*(Signature)*

EVACUATION SECTION

Rec'd NOV 5 1947

File No. 3361

Ans.

Referred

*(Signature)*

73

The office of GUSTODIAN  
ROYAL BUILD. VANCOUVER

MEI. MATSUSHITA  
REG. No. 08020  
P.O. BOX 188.  
GRANBROOK B.C.

1. MEI MATSUSHITA REG NO. 08020.
2. 2133 PINE ST. VANCOUVER B.C.
3. P.O. BOX 188. GRANBROOK. B.C.
4. REAL PROPERTY
  - A. 2133 PINE ST. VANCOUVER B.C.
  - B
  - C RESIDENCE
  - D. TITLE.
  - E. A. LAND. \$600.00. BUILD. \$800.00

*(Signature)*

(Not declared)

36A

5.

A. JUNE 4TH. 1942.

B. RENT THE HOUSE TO MR. W.E. WELSH. UNDER THE CARE OF REALTY COMPANY. I PACKED EVERY CHATELLE AND FURNITURES AND BEDS ONE OF THE ROOM AT UPPER STAIRS

C. MORROW REALTY CO. LTD.

D. SALE LOSS

E. I ESTIMATE THE REAL PROPERTY AND CHATELLE WORTH  $\text{£}1500.00$

I RECEIVED SUM OF  $\text{£}1100.00$  FROM CUSTODIAN  
I CLAIM SALE LOSS WAS ABOUT  $\text{£}360.00$

Your Truly  
Muri Mather White

ORIGINAL COPY

CASE NO. 403

Mei MATSUSHITA      File #3361

J. R. REID  
NOTARY PUBLIC



GENERAL INSURANCE

515 GRANVILLE STREET  
VANCOUVER, CANADA

EXHIBIT No. 403-1  
DATE June 18/48  
FILED BY Crown

April 6th, 1944

#177

2133 Pine Street.

This property comprises approximately 30 x 120 feet adjoining the British Columbia Electric Railway on which is erected a 6 room house with shingle exterior walls and roof.

The main floor consists of a small hall leading to living room, dining room and kitchen with pantry and sink.

Upstairs there are 3 small bedrooms and bathroom.

Full basement (not floored) with hot air furnace.

The exterior is in poor condition, but the present tenants have done some decorating to the interior.

VALUATION \$1,400.00 ✓



Mei MATSUSHITA

<u>Date</u>	<u>Particulars</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
1942 September 16	1942 taxes on account	\$ 19.00	\$	
November 4	1942 taxes - balance	25.08		
December 15	Sale of studio lounge Rents collected Commission, repairs, etc.	23.41	18.00 105.00	///
1943 March 12	Cheque to you	50.00		
April 12	Cheque to you	10.00		
May 1	Cheque to you	10.00		
June 2	Cheque to you	10.00		
July 5	Cheque to you	10.00		
July 30	1943 taxes	42.94		
August 2	Cheque to you Land Registry Office - Certificate of Encumbrance	10.00 1.00		
September 16	Monarch Life Insurance Co.	30.00		
November 2	Rents collected Less disbursements	26.75	175.00	
1944 January 28	Monarch Life Insurance	17.85		
June 27	1944 taxes	42.85		
July 27	Rents collected Less disbursements	26.00	140.00	
August 8	Balance rents to date - nett Credit re sale of property		18.24 1,090.52	
August 21	Monarch Life Insurance Co.	47.40		
October 21	Proceeds Auction Sale		40.47	
November 8	Proceeds Auction Sale		1.30	
		\$ 402.28	\$1,588.53	CR \$ 1,186.25

EXHIBIT No. 403-2  
DATE June 18/48  
FILED BY Crown

REAL PROPERTY SUMMARY

Catalogue No. 177

MATSUSHITA, Mei (Mr.)

Reg. No. 08020

File No. 3361

Civic Address:

2133 Pine Street, Vancouver, B. C.

Legal Description:

Southerly half of those portions of Lots 11 & 12, lying North of Vancouver & Lulu Island Railway, Blk. 268, D.L. 526, Group 1, N. W.D., Plan 590.

Classification:

Dwelling

----- (SOLD) -----

Registered in the name of:

Mei H. Matsushita

State of Title

: Clear

Sold to

: Mr. Jules Germain, Taxi Driver, 700 Cambie Street,  
Vancouver, B. C.

For

: \$1130.00 cash.

As at

: August 8, 1944.

Title delivered to Registered Owner, Jules Germain, as at November 29th, 1944.

Funds in net amount of \$1090.52 released to open credit of Matsushita's account as of November 27th, 1944.

Insurance: Halifax Insurance Co. Pol. #FR-29-8505 for \$1200.00 on above real property, expiring July 22, 1947, transferred to Jules Germain, purchaser, on September 19, 1944.

Administration:

This was a 7-room, 2 $\frac{1}{2}$ -storey frame house, basement with earth floor, on Lot 33' x 150'. The dwelling was in a state of disrepair, both interior and exterior, and situated in a poor residential district. The property was placed in the hands of Morrow Realty Company by Matsushita, they renting it to a Mr. W. E. Welsh for \$17.50 per month, water being for the account of the owner. Possession was taken on June 5, 1942, it being agreed that the interior of the house should be redecorated by the tenant at his expense. Plumbing and sundry repairs were for the owner's account and amounted to \$29.03 during tenancy. Rentals were paid regularly and the property was sold through Whittaker & Whittaker as of August 8, 1944 for \$1130.00 gross, net proceeds being \$1090.52. The appraisal value was \$1400.00 by J. R. Reid & Company and this was the minimum acceptable price but was later reduced by the Advisory Committee after special consideration had been given to the offers received and the poor condition of the building. The administration of this property was normal and no difficulties occurred during tenancy.

The above summary is certified to be in accordance with the information on file:

  
P. Domet.

PD/ER

March 29, 1946.

EXHIBIT No. 403-3  
DATE June 18/48  
FILED BY Crown

Room 125,  
Provincial Court House,  
Georgia St.W.,  
Vancouver, B.C.,  
7th November, 1947.

Mr. Mei Matsushita,  
Registration No. 08020  
P.O. Box 188,  
Cranbrook, B.C.

Dear Sir:

re Japanese Property  
Claims.

We acknowledge receipt of your claim relating to your real and personal property. You have not stated where you wish your claim to be considered, but for your information we now advise that your claim will be dealt with at a sitting of the Commission in Nelson, B.C., and you will in due course be advised of the date of such sitting, and it is expected you will be in attendance to support your claim.

Yours truly,



SECRETARY.