Name of Claimant KADONAGA, Yoshi Case 562

Custodian File 5135

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% there-of	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	
		1000.	100.00	50.00 4.17							154.17

PERSONAL PROPERTY								
Motor Vehicles		Boats and Boat Gear						
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Not Found & Recorded Now Missing	45% of amount in next preceding column	

NETS						
Total award for Nets plus Sale Price	Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing	Percentage Total Award to Total Claim	Claim for Nets Sold Declared Not Found, & Recorded Now Missing	Apply % ratio to Claim	Deduct Custodian Sale Price	

MISCELLANEOUS CHATTELS								
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price	

TOTAL RECOMMENDATION	154.17

CASE NO; 562.

JAPANESE PROPERTY CLAIMS COMMISSION

Lethbridge, Alberta,

August 12th, 1948.

IN THE MATTER OF THE CLAIM OF

YOSHI KADONAGA.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 562.

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 E.H. STACK, SUB-COMMISSIONER).

10 Lethbridge, Alberta,

August 12th, 1948.

IN THE MATTER OF THE CLAIM OF

YOSHI KADONAGA.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

G.E.A. RICE, Esq., K.C.,	appearing for the Dominion Government.
W.E. HUCKVALE, Esq.,	appearing for the claimant.

MISS LILLIE THOMAS,	Secretary.
D.J. HANDFORD, Esq.,	Official Interpreter.
S.R. HOWARD, Esq.,	Official Reporter.

30

THE SECRETARY: Case No. 562, Yoshi Kadonaga.

YOSHI KADONAGA, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. HUCKVALE:

Q Mr. Kadonaga, you are claiming an interest in farm land in British Columbia, is that right?

A Yes.

Q And thedescription of that land you have given in your original claim is the Southeast of Section 7, Mayne Island, Cowichan District, and the Southwest Quarter of Section 8, Mayne Island, Cowichan District, isthat correct?

Q Yes.

Q Now with respect to that real property, I want to show you this form (indicating). Will you look at it, please? A: Yes.

Q Have you read it over or had it read over to you?

A Yes, I think I understand what is in it.

Q And is that your signature on it?

A Yes.

Q And are the particulars contained in that form true and correct to the best of your knowledge, information and belief? A: Yes.

MR. HUCKVALE: I tender that as Exhibit 1, sir.

(STATEMENT MARKED EXHIBIT NO. 1).

MR. HUCKVALE: Now I have no copy of the appraisal in this case, your Honour. I take it if my friend has one, he will file it.

MR. RICE: All I have, your Honour, is one copy of the

appraisal.

MR. HUCKVALE: Are you putting that in?

MR. RICE: Yes.

MR. HUCKVALE: I would like to get another copy, if I may.

MR. RICE: Apparently the master file and the claim file are not here.

MR. SHEARS: I will see that you get one.

MR. HUCKVALE: All right, that is fine.

10 (APPRAISAL REPORT MARKED EXHIBIT NO. 2).

MR. HUCKVALE: Q: Now, Mr. Kadonaga, as I understand you, you and a brother, whose name is Ei, spelled E-i? A: Yes.

Q --and your cousin, Sasaki? A: Yes.

Q --bought this land between you?

A Yes.

Q Is that correct? A: Yes.

Q But the title was taken in your brother's name only? A: Yes.

20 Q Now these buildings that you have described in your form, Exhibit 1, that is the house and the greenhouse, were, as I understand it, your sole property; is that correct?

A Yes.

Q Now do you know whether or not your brother has filed a claim for his interest in this land?

A He cancelled his claim.

Q He cancelled his claim?

A Yes.

30 Q Now I want to show you a letter, and I will let my

friend read it in just a moment, did you get that from your brother recently?

A Yes.

Q And it deals with this particular land?

A Yes.

MR. HUCKVALE: Before I file this, I will just show it to my friend. It only arrived very recently. (Letter to Mr. Rice.). I tender that as a letter from the title holder.

10 (LETTER MARKED EXHIBIT NO. 3).

MR. HUCKVALE: I don't think I have anything more to ask this witness. I think it is all covered in the form, sir. Will you answer Mr. Rice, please.

MR. RICE: I am submitting, your Honour, that this property was sold at its fair market value.

I wish to tender a memorandum respecting the claim of the real estate and the personal property to which is attached a "Messuage Tenure Property" form showing the sale.

20 (STATEMENTS MARKED EXHIBIT NO. 4).

CROSS-EXAMINATION BY MR. RICE:

Q I show you a letter purporting to be written by yourself, addressed to the Custodian's office, under date of March 14th, 1947. Will you look at that and tell me whether that is your signature?

A I think this was written by my elder brother although it has got my name on it in here. This

30 was written for me by my brother.

Q This was written for you by your brother?

A Yes, I can't write English so that I asked him to write it for me.

Q That was written for you?

A Yes.

MR. RICE: I wish to tender that letter, your Honour, as an exhibit.

(LETTER MARKED EXHIBIT NO. 5).

MR. RICE: This letter reads, "Will you please transfer
10 my share of the property back in Mayne Island, B.C., 160 acres, Southeast Quarter of Section 7, Mayne Island Cowichan District, (2) South Half of the Southwest Quarter, Section 8, 80 acres, to my brother Ei Kadonaga. He occupies the title of the property and if you can settle with him we can settle the rest amongst ourselves over here."

Q What share did yourbrother own in that property, your brother Ei?

20 A The value was $1500.00 and we each paid $500.00, three of us.

Q How much was Ei's share of it? Did he own one-third, or did he own five-ninths? I have information to say that he owned five-ninths.

A No, that wasn't so.

Q Excuse me. It was four-ninths that Ei owned.

A As far as I know we just three put our money in together and it was considered one piece of property. There was no question about it.

30 Q And you each owned a third share, is that right?

A Just my cousin and I, each built houses on the property but my brother, as he had worked elsewhere, did not build on the property.

Q My information is that your brother Ei owned four-ninths, that you owned two-ninths and that your cousin owned two-ninths or three-ninths; I am sorry. A: That is the manner in which the Custodian has taken charge of it.

10 MR. RICE: I point out, your Honour, that this property, while it was valued at $2750.00, appraised at that, it sold for $3000.00.

MR. HUCKVALE: Appraised in 1944 or 1945, I forget which, '45.

MR. RICE: It was sold on October 17th, 1945.

RE-DIRECT EXAMINATION BY MR. HUCKVALE:

Q Could you and your brother and your cousin write a letter to the Custodian telling him how to

20 divide this money up?

A Yes, my cousin and I wrote.

Q Well, could you write again, the three of you, to get this thing squared away?

A Yes, we can.

Q And dealing, not only with the moneys that the Custodian may now have, but any award that this Commission may make?

A No, we can't do it on the same basis.

Q You can't do it on the same basis, is that what

30 you say? A: No,

we can't do it on the same basis.

Q All right, that is all, thank you.

If you can't do it, nobody can do it for you, that is a cinch.

A Well, as it stands at present, my brother has no connection.

Q Well, tell him to never mind if he can't do it, I won't bother about the question. That is all, thank you, Mr. Kadonaga.

10 (Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

"S.R. HOWARD"
OFFICIAL REPORTER.

Certified Correct.

20 SUB-COMMISSIONER.

30

NOV 22 1947

5135 Case No. 562.

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

Letter rec'd

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

(1) NAME KADONAGA (Print) Surname YOSHI Given Name (RCMP) Reg. No. 14234

(2) Pre-Evacuation Address Mayne Island, B.C.

(3) Present Address Magrath, Alberta.

(4) REAL ESTATE

(a) Street Address (if any) _____ City or Municipality, _____ Province

(b) Legal description (lot number, block number, section number, etc.)

(1) South East Quarter (SE¼) of Section Seven (7), Mayne Island, Cowichan District -- One hundred and sixty (160) acres.
(2) South West Quarter (SW¼) of Section eight (8) Mayne Island, Cowichan District -- Eighty (80) acres.

(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.) Owner of one third (1/3) interest.

(e) Fair market value at date of sale (estimate this to the best of your ability):

(i) Land 10 acres cleared. Total - 240 acres. - - - - - - $ 850.00 (1/3) of value.
(ii) Buildings Greenhouse 42' x 160' House -- 16' x 20' - - - - $ 1600.00
(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) - $ 2450.00
(v) Amount at which Custodian sold property and credited your account - - $ 980.00

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 1470.00

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
Mayne Island.

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

(c) How stored or packed at time of evacuation

(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") _____

In the care of the Custodian.

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

1.		Estimated Value $
2.	Crop	Estimated Value $
3.	3000 tomato plants @ 33 1/3¢	Estimated Value $ 1000.00
4.		Estimated Value $
5.	Rec'd by Custodian ---------	Estimated Value $ 220.00
6.		Estimated Value $
7.		Estimated Value $
8.		Estimated Value $
9.		Estimated Value $
10.		Estimated Value $

TOTAL CLAIM FOR PROPERTY LOSS $ 700.00

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) - $ 2250.00

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

Lethbridge.

(b) Do you require the services of an interpreter at the hearing? Yes or no Yes

N.B.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to take declarations. All lawyers are qualified to do so.

DOMINION OF CANADA)
of)
TO WIT:)

I, Yoshi Kadonaga of the town
of Magrath in the Province of Alberta.
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 Town)
of Magrath)
in the Province of Alberta)
this 18th day of November)
A.D. 1947.) A Commissioner &c.

Yoshi Kadonaga

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.

KADONAGA Y.
(Claimant's Name)

REAL ESTATE
(Farm Land)

14234
Reg. No.

LAND	Acres	Date of Purchase	From Whom	Cost Price	Cleared Uncleared or cultivated at date of Purchase	Improvements at date of Purchase	Estimated value at Date of Sale
Uncleared Cultivated not planted Cultivated and not in crop List Crops 1 acre Tomatoes	240	1940	S.S.B.	$1500.00	Approx. 5 acres cleared but not cultivated	Nil	
Total							

IMPROVEMENTS SINCE PURCHASE OTHER THAN BUILDINGS (e.g. cultivation, plants, trees or special equipment)

Description	When Made	Cost
Breaking & cultivating 5 acres	1940-42	$300.
Cutting brush for roadway	"	

BUILDINGS

Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value
House	16 x 2	Shiplap	1940	$200.	$75.	$75.	$150.00	$200.00
Green House	42 x 160	4" x 6") 2" x 3")plus glass &c.	1940	1200.	150.	300.	250.00	1400.00

EXHIBIT No. 562-1
DATE Aug. 12/46
FILLED BY W. S. Huckvale

Comments re Appraiser's report not covered by above information:

This land was bought in 1940 by Claimant, his brother Ei and cousin S. Sasaki for $1500. cash. Title was taken in Ei's name but each owned an undivided one-third interest in the land. The buildings above described were sole property of claimant. S. Sasaki also had some buildings on the land but Ei had none.

v The dwelling was never finished due to evacuation but, apart entirely from labour, claimant says materials alone cost over $200.

Greenhouse glass cost $690. and lumber cost $600. It took about 3 months to construct. It was heated with oil drums, burning wood. Wood came off the land. This Greenhouse definitely was not of poor construction. Lumber was all painted and glass was standard for this type of building. No glass was cracked or broken at time of evacuation. It is noted that appraisal was not made until 14th June 1945. The claimant has no knowledge of conditions then but can only say the place was intact and well taken care of when he was evacuated.

Claim for Tomato plants is abandoned. Claimant only wishes to say that plants were in good shape and certainly not infested with thistles when he left.

Yoshi Kadonaga
Signature

EXHIBIT No. 562 - 2
DATE Aug. 12/48
FILED BY G.E. A. Rice

COPY

CORBETT'S STORE
SUCCESSOR TO
R. S. W. CORBETT & SON

PENDER ISLAND, B. C.
June 14th, 1945.

Mr. H. G. Bell,
Office of the Custodian,
506 Royal Bank Bldg.,
Vancouver, B. C.

Dear Mr. Bell:

As per your File 4977, Cat. No. 548, I made a survey of the Japanese property on Mayne Island yesterday and in my considered opinion the values are as follows -

#A, File 5135, dwelling with glass starting house attached
$200.00, Green House $600.00, Total.....$ 800.00

#B, File 8231, dwelling with green house attached
$100.00, Green Houses $350.00, total.....$ 450.00

File 4977, Land.....$1500.00

In elaboration of these values, first A File 5135, the dwelling is only a shell not being lined inside, it could be made habitable by lining and finishing completely. The greenhouse on this lot is in fair to poor shape. In all cases these greenhouses are very poorly constructed and actually the principal value in them is the salvage value of the glass.

B File 8231, the dwelling house is only a shack built principally of either second hand lumber or rough lumber out of the woods and very little if any value can be put on it. There is a glass starting house attached to this and the principal value is in that. The greenhouses are in very bad shape and in both cases were so infested with thistles that it was next to impossible to get inside to make very much examination. A fairly large proposition of glass is cracked. In addition there are no heating facilities whatever in any of these glass houses, the original owners I believe used stoves and these have either been stolen or sold.

The property itself consists of a long narrow valley set between high hills, there is some excellent land, comparatively light clearing, but in a great many places the valley is so narrow that it is not practical for farming. Mr. Mayers could not inform me as to where the corner posts were but the line fence across the valley was quite obvious for all practical purposes. There is a certain amount of cedar timber on the property but it is pretty well scattered and it is rather doubtful it it would be practical to take this timber out for logging purposes. A very high proportion of this property is situated on the mountain sides and hence of no value except as a water shed.

(Over)

Might say this property would sell at a much higher figure and much easier if it were not for the poor location, it is isolated with no view whatever and a very poor road, quite a bit of which is private and would have to be fixed by the owner of the property.

Taking it on the whole I consider the value I have put on this is a fair valuation both for the prospective purchaser and the owner.

Trusting this is the information you want.

Yours faithfully,

"S. P. Corbett"

NOTE: Original Appraisal is on the file of Ei KADONAGA (File 4977), the registered owner of the land, on which the Dwelling, Greenhouses and Outhouses of his cousin, Shintaro SASAKI (File 13826), and also those of his brother, Yoshi KADONAGA (File 5135) were built.

Ei KADONAGA owned no buildings on his land, and has not claimed any such ownership, nor has he filed any claim with the Commissioner.

At the written request of Shingaro SASAKI and Yoshi KADONAGA total net proceeds from sale of Real Property was remitted to Ei KADONAGA for direct negotiation and settlement of the 3 interests involved.

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

Sept. 16, 1948

E. McLaughlin

To Whom It May Concern:

The Mayne Island property that was under my name was bought by Shintaro Sasaki. As I agreed to buy the property under my name, my brother Yoshi Kadonaga was able to own half of it with Mr. Sasaki.

Mr. Shintaro Sasaki and Yoshi Kadonaga both cleared the land to build houses, greenhouses, etc. and made 1/2 a mile road for transportation.

Shintaro Sasaki built his own house#, greenhouse, garage, etc. He also cleared about 3 acres of land.

E. Kadonaga

562-3

EXHIBIT No. [redacted]

DATE Aug. 12/48

FILLED BY W.R. Huchoase

EXHIBIT No. 562 - 4

DATE Aug. 12/48

FILED BY G. E. Rice

File 5135

Claimant: Yoshi KADONAGA

CLAIM ON REAL AND PERSONAL PROPERTY

Amount	On	Jap. Valuation	Ass. Value	Appr. Value	Sold for
(1) $850.00	One-third of value of 240 acres of Land on Mayne Island	$850.00	--	--)	See Remarks
(2) 1600.00	Buildings (Dwelling and Greenhouses) on above land	1600.00	--	--)	
$2450.00					
	Amount of RP Claim (gross)				
980.00	Acknowledged Custodian Credit				
$1470.00	Amount of Real Property Claim				
			"Claim Abandoned"		
(3) 1000.00	3000 Tomato Plants	1000.00	--	--	
220.00	Acknowledged Custodian Credit				
$ 780.00	Amount of Personal Property Claim				
$2,250.00	Total amount of Claim				

Vancouver, B. C., June 3/48

RGB/P.

Remarks

(1) This item ($850.00) refers to land owned by claimant's brother (Ei Kadonaga), who did not recognize any outside interest in this land.

(2) This item ($1,600.00) represents buildings erected on the above land under an apparently vague verbal agreement. The failure of principals to reach an understanding delayed distribution of proceeds of Real Property sale, but in April, 1947, all concerned agreed to total proceeds being paid to registered owner of the land, for direct negotiation and settlement. This remittance was effected on Apr. 26)47 in the sum of $2969.00.

(3) This item ($1,000.00) apparently refers to Tomatoes that would have been planted in December (1941) but which would not be harvested until June (1942). As a member of the (Japanese) Active Pass Growers Association claimant's property was one of the 10 included in an Agreement (to which owners were a party) under which the operation of all the properties was taken over by Mayers & Ratcliffe (a partnership formed for the purpose) on a fixed rental plus share of surplus basis, and this account received its proportionate share, $599.02, less charges amounting to $61.05, as per statement of account on file.

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

Sept. 17, 1948

E. McLaughlan

Attached to 562 - 4

MESSUAGE TENURE PROPERTY

Catalogue No. 548
Name: Yoshi Kadonaga
Address: Mayne Island, B. C.

File No. 5135
Reg. No. 14234

Legal Description: (South East $\frac{1}{4}$ Section 7 and the South $\frac{1}{2}$ of the South West $\frac{1}{4}$ of Section 8, Mayne Island, COWICHAN DISTRICT) of which a brother, Ei KADONAGA, File 4977, is the registered owner.

Classification: Dwelling and 2 Greenhouses (6,800 sq. ft.).

Registered in the name of: (EI KADONAGA). (Title No. 118093-I).
State of Title: None.
Sold to: ROBERT AITKEN AND MARY PHILIP AITKEN (JOINT TENANTS) for $3,000.00 (Cash).
As at: October 17th, 1945.
Title (No. 156464-I) delivered to Agent (Salt Spring Lands Ltd.) on: Jan. 10/46.
Net proceeds ($2,849.62) released to credit of Ei KADONAGA on: December 14th, 1945.
Completed sales statement sent to Ei KADONAGA on: February 19th, 1946.
Chattels: Not involved.
Insurance: Transferred to Purchasers.

Administration: The operation of this greenhouse property was included in the Mayne Island Agreement covering all evacuee owned Hot House properties on Mayne Island.

In preparation for the eventual liquidation of the property a letter was addressed to the parties concerned suggesting a possible basis for settlement between themselves, of their respective interests. However, this suggestion was not acted on and the parties (3) have now requested that total net proceeds be remitted to Ei KADONAGA (File 4977) for adjustment between them, thus relieving this office of the onus of making any adjustment.

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

12th April, 1947.

"R. G. Bell"

RGB/P.

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

Sept. 17, 1948

C. McCleughan
E.B.

562 - 5

EXHIBIT No.

Aug. 12/48

DATE

FILED BY G. E.A. Rice

Magrath, Alta.,
March 14, 1947.

Dept. of the Secretary of State,
Office of the Custodian,
506 Royal Bank Bldg.,
Vancouver, B. C.

Dear Sir:

Will you please transfer my share of the property back in Mayne Island, B. C. C (1) 160 acres, South-east $\frac{1}{4}$ of Sec. 7, Mayne Island Cowichan District (2) South $\frac{1}{2}$ of South West $\frac{1}{4}$ Sec. 8 (80 acres) to my brother, Ei Kadonaga. He occupies the title of the property and if you can settle with him we can settle the rest amongst ourselves over here.

Yours truly,

"Yoshi Kadonaga"

Reg. No. 14234

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

Sept. 17, 1948

C. McClughan
E.R.