

<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 % of Total	Sale Price	Total Award 125% of all Sale Prices: % of Total	
		1000.		50.00 12.50					162.50
<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	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price		
177.00	81.50	24.45	46.04%	89.00	40.97	300.00	36.00	50.00	101.42
TOTAL RECOMMENDATION									313.92

CASE NO: 426

JAPANESE PROPERTY CLAIMS COMMISSION

New Denver, B.C.

June 23, 1948

IN THE MATTER OF THE CLAIM OF

SEIZABRO MIYAKE

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)

10

New Denver, B.C.

June 23, 1948

IN THE MATTER OF THE CLAIM OF
SEIZABRO MIYAKE

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

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

G. HAMBLETON, Esq., Official Reporter.

30

MR. COBUS: The claim, your honour, of Seizabro Miyake, No. 39 on the Secretary's list.

SEIZABRO MIYAKE, the claimant herein, being first duly sworn, testified through the official interpreter as follows:

MR. COBUS: I would ask leave, your honour, to amend the claim for the realty by showing under 4 (e) (i) and (ii) a total value of \$1350.00, and a credit to the Custodian of \$1000.00, leaving a net realty claim of \$350.00.

THE COMMISSIONER: Yes, all right.

MR. COBUS: The items shown on the claim form can be deleted.

Then, under 5 (e), the original claim showed the land and house again under item 1; that is now deleted. We have revised the personal property claim to show a total of \$836.00 and a credit to the Custodian of \$381.50, leaving a personal property claim of \$454.50. The chattels will be shown on a list to be attached to the chattel statement to be filed later. The total chattel claim is now -- I should say the total claim is now \$804.50. The list attached is replaced by the list I have referred to.

DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I produce to you a statement concerning the real property for which you have submitted a claim. Did you instruct Mr. Leckie to prepare

S. Miyake
In Chief

this statement for you?

A: Yes.

Q: Is that your signature? A: Yes.

Q: Is the information contained therein true to the best of your knowledge and recollection?

A: Yes.

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

THE COMMISSIONER: That will be Exhibit No. 1.

10 (STATEMENT MARKED EXHIBIT NO. 1)

MR. COBUS: This parcel was a 15 acre area described as the south half of Section 16, Township 1, Rupert District, Comox Assessment District at Alert Bay, B.C. I think perhaps the post office address should be Hyde Creek, Alert Bay, B.C.

THE COMMISSIONER: No, Alert Bay. There isn't any post office at Hyde Creek. It is Alert Bay.

Q: Ask him if his post office address is Alert Bay.

A: Yes, Alert Bay.

20 THE COMMISSIONER: Alert Bay.

MR. COBUS: I wonder what Hyde Creek is, your honour.

THE COMMISSIONER: Hyde Creek is just a float, that's all.

MR. COBUS: Q: What is Hyde Creek, witness?

A: It is a wharf about four miles from Alert Bay. You go across to the mainland.

MR. COBUS: The property was purchased on December 5th, 1939 for \$1320.00, which price included the buildings which are noted immediately to the right of the figure \$1320.00. He lists five

30

S. Miyake
In Chief.

buildings. He estimates the value of the land, building and improvements at \$1320.00. He says that he is about four miles from Alert Bay. He lists as an improvement made after purchase the erection of a cowshed in 1940, 16 feet by 40 feet, which cost about \$300.00. He agrees that the only access was by water communication, and that would be by gas boat, his own. He took the milk out every day in rough or fair weather.

10 He says he is advised that the property was assessed for \$1700.00 in 1946, and therefore he considers that the appraisal for \$1200.00 on June 18, 1944 was considerably below the fair value of this property. He says that he raised hay for the cattle, vegetables for his own use, and operated for dairy purposes as well. The land was all cleared and very suitable for operation as a dairy farm, and raising poultry. It was also good for small fruits and vegetables.

20 While he considers the value would be more than \$1350.00, he is claiming that when it was sold by the Custodian for \$1000.00 in September, 1946, he has entered his claim for the approximate which he paid in December, 1939. He believes this would be the minimum value at the time of sale.

Would my friend produce the appraisal on this property?

(Handed to Mr. Cobus)

30 THE COMMISSIONER: Q: Ask him what happened to his

S. Miyake
In Chief

cattle. There is no sign on here at all.

MR. COBUS: Your honour, he is claiming under personal chattels for cattle.

THE COMMISSIONER: He has claimed for them.

A: He said he left the cattle there and he thought they were in the claim.

THE COMMISSIONER: Yes, I see there is a separate claim here for the cattle. That is all right.

10 MR. COBUS: This is a hand-written document dated June 8th, 1944 at Alert Bay, B.C., and addressed to a Mr. Baxendale, Agent, Japanese Custodian, which appears to be a report on the subject realty but is not signed.

MR. MACDONALD: In that connection, your honour, the only way that I can identify it is by a copy of a letter which was written to the claimant on December 13, 1947 in which they say: "For your information we enclose herein a copy of Mr. Wastell's appraisal of the real property which
20 was sold by the Custodian." Wastell's name appears in a memorandum at the bottom, and, while it is not signed, I presume that is the appraiser.

MR. COBUS: Well, Mr. Wastell no doubt will be able to identify his own appraisal. That document, whatever it may be, is filed on behalf of the Crown.

(APPRAISAL MARKED EXHIBIT NO. 2)

30 Q: Now, witness, I produce to you a statement concerning the personal property for which you have

S. Miyake
In Chief

submitted a claim, totalling \$836.00 under "Estimated Value at the Date of Evacuation." Did you instruct Mr. Leckie to prepare this statement and is that your signature?

A: Yes.

Q: Is the information contained therein true to the best of your knowledge and recollection?

A: Yes.

10 MR. COBUS: I would ask leave to file the personal property statement.

(STATEMENT MARKED EXHIBIT NO. 3)

20 MR. COBUS: The claimant, your honour, in Exhibit 3 has set out in full detail all of the items for which he is claiming, including certain household furnishings, certain equipment and certain livestock, being five milk cows, one bull or ox, two calves. He says that, with respect to storage of the goods, the rowboats were left with J. Tarkanen, Sointula, B.C., and both were later sold by the Custodian. The cattle were left in the barn on his property at Hyde Creek, Vancouver Island. The other articles were left in the house on his property. The claimant says that he denies that he gave his bull to Mr. Chisnall. I don't know who Mr. Chisnall is.

Q: Who is Mr. Chisnell?

A: He was a man who lived in my neighbourhood at a logging camp.

30 MR. COBUS: He believes that the five cows, the bull,

and two calves would be worth at least \$570.00 as detailed above in his statement when sold by the Custodian for \$300.00 in April, 1942. He says that he has allowed for depreciation on all articles claimed except the unused cordwood. He makes no reference to the cattle or the bull, your honour.

Would my learned friend produce the Analysis of Personal Property Claim?

109 MR. MACDONALD: I am just trying to find it.

MR. COBUS: I think you have the short form, Mr. MacDonald; there is a short form of personal property analysis.

THE COMMISSIONER: I suppose there would be depreciation on those cows if they weren't milked or looked after, and the calves if they weren't fed and so on.

MR. COBUS: I suppose so, your honour.

20 The short form of the Analysis of Personal property claim is filed on behalf of the Crown.

(ANALYSIS MARKED EXHIBIT NO. 4)

MR. COBUS: I would point out, your honour, referring to Exhibit 4, that we have abandoned certain items; for instance, one wheelbarrow, instead of two is in the present claim. Then, immediately following: the galvanized pipe, the wire rope, the butter; those three items are abandoned. Then the milk bottles are abandoned, both items of milk bottles are abandoned. Then the gas

S. Miyake
In Chief

torch is abandoned, and a three horsepower tractor is abandoned inasmuch as he is not claiming against the sale thereof. On the second page of the analysis there was a gas boat which was involved in this claim originally, your honour, and I should have mentioned that we were abandoning the claim for the gasboat, subject to the Terms of Reference being broadened. Then, with respect to the animals, we are claiming for two calves instead of three as noted on the form; we have abandoned the rowboats and the Fordson tractor, and, finally, the hammer.

10

MR. MACDONALD: The what?

MR. COBUS: The hammer, which is the last item. That now agrees with the itemized list which is submitted as part of the chattels statement.

Your witness.

MR. MACDONALD: I submit that the real property was sold at its fair market value, your honour, and the personal property that was sold was sold at its fair market value. The personal property claimed for is claimed at an exorbitant figure.

20

CROSS EXAMINATION BY MR. MACDONALD:

Q: When you bought this land in 1939, did you pay cash for it? A: No.

Q: On what terms did you buy it?

A: I put down \$350.00 cash and the balance at \$200.00 a year.

30

Q: \$200.00 a year. And at what interest?

A: No interest.

Q: Now, is it a fact that the boats cannot always get into that place because of unfavourable weather that seems to exist up there?

A: That is not so; the larger boats anchor outside and the smaller boats go to the shore.

Q: Well, I mean the larger boats.

A: Now they can't come in.

10 Q: They can't come in. Now are there many people living up near this place?

A: There is nobody else there.

MR. MACDONALD: Nobody else. It is a wonder we sold it at all.

Q: There was \$670.00 owing on this property at the time it was sold, wasn't there?

A: Yes.

Q: How close were you to the nearest neighbourhood, to the nearest residences up there?

A: About four miles either way.

20 THE COMMISSIONER: Q: Ask him if this property is on Malcolm Island. I think it is on Malcolm Island. Ask him if his place is on the same island as Sointula. Sointula is on Malcolm Island.

A: His was on Vancouver Island, Hyde Creek.

MR. MACDONALD: Q: On Vancouver Island.

A: Vancouver Island.

THE COMMISSIONER: Yes, he is right across.

MR. MACDONALD: Q: Now, have you had any experience
30 in selling second hand goods and chattels?

A: No.

Q: Now, where did you say you left the stock, the cattle, when you left there?

A: I left them in the barn.

Q: What time of the year was that?

A: I think the 16th of February, but I am not sure.

Q: Well, were they in charge of anybody when you left them in the barn?

10 A: There was nobody in the neighbourhood so I couldn't do anything of that nature. There was nobody there.

20 THE COMMISSIONER: Well, you see, what happened, Mr. MacDonald was when this man was evacuated, he left the cattle there and then the provincial police tried to feed them and look after them and then they wired for authority to the Custodian to sell them. They said that if the cattle weren't sold or looked after, they were going to die. Then the Custodian wired the provincial police to sell these cattle for \$300.00, which they did.

MR. MACDONALD: Yes, I see.

THE COMMISSIONER: That is on the record there.

MR. MACDONALD: Yes, your honour. I was just wondering how they were left, that is all.

MR. COBUS: One question, your honour.

RE-DIRECT EXAMINATION BY MR. COBUS:

Q: Who ordered you to leave your place?

30 A: I went to the Pioneer Logging Camp in a rowboat

S. Miyake
Re-Direct exam

and there was a person there from the Navy.
I was told at two o'clock by this person that
I would have to leave at five. That is how
it happened.

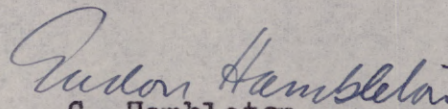
THE COMMISSIONER: That is all, Mr. Miyake.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

10


G. Hambleton
Official Reporter

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

H.W. Colgan
Sub-Commissioner

20

30

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]

File 1370

New Denver
Wells

39

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

(1) NAME MIYAKE SEIZABRO (RCMP) Reg. No. 09853
(Print) Surname Given Name

(2) Pre-Evacuation Address Alert Bay, 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.)
Part of the South Half of Section Sixteen (16) Township One (1) Rupert
District in Comox Assessment District. - 15 acres

(c) Type of Real Property (cross out words which do not apply):

- (i) Farm
- (ii) Residence Type of business Mixed Farming
- (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.)..... Sole Owner

(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)	- - - - -	\$	<u>4,028.60</u> 1350
(v) Amount at which Custodian sold property and credited your account	- - - - -	\$	<u>987.50</u> 1000
(f) Loss (This figure is arrived at by deducting item (v) from item (iv)	- - - - -	\$	<u>3,041.10</u> 350

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
Alert Bay, B.C.

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

(c) How stored or packed at time of evacuation
Left on premises

(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")

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

1.	Land & House	Estimated Value \$	1350.00-
2.	Chattels - Livestock etd.	Estimated Value \$	2678.60 \$36.00
3.		Estimated Value \$	
4.		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 \$ 4028.60

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) - - - - - \$ 3041.10

(6) (a) Place at which claimant prefers to be heard. (b) Do you require the services of an interpreter at the hearing? Yes or no Yes
 (Vancouver, Kamloops, Nelson, Lethbridge, Moose Jaw, Winnipeg, Toronto or Montreal.)

Nelson or New Denver

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, Seizaboro Miyake of the Village of New Denver 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 Village)
 of New Denver)
 in the Province of B.C.)
 this 21st day of November)
 A.D. 1947.)

S Miyake

Paul Brongelin)
 Commissioner for Taking Affidavits) 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.

Re: Seizaburo MIYAKE

CHATELS

Singer Sewing Machine (new)	\$ 85.00
Dresser	30.00
Wheelbarrows - 2	22.00
Galvanized pipe - new - 500 ft.	50.00
Wire rope - 3/8" - 500 ft.	30.00
Butter - 80 lb.	32.00
8 Cords Wood - Short	72.00
15 doz. Quart Milk bottles	18.00
15 doz. Pint Milk Bottles	12.60
1 Gas Lamp	8.00
1 Gas Torch	7.00
1 Cream Separator	45.00
Horse Hay Rake	25.00
3 Horse Power Tractor	150.00
Gas Boat - 27' x 6 1/2' - 4 H.P.	800.00
5 Head Milk Cows)	
1 Head Ox)	
3 Calves)	660.00
Stove	35.00
2 Row Boats	90.00
Fordson Tractor	500.00
Cross Cut Saw	6.00
Hammer	1.00

\$ 2678.60

S Miyake
(Claimant's Name)

EXHIBIT No. 426-1
DATE June 23/48
FILED BY Cobus

REAL ESTATE
(Other than farm)

09853
Reg. No.

Type of Premises
(e.g. House, Store, etc.)
No. of Rooms
ST SECT 16 (TWP 1, Rupert
District - Comon. Ass't Dist
~~Hydebeck~~ alert Bay BC (PO)
Hydebeck

Type of Locality
Cost Price
about 4 mi from
alert Bay -
1320.00
(including
bldgs
water
opposite)

Comments re upkeep of premises:
Repairs were done
as required
& property left in good
condition

Buildings on land when bought

- ① House 20 x 24 - 2 stories
6 rooms - frame drop siding
on posts - shingle roof - 1/2 pitch
(inside) one room papered - bir
floors - full cellar
Improvements made by Claimant
- ② Barn - 14 x 24 - frame - shake
roof
- ③ Chicken house 16 x 100' - frame
- shake roof
- ④ Boat house - 12 x 20 - frame (lumber)
- shake roof
- ⑤ Cow stable - 24 x 16 lumber - shake roof

When Purchased
Date of Purchase
15 acres Dec 5/39
(all cleared)
land
(land on Vancouver Island)
Estimated Value Date of Sale
1350.00
(land, bldgs
& improvements)

Improvements made after purchase

- ① erected a cow shed in 1940 - size 16 x 40
- lumber walls - shingle roof - planned floor
- own labour + hired labour + bought materials - cost about 300.00

Comments re Appraiser's report not covered above:

I agree that the only access was by water. Communication was by gas boat (my own). I visit the milk out every day in rough or fair weather. I am advised that the property was appraised for 1700.00 in 1946 and therefore I consider that the appraisal for 1200.00 (June 8 1944) was considerably below the fair value of this property.

Comment - I raised hay, beef cattle feed, vegetables on my own and operated for dairying purposes. The land was all cleared and very suit able for operation as dairy farm and raising poultry; also good for small fruits and vegetables. While I consider the value would be more than the 1350.00, I am claiming, when sold by the Custodian for 1000.00 in Sept 1946, I S Miyake have entered my claim for the approximate price I paid in Dec 1939. I believe this would be the minimum value at the time of sale.

SIGNATURE

EXHIBIT No. 426 - 2
DATE June 23/48
FILED BY Crown

Alert Bay, B. C.
June 8, 1944.

Mr. Baxindale,
Agent Japanese Custodian

Dear Mr. Baxendale

Herein I beg to submit my valuation of the several properties of Japanese here and at Hydes Creek.

Hydes Creek Vancouver Island Sam Mayaki property consists of 15 acres of land cleared and fenced is situated without any access except by water. No safe harbor. The value of this land would not be more that \$20.00 per acre at this time. The property contains a residence, barn, chicken houses, cow stables, boat-house and one or two smaller buildings. The house built about 20 years ago is well built, all lumber build inside and out but of cheap material and has no modern conveniences foundation is posts set in the soil present value would not exceed \$600. The outbuildings would be of little value except to an occupier as they could not be moved but used by an occupier would be worth \$300. In all the place is worth approx. \$1200. This low valuation is caused by their being no access to the place other than by water and that only during favorable weather.

There is some Farm equipment including a Farm Tractor, plow, harrows, Hayrake, Mowing Machine and smaller tools for farm use. These I understand are not covered by the mortgage on the place so would have to be sold separately They are not modern and would I consider be not worth more than 25% of the value of new tools for similar work.

Other effects consisting of household goods are old partly homemade could not be valued other than what they would bring at a public auction.

X Larkanon offers
\$400 for machinery

"Office note: See H. Baxendale's covering let. of 17/6/44 on R. P. Sec. of File 1370 for Mr. Wastell's qualifications as appraiser (JP, large property owner etc.)"

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

Sept. 21, 1948

C. McLaughlin

S MIYAKE
(Claimant's Name)

EXHIBIT No 426-3
DATE June 23/48
FILED BY Cobua

PERSONAL CHATTELS

09853
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 larger sewing machine	apr 1941	new	85.00	good	70.00
1 dresser	1941	new	40.00	good	30.00
1 wheelbarrow	1941	new	11.00	"	8.50
2 cords of wood	1942	new	pd 8.00 per cord	unused	64.00
1 gas lamp (table oil lamp)	1935	new	8.00	good	5.00
1 horsehay rack	1939	used	25.00	good	17.50
1 cream separator	1941	new	45.00	good	40.00
5 milch cows	(2) 1941 (3) 1940		750.00 (freight extra)	good (conditioning)	500.00
1 bull (one)	2 yrs old 1942	raised		good	50.00
2 calves	3 mos old 1942	"		"	20.00
1 kitchen stove	1939	new	35.00	good	25.00
1 cross cut saw 6 1/2' long	1940	new	10.00	good	6.00

Description of Storage of Goods:

Row boats were left with J. Jansson, Saientuta BC - both later sold by Custodian - cattle were left in barn on my property at Hyde Creek, Vancouver Island - other articles were left in house on my property -

Total claim

\$836.00

General Statement as to Chattels not Described above:

all chattels claimed are listed above

Additional Comments, if any:

I deny that I gave my bull to Mr. Churnall. I believe the 5 cows, bull and 2 calves would be worth at least 570.00 (as detailed above, when sold by the Custodian for 300 in Apr 1942 I have allowed for depreciation on all articles except unused cord wood -

S Miyake
SIGNATURE

EXHIBIT No. 426 4
 DATE June 23/48
 FILED BY Crown

COPY

RE: CLAIM ON PERSONAL PROPERTY BY SEIZABURO MIYAKE

FILE 1370

<u>CLAIM</u>	<u>Amount</u>	<u>Goods</u>	<u>Ident.</u>	<u>Jap. Valuation</u>	<u>Sale Price</u>	<u>Remarks</u>
	\$85.00	Sewing machine	"JP"	\$ 85.00	\$ 31.00	Sold by auction (Oct. 24-44)
	\$30.00	Dresser	"JP"	30.00	5.00	Sold by auction (Oct. 24/44)
	\$22.00	Wheelbarrows (2) "1"	"A"	None	(1.50 (5.50	Not declared. "Wheelbarrow top" sold by auction Oct. 24/44; and "wheelbarrow" sold by auction July 4/44. (See "A" below.)
	\$50.00	Galv. Pipe (new, 500') <i>ab</i>	—	None	1.50	Not declared. "2 lengths water pipe" sold by auction Oct. 24/44.
	\$30.00	Wire Rope (3/8", 500') <i>ab</i>	—	None	None	Not declared. Not an Agent's Inventory.
	\$32.00	Butter (80 lbs.) <i>ab</i>	"JP"	32.00	"spoiled"	Custodian Agent, H. Basendale, reported (May 12/42) that butter was "Spoiled" and "Destroyed."
	\$72.00	Wood (8 cords)	"JP"	64.00	None	Included in Agent's Inventory (May 12/42), but unaccounted for.
	\$18.00	Milk Bottles (15 doz. qts.) <i>ab</i>	—	None	None	Not declared. Not on Agent's Inventory. No record of these bottles on file.
	\$12.60	Milk bottles (15 doz. qts.) <i>ab</i>	—	None	None	Not declared. Not on Agent's Inventory. No record of these bottles on file.
	\$ 8.00	Gas lamp	—	None	.50	Not declared. Agent's Inventory (May 12/42) lists an "oil lamp", which is what was sold.
	\$ 7.00	Gas torch	<i>ab</i> —	None	None	Not declared. Not listed in Agent's Inventory
	\$25.00	Horse Hay Rake	"JP"	30.00	5.00	Sold by auction Oct. 24/44
	\$45.00	Cream separator	"JP"	45.00	32.00	Sold by auction July 4/44
	150.00	3 H. P. Tractor	<i>ab</i> Letters	150.00	100.00	This small power cultivator was sold by owner for \$150.00 but purchaser failed to pay for it and it had to be re-possessed by this office, and eventually (Oct. 8/43), with considerable difficulty, re-sold for \$100.00

(over)

CLAIM

<u>Amount</u>	<u>Goods</u>	<u>Ident.</u>	<u>Jap Valuation</u>	<u>Sale Price</u>	<u>Remarks.</u>
\$800.00	Gas Boat (4 H. P.)	"JP"	\$800.00	\$185.00	Sold by JFVDC. This was an old rebuilt boat (24' x 5' 5" x 2' 8") with 1926 model 4 H. P. Easthope motor, and was used as a milk boat, not a Fishing Vessel. It was sold (July 2/42) by the JFVDC for \$185.00, net proceeds being paid direct to owner, whose receipt dated Oct. 3, 1942, is on file.
\$660.00	(Cows (5) (Ox (1) (Calves (3)	"JP"	None	\$300.00	The lack of anyone in the vicinity to care for this livestock created a pressing problem, which was solved with the active assistance of the B. C. Police. (See "B" below).
35.00	Stove	None	None	None	Not declared. Included in Agent's Inventory (May 12/42) but unaccounted for.
90.00	Rowboats (2)	"JP"	\$65.00 (1)	\$ 80.00	Two boats sold by auction (July 4/44.)
\$500.00	Fordson tractor	"JP"	\$500.00	\$265.00	Sold by auction (Oct. 24/44). In his report, dated May 12/42, Custodian Agent H. Baxendale, stated: "The tractor or caterpillar is most certainly not worth the price on the Inventory. This machine was bought by Miyake 7 years ago for \$250.00."
6.00	Crosscut Saw	None	None	2.50	Not declared. Sold by auction (Oct. 24/44.)
1.00	Hammer	None	None	.25	Not declared. Sold by auction (Oct. 24/44.)
<u>\$2,678.60</u>				<u>\$1,014.75</u>	

- NOTES: (A) - Custodian Agent, H. Baxendale, in his report dated May 12th, 1942, listed "1 wheelbarrow" in his Inventory with the notation "Very good."
 (B) - In his report dated May 12/42, Custodian Agent H. Baxendale wrote as follows on this subject: "There were 9 head of stock as the Inventory shows but one calf was only a few days old. A. bull calf. Worth nothing. This was given to Chisnall by Miyake for some service rendered. As I say the value is Nil. The other 8 head were sold to the dairy man at Alert Bay. Amongst these 8 head was a young bull about 7 months old." The sale of this livestock is perhaps best covered by the following extracts of telegrams: (1) Mar. 21/42, B. C. Police radiogram from Corp. Howe reading in part: "Please contact Custodian of Enemy Alien property and advise him....eight head of cattle which are now being fed by police...please advise as soon as possible;" (2) Mar. 26/42, from Custodian: "...Muir advises impossible to take charge as cattle are five miles away only communication being by rowboat..."; (3) Mar. 27/42, from Corp. Howe: "...cattle...cannot be placed on nearby farm as it would mean transporting them by water"; (4) Apr. 6/42, from Custodian: "Please

COPY

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NOTES (cont'd.): contact Corp. Howe...and arrange for immediate sale of cattle..."; (5) Apr. 13/42. frp, Corp. Howe: "...offers three hundred dollars for cattle...consider this a good offer and advise he authorize us to accept as these cattle are not doing well..."; (6) Apr. 13/42, from Custodian to Corp. Howe; "Authority given that you sell cattle...for three hundred dollars...".

From attached copy of an appraisal of livestock on another farm property near Victoria (File 651), it would appear that the price realized for Miyake's cattle approximated their real value.

Vancouver, B. C., Dec. 5, 1947.

ey

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

Sept. 23, 1948

C. McLaughlin
C. D.