

Name of Claimant ITO, Tome

Case 413

Custodian File 1175

<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	% of Total	Amount	% of Total
<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			
103.75	57.40	17.22	55.32%	184.25	101.93					119.15
TOTAL RECOMMENDATION										119.15

CASE NO: 413

JAPANESE PROPERTY CLAIMS COMMISSION

New Denver, B.C.

June 22, 1948

IN THE MATTER OF THE CLAIM OF

TOME ITO

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 H.W. COLGAN, SUB-COMMISSIONER)

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New Denver, B.C.

June 22, 1948

IN THE MATTER OF THE CLAIM OF
TOME ITO

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 New
Denver Sub-Commission

MRS. I.C. SMITH,

Official Interpreter

G. HAMBLETON, Esq.,

Official Reporter.

30

T. Ito
In Chief

MR. COBUS: The claim, your honour, of Mrs. Tome Ito,
which is No. 70 on the Secretary's list.
I am calling Mr. Toramatsu Ito.

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

THE COMMISSIONER: This is the witness we just had.

10 MR. COBUS: Yes, your honour.

THE COMMISSIONER: You are calling him in this claim?

MR. COBUS: Yes, your honour, he is giving the evidence
in this claim.

DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I producē to you a claim form which
bears what appears to be the signature of Tome
Ito. Do you recognize the signature, and whose
is it?

20 A: Yes, it is her signature.

Q: It is the signature of your wife?

A: Yes.

Q: You are representing your wife in respect to her
claim?

A: Yes.

MR. COBUS: I would ask leave, your honour, to amend the
claim which is a claim for personal property
only.

THE COMMISSIONER: Yes.

MR. COBUS: By showing a total amount \$333.00 for personal
and household chattels.

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K. Ito
In Chief

THE COMMISSIONER: Well, that is less than the Custodian's value.

MR. COBUS: No, your honour. Perhaps we have deleted so many items that we would have reduced the value that the Custodian had placed on it, anyway .

THE COMMISSIONER: YES.

MR. COBUS: And very likely the claimant was quite wrong in achieving that amount of \$334.00.

10 THE COMMISSIONER: How much do you say you are claiming for?

MR. COBUS: \$333.00.

THE COMMISSIONER: \$333.00.

MR. COBUS: And we are crediting the Custodian with \$52.15, leaving a net personalty claim of \$280.85. That is the total amount of the claim, as well.

20 Q: Witness, I produce to you a statement concerning personal chattels for which your wife has submitted a claim. You know, of your own knowledge, about these chattels for which your wife is claiming, I would take it?

A: Yes.

Q: You instructed Mr. Leckie to prepare that statement for you, did you? A: Yes.

Q: And that is your wife's signature, is it?

A: Yes, that is my wife's signature.

Q: Well, to the best of your knowledge and recollection, is the information contained therein true to the best of your knowledge and recollection?

A: Yes.

30 Q: In your wife's statement, she refers to a list

T. Ito
In Chief

of chattels, the estimated value of which is shown as a total of \$333.00. Is that the list to which your wife refers in her statement?

A: Yes.

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

THE COMMISSIONER: That will be Exhibit 1.

(STATEMENT MARKED EXHIBIT NO. 1)

10 MR. COBUS: The wife, in her statement, your honour, says that the goods claimed were left in her sister's house, house No. 120 Imperial Cannery, Steveston. The only comment made is that depreciation has been allowed. I think, your honour, I would ask leave to delete the statement, "I am representing my wife as to this claim and have full knowledge of the chattels claimed." The present witness has already stated that, and I think that statement doesn't affect it very greatly.

20 If my friend would produce the Analysis, I think it should be filed.

(Handed to Mr. Cobus)

MR. COBUS: The Analysis is filed on behalf of the Crown.

(ANALYSIS MARKED EXHIBIT NO. 2)

MR. COBUS: For the information, your honour, of the Commissioner and the Crown, it might be well here to indicate how we arrived at the credit of \$52.15. The credit to the Custodian is \$41.00 with respect to the sewing machine sold, \$9.00 with respect to two trunks, and pots and pans, \$1.25, and I would point out, that the tool sales which are referred to in the Custodian's file

of the wife, \$3.75, we have taken care of in the husband's claim, that is, he submitted the claim for the tools and we credited the Custodian with \$3.75 in that claim, which is Case No. 412.

Your witness.

10 MR. MACDONALD: In this matter, your honour, I submit that the personal property sold was sold at a fair market value. The witness has already told me in his own claim that he did not know anything about the value of second hand goods, and there are no questions I wish to submit.

On looking over the J.P. form of Mrs. Tome Ito, it is quite apparent that the signature is not the same as the signature on this claim that has been filed.

MR. COBUS: The statement, I think you mean.

20 MR. MACDONALD: The statement that has been filed. It would seem to me that the signature on the statement has every indication of being identical with the signature of the claimant in his own J.P. Form, signed T. Ito. There is no comparison between the signature there and the one set out in the claim which the witness says is his wife's signature. I think he must be mistaken there.

I think perhaps that should be cleared up.

MR. COBUS: If you wish to cross-examine on that.

THE COMMISSIONER: Just ask him whose signature that is.

CROSS EXAMINATION BY MR. MACDONALD:

30 Q: Do you know whose signature that is?

T. Ito
Cross exam

A: That is my wife's.

Q: Now, just to clear the record, is that your wife's signature.

THE COMMISSIONER: Mr. MacDonald, so that you get the record clear, you had better say what exhibit you are referring to there.

MR. MACDONALD: Well, I had better get this filed. This is the wife's signature on the J.P. form which is Exhibit No. 3.

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(J.P. FORM MARKED EXHIBIT NO. 3).

THE COMMISSIONER: All right. Now ask him what the signature is on the J.P. form.

MR. MACDONALD: He has said that the signature is that of his wife, your honour.

THE COMMISSIONER: Well, you have that straight. Now you had better take the other form and refer to whatever Exhibit it is.

MR. MACDONALD: What Exhibit is this statement.

THE SECRETARY: That is Exhibit 1.

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MR. MACDONALD: Q: I produce the statement, Exhibit 1. Is that your wife's signature?

A: I signed it for my wife, I represented her.

MR. MACDONALD: That clears that up.

THE COMMISSIONER: Yes.

MR. MACDONALD: No further questions, your honour.

THE COMMISSIONER: Have you anything further?

MR. COBUS: I think perhaps your honour I should have cleared one more point up, with respect to Exhibit 2, the Analysis, and it is this: The heating stove which is being claimed for, which

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T. Ito
Discussion

the wife, that is, the claimant herein, was claiming, was declared by the husband, but it is the wife who is claiming for it. With respect to the farm tools, they were declared by the husband and are being claimed by the wife. The garden tools as now claimed for are what we mean by farming tools, that is, sometimes the expressions which the claimants use are not quite indicative of what they mean. I think that
10 might help the commissioner.

THE COMMISSIONER: Yes.

MR. COBUS: I have no further questions, your honour.

THE COMMISSIONER: That is all, thank you.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

I here by 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.

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H.W. Colgan
Sub-Commissioner

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413

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.

File 1175- ACKNOWLEDGED
H J

New Denver
Helson

17

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

(1) NAME Ito Tome (RCMP) Reg. No. 03822
(Print) Surname Given Name

(2) Pre-Evacuation Address P.O. Box 197 Steveston, B.C.

(3) Present Address New Denver, 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 _____

Steveston, B.C.

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

Sister's house

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

Packed in boxes.

(over)

(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")

Care of Custodian

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

- | | | | |
|-----|--|--------------------|--------|
| 1. | Household goods (Value of \$519.00 but | Estimated Value \$ | 519.00 |
| 2. | (custodian's valuation was \$334.00) | Estimated Value \$ | |
| 3. | (The custodian has not forwarded the | Estimated Value \$ | |
| 4. | (Amount of \$334.00 to me.) | Estimated Value \$ | |
| 5. | | Estimated Value \$ | |
| 6. | | Estimated Value \$ | |
| 7. | | Estimated Value \$ | |
| 8. | | Estimated Value \$ | |
| 9. | | Estimated Value \$ | |
| 10. | | Estimated Value \$ | |

TOTAL CLAIM FOR PROPERTY LOSS \$ 519.00

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) - - - - - \$

(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

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, *Tomie Ito* of the *Village of New Denver*
of in the

DO SOLEMNLY DECLARE THAT: *Province of British Columbia*
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 *village* of *New Denver*
in the *Province* of *British Columbia*
this *20* day of *November*
A.D. 1947. *Tomie Ito*
Isamatsu Ito me
W. Clark
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.

Mrs Toime Ito
(Claimant's Name)
(per Mr Ito (husband))

EXHIBIT No. 413-1
PERSONAL CHATTELS
DATE June 27/48
FILED BY Cobus

03822
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
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See list attached for all items claimed.
— Total est value —

\$333.00

Description of Storage of Goods: ^{wife's} the goods claimed were left in ~~my~~ ^{wife's} sister's house
— house no 12 on Imperial Cannery property, Steveston.

General Statement as to Chattels not Described above:
none claimed except as per list attached

Additional Comments, if any: Depreciation has been allowed. I am representing my
wife as to the claim and have full knowledge as to the
chattels claimed

T. Ito
SIGNATURE

PERSONAL CHATTELS

TOME ITO

03822

Claimant's Name

Reg. No.

<u>ITEMS</u>	<u>DATE</u> <u>PURCHASED</u>	<u>NEW OR</u> <u>USED</u>	<u>PRICE</u>	<u>CONDITION</u>	<u>ESTIMATED VALUE</u>
1 Singer Sewing Machine	1921	NEW	\$100.00	Hardly used	\$65.00
2 Beds (1-double, 1- single, steel)	1913 & 1920	"	35.00	Fairly good	15.00
3 Overcoats	1913, 1918, 1923	"	90.00	Aged, but hardly worn	15.00
3 Comforters	1920	"	35.00	Fair	15.00
1 Kitchen Stove	1938	"	40.00	Good	25.00
2 Trunks	1913	"	25.00	Fair	15.00
1 Heater Stove	1938	"	25.00	Good	15.00
4 Blankets	1916	"	40.00	Fair	12.00
3 Garden hoses	1940 & 1938	"	14.00	Good	10.00
Garden tools	1938	"	10.00	Good	6.50
5 Crocks	1939	"	20.00	Good	15.00
2 Pillows	1937	"	10.00	Good	4.00
6 Sheets	1939	"	21.00	Good	12.00
2 Rice pots (heavy)	1937	"	11.00	Good	7.00
5 Pots	1939	"	14.00	Good	10.00
1 Pan	1941	"	2.00	Good	1.50
4 Kimonos (Japanese silk)	1930	"	150.00	Like new-used few times	75.00
1 Clock (Mantel)	1935	"	25.00	Good	15.00

TOTAL \$333.00

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No 1175

EXHIBIT

NAME Tome ITO (Mrs. Toramatsu)

REG. No. 03822

DATE	INVENTORY	DETAILS OF CLAIM	SALES		SOLD WITH REAL PROP.
			AUCTION	TENDER &c	
DECLARATION <u>Apr. 4/42</u> EVACUATION <u>June 5/42</u>	TAKEN BY _____ DATE _____				
<u>In custody of Imperial Cannery, Steveston, B.C.</u>		Household goods	519 00	68 45	
Kitchen utensils Saucers and bowls Hot water bottle Steel and Knife Wash Boards Tubs Trunk Buckets Iron Gas Stove Clock Sewing Machine Personal Effects Beds Kitchen Stove	<p style="transform: rotate(-45deg); font-size: small;">EXHIBIT No. <u>4113-2</u> DATE <u>June 22/42</u> FILED BY <u>[Signature]</u></p>				

SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD	REMARKS
AUCTION	TENDER &c							
68	45							<p>The goods sold were found in Imperial Cannery house #12, which was the general storage place for goods left at Imperial. The claimed goods are stated to be those left in "sister's house" "packed in boxes" "in care of Custodian."</p> <p>The claim goes on "Value of \$519.00 but custodian's valuation was \$334.00. The Custodian has not forwarded the amount of \$334.00 to me. This office has no record of the name of Mrs. Tome ITO's sister, or of goods found anywhere except IMPERIAL cannery belonging to the above. Nor is there any record that this woman had received a statement of account prior to Jan/48 - copy of this statement on file, and this statement carries the amount shown in the auction column as being credited her for the sale of household goods.</p> <p style="text-align: right;"><i>B MacKell</i></p> <p><i>Mrs. Tome Ito, according to our files, has never asked for information concerning household goods, nor has her husband, Jorimatsu ITO, file 4295. Her only declaration of household goods to Custodian is J.P. declaration.</i></p>

STEVESTON, B.C.
OFFICE OF THE CUSTODIAN

JAPANESE SECTION

To be completed by persons of the Japanese race having property in any protected area. The proper administration of this property requires such persons to give full particulars as requested in this form.

PERSONAL INFORMATION

EXHIBIT No. 413-3

NAME: ITO (Tome) Mrs. Toramatsu

DATE June 22/48

HOME ADDRESS: House No. 32, Imperial Cannery

FILED BY Crown

REGISTRATION NUMBER 03822 SEX: Female AGE: 50

OCCUPATION: Housewife

(If any business or businesses carried on, state where, under what name and whether carried on by yourself or in partnership with anyone; if partnership, give partner's name.)

EMPLOYER: Self

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Toramatsu

ADDRESS OF WIFE OR HUSBAND: House No. 32, Imperial Cannery

NAMES OF ANY LIVING CHILDREN: Tomotsu (M)

ADDRESS OF CHILDREN: Tranquil, B. C.

AGE OF CHILDREN: 26

STATEMENT OF ALL REAL PROPERTY (Each parcel must be mentioned and particulars given)

1. LOCATION AND DESCRIPTION: none

2. BUILDINGS AND OTHER IMPROVEMENTS: none

3. INSURANCE (Give particulars; state where policies are) none

4. TAXES (Amount and where payable) none

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed) none

6. OCCUPANCY AND LEASES (If vacant so state) none

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: none

8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: none

9. IF FARM LAND STATE CROPS SOWN: none

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: Company House

Imperial Cannery, #32.

2. LANDLORD'S NAME AND ADDRESS: B.C. Packers, Steveston, B. C.

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID:

Rent Free Paid by Husband

4. STATE WHEREABOUTS OF LEASE: none

5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid)

none

6. IF FARM LAND, PARTICULARS OF CROPS SOWN:

none

STATEMENT OF PERSONAL PROPERTY OWNED:

1. GIVE BRIEF DESCRIPTION AND STATE LOCATION OF FURNITURE, FIXTURES, EQUIPMENT AND MACHINERY, STOCK IN TRADE AND PERSONAL EFFECTS:

Kitchen Utensils, Saucers and Bowls, Hot Water Bottle, Steel and Knife,

Wash Boards, Tubs, Trunk Buckets, Iron, Gas Stove, Clock, Sewing

Machine Personal Effects, Beds, Kitchen Stove. All in the Custody

of the Imperial Cannery, Steveston B. C.

2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS

none

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY: none

4. INSURANCE CARRIED ON ABOVE PROPERTY: none

5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF OTHERS: none

6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom)
~~B. C. Paclers, owe for Unemployment Insurance, Employer's No. 105472 Employee's A-144442.~~

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts)
\$4.00 War Savings Certificates in declarants possession.

8. BANK ACCOUNTS: none

9. LIFE INSURANCE: none

10. INTEREST IN ANY ESTATES OR TRUSTS none

11. SAFETY DEPOSIT BOX: none

LIABILITIES:

1. PERSONAL DEBTS: none

2. TRADE DEBTS: none

REMARKS: none

I, the undersigned, hereby voluntarily turn over to the Custodian all my property in the protected area as set out above, excepting fishing vessels, deposits of money, shares of stock, debentures, bonds or other securities, if any.

I certify that the above information is true and complete and fully discloses all my property of every description in any protected area in British Columbia and sets forth all my liabilities direct and indirect.

Dated this 4th day of April 194 2.

(Signature) " T. Ito "

"A. G. McArthur"

Witness

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

Date: Sept. 21, 1948.

E. DeLusa