

<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		
<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
							530.00 245.00	542.50	360.00	182.50
<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			
63.75	27.60	8.28	43.12%	116.25	50.12	6.00	.72	59.12		
<b>TOTAL RECOMMENDATION</b>										<b>241.62</b>

CASE NO: 575.

JAPANESE PROPERTY CLAIMS COMMISSION

Lethbridge, Alberta,  
August 16th, 1948.

IN THE MATTER OF THE CLAIM OF  
SANSHIRO NAGATA.

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 R.M. EDMANSON, SUB-COMMISSIONER).

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Lethbridge, Alberta,  
 August 16th, 1948.

IN THE MATTER OF THE CLAIM OF  
SANSHIRO NAGATA.

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.

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MISS LILLIE THOMAS,

Secretary.

D.J. HANDFORD, Esq.,

Official Interpreter.

SER. HOWARD, Esq.,

Official Reporter.

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S. Nagata,  
In Chief.

THE SECRETARY: Case No. 575, Sanshiro Nagata.

MR. HUCKVALE: There is a claim here, amongst other things, for a fishing vessel, and that part of the claim will be abandoned. The rest we will proceed with.

THE SUB-COMMISSIONER: That part you will abandon?

MR. HUCKVALE: The part with regard to the fishing vessel only, sir.

THE SUB-COMMISSIONER: Yes.

10

SANSHIRO NAGATA, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. HUCKVALE:

Q Now, Mr. Nagata, you are claiming for some fishing equipment and for some household furniture, is that correct?

MR. RICE: Your Honour, I would like to get the matter clear. The fishing vessel, is that what you describe as a fishing boat? That is only one article, I take it?

MR. HUCKVALE: Yes, that is all.

MR. RICE: And that is being abandoned?

MR. HUCKVALE: Yes.

A Yes.

Q Now with respect to your fishing equipment you took certain forms out of my office the other day. Have you brought them back?

A Yes.

Q Thank you. Now with respect to your fishing equipment, Mr. Nagata, I want you to take another

30

S. Nagata,  
In Chief.

look at that form (indicating).

A I don't understand English. I haven't been able to read it.

Q Well you took it out of my office on Saturday morning, didn't you?

A Yes, I had my son explain it to me.

Q Yes. Well did you sign it after your son had explained it to you? A: Yes.

10 Q And did you find that the particulars in the form are true and correct?

A Yes.

MR. HUCKVALE: I will tender that form, sir.

(STATEMENT MARKED EXHIBIT NO. 1).

MR. HUCKVALE: Now perhaps before I go ahead, my friend would file his personal property analysis, and I believe there is a letter on his file from the Custodian to the claimant dated the 6th of July, 1944, and I would like him to file the copy as we have not got the original.

20 QMR. RICE: What date was that again?

MR. HUCKVALE: The 6th of July, 1944.

THE SUB-COMMISSIONER: That is from the Custodian to the claimant?

MR. HUCKVALE: Yes, sir.

MR. RICE: You say you wish this filed as an exhibit?

MR. HUCKVALE: Yes. I don't think my friend has filed the analysis of personal property yet.

THE SUB-COMMISSIONER: That will be Exhibit 2.

(PERSONAL PROPERTY ANALYSIS MARKED EXHIBIT NO. 2).

S. Nagata,  
In Chief.

THE SUB-COMMISSIONER: And the letter will be Exhibit  
No. 3.

(LETTER MARKED EXHIBIT NO. 3).

MR. HUCKVALE: Q: Now with respect to your claim for  
personal chattels, will you look at that form,  
Mr. Nagata? A: Yes.

Q Did your son read that form over to you?

A Yes.

Q And did you find the particulars in it true and  
correct? A: Yes.

Q And did you sign it? A: Yes.

MR. HUCKVALE: I will tender that, sir.

(STATEMENT MARKED EXHIBIT NO. 4).

MR. HUCKVALE: Q: Now I am afraid I will have to ask  
you, Mr. Nagata, to give me, if you can, some  
further particulars with reference to these  
chattels. How old was your kitchen stove when you  
left British Columbia?

A About 6 or 7 years from the time I bought it.

20 Q And do you know how much you paid for it?

A About \$30.00.

Q And how old was your heater stove?

A About 3 or 4 years.

Q Do you know how much you paid for it?

A \$15.00.

Q Now you claim for a cupboard. Do you remember that?

A About four or five years, approximately.

Q Was that bought, or did you make it?

A No, it was a new one that I purchased.

30 Q How much did you pay for it?

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In Chief.

A \$15.00.

Q Now there is a bookcase that you are claiming for?

A That was made for me by a friend and cost about \$7.00.

Q How old was it? A: About 4 or 5 years.

Q And your gramophone? How old was it?

A That was bought at Spencer's. It was about 7 or 8 years old.

10 Q Do you remember how much it cost you?

A \$25.00.

Q And do you remember a dresser?

A That was about 7 years old and cost roughly about \$18.00.

Q And a chiffonier; do you remember that?

A I am not quite sure what is meant by a chiffonier. It could be the boy's bookcase or the table used by my daughter.

20 Q Well take it that it was the table that was used by your daughter. Do you know how much it cost and how old it was?

MR. RICE: It might be well to know when he meant when he swore to it.

A It was purchased about 1940 and about \$17.00 it cost.

Q Do you know what kind of wood it was made out of?

A It could have been \$17.00 to \$20.00, I don't remember exactly. It was hardwood.

30 Q Now you claim two bedsteads and mattresses. How old were they? A: I applied to the

S. Nagata,  
In Chief.

Custodian to have my beds and mattresses sent to me and two beds and mattresses were sent, but they turned out to be someone else's property and I was asked to return them, which I did, and after that I did not receive my own beds.

Q But these particulars beds for which you are claiming, how old were they at the time you left British Columbia?

A I think they were worth at the time of evacuation  
10 about \$12.00 to \$15.00.

Q Each, or the two of them together?

A Yes, each.

Q Did that include springs? A: Yes.

Q Now you had a mantle clock, is that right?

A Yes.

Q Do you know how old it was and how much it cost?

A About ten years previously, and cost \$17.75, I think it was.

Q And you had nine chairs? A: Yes.

20 Q What were they, kitchen chairs or dining room chairs or what?

A The kitchen chairs, 6, and 3 parlour chairs.

Q And were they old or new or what?

A The kitchen chairs were about 6 or 7 years old, and the other three chairs were about 3 or 4 years old.

Q And how much did you pay for the kitchen chairs, and how much for the parlour chairs?

A \$1.75 each for the kitchen chairs, and the other  
30 three I bought at \$2.25 each.



Q I see. Will you answer my friend, here, please. So far as the story about the beds is concerned, your Honour, it doesn't matter very much, I don't think, but if my learned friend wants the history of it, he can refer it to the Custodian's letter of October 12th. They apparently sent him pieces of beds that didn't fit, and he was obliged to return them.

MR. RICE: His evidence is somewhat different from my  
10 learned friend's statement.

THE SUB-COMMISSIONER: Pardon?

MR. RICE: His evidence is somewhat different from my learned friend's statement. I understood him to say that they were not his beds and he sent them back.

THE SUB-COMMISSIONER: Yes, he said they were beds sent to him and he found they weren't his so he sent them back and he never got his own beds.

MR. HUCKVALE: I will show my learned friend the letter.

20 THE SUB-COMMISSIONER: What is the date of the letter?

MR. HUCKVALE: October 12th, 1943.

THE SUB-COMMISSIONER: From the Custodian to this man?

MR. HUCKVALE: Yes.

MR. RICE: I am submitting, your Honour, that these chattels that were sold by the Custodian were sold at their fair market value. I take it that the record is clear that my learned friend is abandoning his claim to a fishing vessel and a rowboat.

30 MR. HUCKVALE: I am abandoning my claim to a fishing

vessel, that is all.

THE SUB-COMMISSIONER: What about the gear?

MR. HUCKVALE: I am claiming whatever is described in the form that is filed. The fishing vessel, the history of it is the usual one that it was sold through the Japanese Fishing Vessels Disposal Committee and therefore it doesn't come within the terms of reference.

10 THE SUB-COMMISSIONER: There is under the heading of "gear" a set of cork and lead line and a rowboat with oars

MR. HUCKVALE: It is all described in Exhibit 1, sir, that I have filed. It is in the Fishing Vessels, gear and equipment, personal property, you will find there a cork and lead line 200 fathoms, and the estimated value at the time of evacuation was \$60.00, and there is one rowboat and oars of the estimated value of \$20.00.

20 THE SUB-COMMISSIONER: Yes. The rowboat mentioned in Q Exhibit 1, and the fishing vessel, they are not one and the same thing?

MR. HUCKVALE: No, the fishing vessel is a power boat.

THE SUB-COMMISSIONER: I see.

CROSS-EXAMINATION BY MR. RICE:

Q What did you do with the rowboat?

A That was left behind.

Q As part of the fishing vessel, was it a tender for the fishing vessel?

30 A It is used in conjunction with the fishing vessel,

but it is a separate item.

Q A separate item? A: Yes.

Q Who did you leave it with?

A I left it at the cannery.

Q Did you turn it over to a cannery official?

A No, I just left it at the cannery.

Q You just left it there and you said nothing to anybody about it?

A Yes, I told the net man about it.

10 Q 9 Pardon? A: I told the net man about it.

Q The net man at the cannery? A: Yes, at the cannery.

MR. HUCKVALE: It is declared in his original declaration on evacuation which my friend acknowledges in this very form.

MR. RICE: I don't acknowledge anything in that form. All I do is just show a statement of what was filed. I am submitting, your Honour, that the rowboat was turned over to some person other than the Custodian and the Custodian is not responsible for it and it was lost or abandoned.

My learned friend has filed a claim here for \$200.00 and his personal chattel claim totals \$125.75. Do I take it the rest of the claim is abandoned?

MR. HUCKVALE: No, you take it that anything I want to abandon, I will advise you of.

MR. RICE: Well I have a personal chattels statement here which amounts to \$125.75 which is an itemized

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Cross-Exam.

statement, and my learned friend has submitted it as Exhibit No. 4 and the personal chattels in there total \$125.75.

THE SUB-COMMISSIONER: You are referring to Exhibit 4, the personal chattels claim?

MR. RICE: Yes.

THE SUB-COMMISSIONER: Yes, I see.

MR. RICE: And it totals \$125.75 and he has listed on this original claim household goods including furniture, kitchen utensils and cutting tools to the value of \$200.00.

MR. HUCKVALE: You will notice that the cutting tools are not described in this form here.

THE SUB-COMMISSIONER: He has only filed a claim of \$125.75.

MR. RICE: Yes, it totals \$125.75.

THE SUB-COMMISSIONER: It seems to me that he is bound by that.

MR. RICE: No, he says that this claim means nothing so far as he is concerned, and that he stands by his original claim of \$200.00.

MR. HUCKVALE: You will notice there are no tools on that list. I will get the prices on those if he wants them. I will tell him now on all these claims if I am going to abandon anything, I will let him know.

THE SUB-COMMISSIONER: Yes, but here is your original claim, and you give particulars of that claim to the Custodian and surely to goodness you are bound by the final statement you file.

MR. HUCKVALE: I am not bound to go in to the chattel claim, every single item in it. That is the argument we had the first day we were here.

MR. RICE: In other words, the chattel claim filed by my learned friend means nothing.

MR. HUCKVALE: Not at all.

MR. RICE: I don't know why he wastes time here by filing it.

THE SUB-COMMISSIONER: Pardon?

10 MR. RICE: I don't know why he wastes time filing it if it means nothing.

THE SUB-COMMISSIONER: It is up to him if he wants to take the chance. I would say that he would be bound by his second statement.

MR. RICE: Q: You sold several nets, did you not,

before you left?

A: I sold one

to the net man at the cannery, one comprising 200 fathoms.

Q Is that all you sold?

A: Yes.

20 Q You are positive of that, are you?

A About 2 or 3 days before I left.

Q Well I am informed that you sold two nets to H.S. Stewart before you left.

A Those may have been the nets that I sold the previous winter to an American.

Q Did you not sell to H.S. Stewart one  $5/40 - 6\frac{1}{2} \times 50$ , and I guess it is --, 150 net, also another one  $5/40$  by  $6\frac{1}{2}$  by 50 - 50? Do you recognize that description (indicating)?

30 A This?

S. Nagata,  
Cross-Exam.

Q This here (indicating). Didn't you sell those two nets to H.S. Stewart?

A Yes, I sold these to Mr. Stewart.

Q When? Surely he can answer or can give the answer without spending 5 or 10 minutes at it. I asked him if he didn't sell those two nets to Stewart which he admitted that he sold shortly before he left there.

A: The nets I sold to the American were spring nets.

10 Q When did you sell them?

A And those were  $8\frac{1}{2}$  inches.

Q I don't care what they were, but when did you sell them?

A: The previous year, in October or November.

Q Did you sell any nets to Stewart before you left there, shortly before you left?

A No, I sold  $6\frac{1}{2}$  nets to the cannery, maybe two or three days before I left.

Q But you sold none to Stewart?

20 A To the cannery net man.

Q Who was that? A: A man named Possi.

Q Those were the  $6\frac{1}{2}$  nets that you sold to the cannery?

A: Yes.

Q Possi bought those  $6\frac{1}{2}$  nets?

A Yes, Bossi bought those.

Q Well were two nets in addition sold to someone else?

A No.

Q And you sold no nets to Stewart?

A Only the ones I sold the year before.

30 THE SUB-COMMISSIONER: Q: And the nets sold in October

S. Nagata,  
Cross-Exam.

the previous year, he said were sold to an American. Now is Stewart an American?

A I don't know his name.

Q So that he can't say the nets sold the year before were sold to Stewart then?

MR. RICE: No, he doesn't say that.

Q Where did you leave your kitchen utensils and household furniture?

A They were left as they were.

10 Q Whereabouts? A: In the cannery house.

Q And was the house locked? A: Yes.

Q And what did you do with the key?

A My boy may have brought it with him.

Q To Alberta? A: I am not certain. He may have handed it to Possi at the cannery or he may have brought it with him when he came here.

Q But you didn't give it to the Custodian?

20 A No.

Q Can you give me a statement as to how the \$200.00 is arrived at for household effects?

THE SUB-COMMISSIONER: Read that to him (indicating).

A I know the prices of all the main items but many of the smaller things I cannot say for certain.

MR. RICE: Q: Just a guess, eh, a few hundred dollars?

A No, they are according to the list that we made when we came and it amounts to \$200.00.

30 Q All the list says is that it is \$200.00 for the whole thing. I am asking you how you make up the

\$200.00 as on the chattel form it totals up to  
\$125.75?

A: My boy has all  
the particulars in a notebook. It was made up  
from that.

Q Well this \$125.75, that is what it totals up to,  
these chattels? You can add that up for him, if  
you wish.

10 MR. HUCKVALE: If my learned friend will look at the  
declaration, he will find that all the items are  
not on that personal property form.

A There are other things besides those which are  
listed here.

Q There are other things? A: Yes.

THE SUB-COMMISSIONER: That is on Exhibit 1 now, is it?

MR. HUCKVALE: No, sir, it is not Exhibit 1. It would  
be Exhibit 4, I think.

THE SUB-COMMISSIONER: It is marked Exhibit 4.

MR. HUCKVALE: Yes. Exhibit 1 deals with fishing gear.

20 MR. RICE: Q: There are other things but you don't  
know what they were?

A No, I don't remember in detail.

Q All right, thanks.

THE SUB-COMMISSIONER: His declaration shows cutting  
tools as well.

RE-DIRECT EXAMINATION BY MR. HUCKVALE:

Q Did you have a chest of drawers, Mr. Nagata?

A Yes.

Q Did you have some tools?

30 A What kind of tools?



Q Saws or fishing tools or any other kind of tools?

A Yes, there was some carpenter's tools belonging to my boy.

Q Any other kind of tools?

A Yes, there was some sports gear for Japanese Kendo, fencing.

Q And were there any kitchen utensils?

A Yes, there were kitchen utensils.

10 Q And were all these things left behind in the house that you lived in?

A Yes, they were all left in the house.

Q Now these nets that my friend was talking about, just answer this question. You claim here for eight nets, is that right?

A Yes.

Q And they were all Bargour, except one which was a King Fisher?

A: Yes.

Q Have you sold any one of those nets for which you are now claiming?

A: No.

20 Q Now you said that you read this personal property form over with your son during the weekend. Did you read that sentence there (indicating)?

A I didn't have the key at the time I left.

Q I merely asked you if you read that sentence.

A I don't think he read this item to me.

MR. RICE: You don't think. What do you mean you don't think?

THE SUB-COMMISSIONER: You might designate that sentence. That is the sentence which tells where the key was left and it reads, "Left in claimant's house.

Key turned over to Custodian."

MR. HUCKVALE: Yes.

Q Well now, where was the key left to your house?

A My boy was looking after the key and whether he turned it over to the Custodian or gave it to the people at the cannery, I couldn't say for sure.

MR. RICE: Or whether he brought it to Alberta with him. That is what he told me.

MR. HUCKVALE: I don't know why my friend is so worried.  
10 He doesn't claim anything that is lost or stolen or anything else.

MR. RICE: I don't know why you are so worried.

MR. HUCKVALE: I am merely trying to satisfy you.

Q Now is that a list of the personal chattels which you made out?

A: Yes.

MR. HUCKVALE: I will file that, sir. That gives the values there.

Q That gives the values that you claim for each item, too, does it?

A: Yes.

20 (LIST MARKED EXHIBIT NO. 5).

MR. RICE: I notice in this list that two bedsteads are valued at \$10.00, while in the personal chattels claim, Exhibit 4, filed by my learned friend apparently the same items are valued at \$7.00. Do I take it that that is a reduction in the claim?

MR. HUCKVALE: I will let my friend know exactly when I am reducing any claim. He need not worry on that score.

MR. RICE: I would like to know what earthly use  
30 Exhibit 4 is to the Commissioner or anybody else.

S. Nagata,  
Re-Direct Exam.

THE SUB-COMMISSIONER: He has got two bedsteads and  
mattresses in there, \$15.00, that is in Exhibit 4.

MR. RICE: And they are listed here as two bedsteads  
and then they have two mattresses.

THE SUB-COMMISSIONER: And he said in his evidence that  
two bedsteads and mattresses including springs  
werex worth \$12. to \$15.00 each.

MR. RICE: Just a minute, your Honour. I want to add  
this list up, if I may. These items, I observe  
10 according to my addition, total \$182.00.

THE SUB-COMMISSIONER: How much?

MR. RICE: \$182.00.

THE SUB-COMMISSIONER: Yes.

MR. RICE: Does that constitute the claimant's claim  
for chattels that he filed amounting to \$200.00?  
I would like to ask him whether that is what  
constitutes his claim now or not.

MR. HUCKVALE: No, the claim is for \$200.00.

If I want to reduce it, I will let my friend know.

20 I have told him that a few times already.

MR. RICE: Then this list here is of little or no  
value except to add a few chattels with the values  
set out opposite each item.

THE SUB-COMMISSIONER: This Exhibit 5, he says this is  
a partial claim.

MR. RICE: A partial claim?

THE SUB-COMMISSIONER: Yes, he says this is a partial  
claim.

MR. RICE: Your Honour, everything is always a partial  
30 claim. All right.

S. Nagata,  
Re-Direct Exam.  
Discussion.

THE SUB-COMMISSIONER: Is that the original claim that you filed (indicating)?

MR. HUCKVALE: Yes, that seems to be the same.

THE SUB-COMMISSIONER: Q: That is the original claim, is it? A: Yes.

Q Who prepared that for you?

A I am not quite sure myself. My son handled the thing, and I don't know whether he made it out himself or whether somebody made it out for him.

10 Q Well, did he give the information to the man that took the affidavit or who did?

A My son gave it.

Q Well, is he present? I mean was the witness present? A: No, I was not present.

Q You were not present? A: No.

Q Where did you sign the declaration?

A That was brought over to me and read over to me and I signed it in my own place.

20 Q In your own place, but not before the Commissioner?

MR. HUCKVALE: It is signed before a notary, as a matter of fact.

A No, I signed it at home.

THE SUB-COMMISSIONER: I see. Do you want to ask him anything more? This will be part of the record, or should we file it?

MR. HUCKVALE: That is the original claim, sir.

MR. RICE: That sort of nullifies this man's claim, if he signed it at home and his son took it to the Commissioner or Notary Public and it was signed

by him and this man was not there.

MR. HUCKVALE: I wouldn't like to damn Mr. Tanner  
offhand.

THE SUB-COMMISSIONER: Pardon?

MR. HUCKVALE: I wouldn't like to condemn Mr. Tanner  
offhand.

MR. RICE: But you are bound by your own evidence.

THE SUB-COMMISSIONER: I don't know who the man is.

MR. HUCKVALE: It happens to be the Mayor of the town  
10 of Magrath as well as a few other things.

THE SUB-COMMISSIONER: It might be well for the Mayor  
of the town to learn how to take a declaration.

MR. RICE: Anyway, the record is clear that this man  
did not appear before him.

MR. HUCKVALE: Q: Do you know Mr. Tanner?

A Yes.

Q Did you see Mr. Tanner sign this?

A No, Mr. Tanner didn't see me sign it.

Q And do you still swear that these things are true  
20 now? A: Yes.

Q I think Mr. Tanner ought to be warned, sir.

THE SUB-COMMISSIONER: Pardon?

MR. HUCKVALE: I think that Mr. Tanner ought to be  
warned.

Q Take a look at the claim and tell me now whether it  
is true? AF Yes, I swear  
that now.

Q Thank you, that is all.

THE SUB-COMMISSIONER: What is that there that you have  
30 got when you say if he swears it? What is it? I

don't know yet.

MR. HUCKVALE: This is an exact copy of the original claim and it also bears a notarial seal the same as the other one.

THE SUB-COMMISSIONER: Oh, I see, it is a mimeographed form, is it?

10 MR. HUCKVALE: Yes. What actually happened in practice, sir, when these claims were originally prepared the deadline for filing them was the 30th of November of 1947. Now that deadline was later extended, but in November nobody was aware of the fact that there would be an extension of time. The result was because of the, and I think the Custodian himself refers to it, as the policy of rush, and the fact was that there was a very late beet harvest last fall and these claims were all prepared in a matter of 2 or 3 weeks. Now in order to get them done some of the younger Japanese-  
20 Canadians constituted themselves a committee and they went around the whole countryside interviewing these people and getting the particulars of the claims and they are the people who prepared this mimeographed form that was inserted in the typewriter with the printed form which you had before you just a minute ago. That is the way that dozens of them were prepared.

30 MR. RICE: I would like to point out, your Honour, that I have information now that that rowboat was taken over by the Navy and I think that fact should be noted for the purposes of the record here.

THE SUB-COMMISSIONER: Yes.

MR. RICE: It was taken over by the Navy and, therefore, the Custodian is not responsible.

MR. HUCKVALE: The fishing vessel, we will agree, was taken over by the Navy but not the rowboat. I doubt very much if they took the rowboat over. Just a minute, now. I will get that straightened out for the record.

THE SUB-COMMISSIONER: All right.

10 MR. HUCKVALE: Q: Do you know whether or not the Navy took your rowboat?

MR. RICE: He doesn't know what happened.

A No, they didn't. The Navy didn't take it.

MR. HUCKVALE: That is what I thought. I can't imagine the Navy taking it over. It is most absurd. That is all I have.

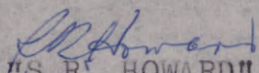
THE SUB-COMMISSIONER: All right.

(Witness aside)

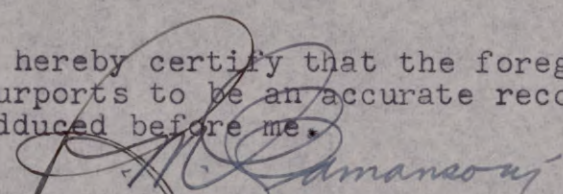
(PROCEEDINGS ADJOURNED SINE DIE)

20

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

  
"S.R. HOWARD"  
Official Reporter.

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

  
SUB-COMMISSIONER.

30

NOV 26 1947

Case No. 576

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]*

5310  
*[Signature]*

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

(1) NAME NAGATA SANSHIRO (RCMP) Reg. No. 04271  
(Print) Surname Given Name

(2) Pre-Evacuation Address Vancouver Cannery, Eburne, 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.) \_\_\_\_\_

(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 \_\_\_\_\_

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

Net in Cannery warehouse and household goods in house.

(c) How stored or packed at time of evacuation \_\_\_\_\_

Left in house.

(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 care of the Custodian.

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

1	1/ Fishing boat and gear -- Length = 32',	Estimated Value \$	
2	Beam 7'6", 16 H.P., Regal Engine ----	Estimated Value \$	1700.00
3	Value at time of evacuation ---	Estimated Value \$	
3	Forced sale -----	Estimated Value \$	985.00
2	4/ Not and Row boat *	Estimated Value \$	775.00
5	Received from Custodian -----	Estimated Value \$	360.00
3	6/ Household goods including furniture --	Estimated Value \$	
6	and kitchen utensils and cutting tools --	Estimated Value \$	200.00
7	Received from Custodian. -----	Estimated Value \$	45.10
8		Estimated Value \$	
9		Estimated Value \$	
10		Estimated Value \$	

TOTAL CLAIM FOR PROPERTY LOSS \$1284.90

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) - - - - - \$1284.90

(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

Lethbridge.

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, Sanshiro NAGATA 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 22nd day of November. )

*Sanshiro Nagata*

A.D. 1947. Notary Public - Edouard Gagnier 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.

(Claimant's Name)

(Fishing Vessels, gear and equipment)

Reg. No.

<u>NETS:</u>							
<u>Type</u>	<u>Size</u>	<u>Mesh</u>	<u>Fathoms</u>	<u>Age at Evacuation</u>	<u>Original Value</u>	<u>Estimated value at Evacuation</u>	
Barbour	5/50	5 13/16	50 x 150	2 years)	\$200.	\$100.00	
"	5/50	11	50 x 50	" )			
King Fishers	"	5 1/2	50 x 200	"	250.00	125.00	
Barbour	"	6"	50 x 300	"	200.00	100.00	
Barbour	5/40	7 1/4"	58 x 400	"	260.00	130.00	
"	5/40	6 1/2"	50 x 150	"	400.00	200.00	
<u>VESSELS SOLD BY CUSTODIAN</u>	5/50	5 3/4"	50 x 100	"		10.00	
"	"	"	50 x 50	"		30.00	

<u>NAME</u>	<u>Reg. No.</u>	<u>Type</u>	<u>Date Purchased</u>	<u>New or Used</u>	<u>Price Paid</u>	<u>Maintenance Work</u>	<u>Condition When Evacuated</u>	<u>With whom Left</u>	<u>Estimated Value</u>
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Improvements to Vessel since date of purchase:

<u>Type</u>	<u>Date</u>	<u>Cost</u>
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OTHER GEAR:

<u>Description</u>	<u>Date Purchased</u>	<u>New or Used</u>	<u>Price Paid</u>	<u>Condition when Evacuated</u>	<u>Estimated value at date of evacuation</u>
Cork & Lead Line (200 fathoms)	1941	New	\$65.00	Excellent	\$60.00
1 Row Boat & oars	1940	Made by Claimant	30.00	First class	20.00

Arrangements made for storage when evacuated:

In Cannery Warehouse. Nets properly hung, bluestoned etc.

EXHIBIT No. 575-1  
 DATE Aug 16/48  
 FILED BY W. E. Huchvale

Additional Comments, if any: This claim is exactly the information I forwarded the Custodian in July 1943. Apparently my nets were lost (see letter from Custodian 6th July 1944)

*S Nagata*  
 Signature

# ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 5310

EXHIBIT No. \_\_\_\_\_

NAME Sanshiro NAGATA

REG. No. 04271

DATE	INVENTORY	DETAILS OF CLAIM	SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND
			AUCTION	TENDER &c		
DECLARATION <u>Apr. 22/42</u>	TAKEN BY _____					
EVACUATION <u>May 19/42</u>	DATE _____					
<u>Vancouver Cannery - 5 room House, Eburne, B.C.</u>		Fishing Boat and Gear- Length-32', Beam 7'6", 16 HP Regal Engine Value. . . . . \$1700.00 Forced Sale. . . . . <u>985.00</u>	715 00	1000 00		<i>Sold by Jc</i>
5 double beds, springs and mattresses dresser and mirror cabinet kitchen range gramophone bookcase containing books 9 chairs 3 tables 1 chest of drawers clock sewing machine heating stove 2 saws		Net and Row Boat 775.00 Rec'd from Cust. <u>360.00</u> LOSS 415.00		360 00		
		Household goods including furniture and kitchen utensils and cutting tools 200.00 Received from Cust. <u>45.10</u> LOSS 154.90	27 60	6 00		
		Total LOSS 1284.90	27 60	1366 00		
		Total Sales		<u>27 60</u> <u>139360</u>		
<u>In Cannery Warehouse:</u>						
	1 Row Boat					
	6 Fishing Net, Line, 7 Sets.					
<u>Nets reported July 17/43</u>						
	( Barbour Hung 5 13/16 x 5/50 x 50 - 150 fa.					
	( Barbour Hung 5/13/16 x 5/50 x 50 x 50 both worth \$100.00					
	King Fishers 5 1/4 x 5/50 x 50 x 200 \$125.00					
	Barbour 6 x 5/50 x 50 x 300 and Barbour 6 x 5/50 x 50 x 100 \$100.00					
	Barbour 7 1/4 x 5/40 x 58 x 400 \$130.00					
	Barbour Hung 6 1/2 x 5/40 x 50 x 150 and 6 1/2 x 5/40 x 50 x 50 \$200.00					
	Barbour 5 3/4 x 5/50 x 50 x 100 \$10.00					
	Barbour Hung 5 3/4 x 5/50 x 50 x 50 \$30.00					
	1 Set of Cork and Lead Line 200 Fa. ea. \$60.					
	1 Row Boat with Oars \$20.					

EXHIBIT No. \_\_\_\_\_

CASE No. \_\_\_\_\_

VENUE \_\_\_\_\_

SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANY TIME	ABANDONED	NOT ACCOUNTED FOR THEFT & C	UNSOLD	REMARKS
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*Sold by Fishing Vessel Committee.*

This boat was sold by S. NAGATA to B.C. Packers through the JFVDC for \$1000.00 on April 7, 1942. Undated receipt signed by S. NAGATA is on file. This matter never came under the Custodian.

EXHIBIT No. 575-2  
DATE Aug 16/48  
FILLED BY G. S. A. Rice

5310

July 6th, 1944.

Mr. Sanshiro NAGATA,  
Registration No. 04271,  
Welling, Alberta.

Dear Sir:-

Thank you for your letter of June 17th which has not been answered more promptly in the absence of the writer. We sincerely regret the inconvenience you have suffered but would ask you to remember that we have over 15,000 cases to deal with and the volume of detail work is very considerable. We are making another attempt to locate your beds and are also enquiring further about your nets. We hope to write you again the near future.

Yours truly,

H. F. Green  
Protection Department

HFG:IF

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

Oct. 7/48

*L. May*  
*J. J.*

(Claimant's Name)

Reg. No.

<u>Description of Major Items (and particularly of goods lost, stolen or destroyed)</u>	<u>Approximate Date Purchase</u>	<u>New or Used When Purchased</u>	<u>Price Paid</u>	<u>Condition when Evacuated</u>	<u>Estimated value at Date of Evacuation</u>
Kitchen Stove					\$20.00
Heater Stove					10.00
Cupboard					10.00
Bookcase					10.00
Gramophone					20.00
Dresser					12.00
Chiffonier					15.00
2 Bedsteads & Mattresses					15.00
Mantel Clock					7.00
9 Chairs					6.75

Description of Storage of Goods:

Left in Claimant's house. Key turned over to Custodian.

General Statement as to Chattels not Described above:

EXHIBIT No. 575-4

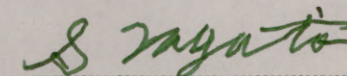
DATE Aug. 16/48

FILLED BY W. E. Hackrall

Additional Comments, if any:

~~P.O. Claim shows some articles claimed to be fixtures. I understood I could take anything from this place I put into it.~~

It would appear from auction sheets that only a few of my chattels were sold. I am unaware of what happened to the rest.



Signature

To Mr. C. Robert,  
Magrath, Alta.,  
March 29, 1948.

Mr. Huckvale,  
Barister & Solicitors,  
Rethbridge, Alta.

EXHIBIT NO. 575-5  
DATE May 16/48  
FILLED BY W. R. Huckvale

Dear Sir:

As advised previously to file in property claims, I am herein enclosing a partial report. The price quoted is not exaggerated but rather underestimated to be fair, and is as following:—

KITCHEN STOVE	\$ 20.00
HEATER STOVE	10.00
CUPBOARD	10.00
BOOKCASE	10.00
GRAMAPHONE	20.00
DRESSER	12.00
CHIFFONIER	15.00
2 BEDSTEAD	10.00
2 MATTRESS	5.00
MANTEL CLOCK	7.00
7ft. CROSSCUT SAW	12.00
9 CHAIRS	6.75
LAMP STAND	3.00
2 LARGE POT	4.00
KITCHEN UTENSILS	20.00
FIRE WOOD	20.00
2 TRAY	2.00
1 VALUABLE PLATE	1.00
2, 6, & 10 gal. CROCK	5.00

I hope this matter will receive your prompt attention.

yours very truly,

S. Nagasawa.