Name of Claimant ADACHI, Kiichiro Case 642

Custodian File 5673

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	

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	.00

CASE NO: 642.

JAPANESE PROPERTY CLAIMS COMMISSION

Lethbridge, Alberta,

September 8th, 1948.

IN THE MATTER OF THE CLAIM OF

KIICHIRO ADACHI.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 642.

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 L.H. STACK, SUB-COMMISSIONER).

10 Lethbridge, Alberta,

September 8th, 1948.

IN THE MATTER OF THE CLAIM OF

KIICHIRO ADACHI.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

G.E.A. RICE, Esq., K.C.,	appearing for the Dominion Government.
A.G. VIRTUE, Esq., K.C.,	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. 642, Kiichiro Adachi.

KIICHIRO ADACHI, the claimant herein, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. VIRTUE:

Q I show you a claim form (indicating).

A Yes.

Q Is that your signature?

A Yes.

10 Q That was prepared in my office by you with the help of an Interpreter?

A I didn't have an Interpreter.

Q You don't need an Interpreter?

A No.

Q Can you understand all right now?

A Yes, quite a bit.

Q All right. This is a claim for your boat.

A Yes.

Q Was this claim carefully prepared?

20 A Yes.

Q Is the statement true? A: Yes.

Q Was the value of $1000.00 that you put on your boat a fair value?

A Yes.

Q And it was sold by the Custodian for $350.00?

A Yes.

Q And you consider you took a loss on a fair basis of $650.00?

A Yes.

30 (SUMMARY MARKED EXHIBIT NO. 1).

MR. VIRTUE: Q: I believe this vessel was registered in the name of your father?

MR. RICE: Tatsuya Adachi.

MR. VIRTUE: Q: Rokujiro Adachi?

A Yes.

Q It was registered in the name of your father?

A Yes.

Q And you got the boat from your father?

A Yes.

10 Q But you didn't bother to change the registration to your name? A: No.

Q But it was your boat?

A Yes.

Q Where did you leave that boat?

A At New Westminster.

Q Was it tied up to the pier?

A Yes.

Q Was it left in charge of a Naval officer?

A Yes.

20 Q Would you remember the name of the Naval officer?

A No.

Q But he was a Naval officer in uniform?

A Yes.

Q And he took charge of your boat and you left it with him?

A Yes.

Q All right.

MR. RICE: Your Honour, I am submitting that this vessel was sold by the Japanese Fishing Vessels

30 Disposal Committee but if the Custodian is

responsible in any manner, I submit that the vessel was sold at its fair market value.

I wish to submit an analysis of personal property claim as an exhibit.

(ANALYSIS MARKED EXHIBIT NO. 2).

MR. VIRTUE: Have you a copy of that analysis, Mr. Rice?

MR. RICE: Yes.

(Analysis to Mr. Virtue).

MR. VIRTUE: Thank you.

10

CROSS-EXAMINATION BY MR. RICE:

Q I show you a card? A: Yes.

Q Is that your signature to it?

A Yes.

Q It is dated the 21st of April, 1942?

A Yes.

Q And this card says, "I certify that the above information is true and complete and state that I have no property of any kind whatsoever in any

20 protected area in British Columbia."

A Yes. At that time I asked what to do and he said it was done through the Navy, and that is why I didn't put it in. I asked him about the boat.

Q You say you asked about the boat?

A Yes, that is the only property I had, and up to that time the Japanese Board at that time they have that and that belonged to the Japanese Board, and that is why I didn't put that in.

Q But this was completed respecting your father's

30 boat? A: Yes.

MR. RICE: I would like to submit that as an exhibit, your Honour.

(CARD MARKED EXHIBIT NO. 3).

MR. RICE: Q: Did you ever reduce the value on this boat to $350.00?

A Pardon?

Q Did you ever reduce the value on this boat, you say it was valued at $1000.00?

A No.

10 Q What did your father value it at?

MR. VIRTUE: What was the last question, Mr. Rice?

MR. RICE: What did your father value it at?

MR. VIRTUE: I suppose it is pretty hard for this man to answer that question.

MR. RICE: Q: Do you know what your father valued the boat at?

A Before?

Q Or the vessel before it was sold?

A About $900.00, isn't it?

20 Q He valued it at $900.00?

A I don't know for sure; I think $900.00.

Q $900.00? A: Yes.

Q Did he ever value it lower than that, or do you know?

A No.

Q Why do you value it at $1000.00 then? You won't answer that?

MR. VIRTUE: What is your question again?

MR. RICE: I asked him why he valued it at $1000.00 if

30 his father valued it at $900.00.

MR. VIRTUE: Q: Answer that question.

MR. RICE: Q: Why did you value it at $1000.00? Can't you answer me? What is the matter with him?

MR. VIRTUE: Answer Mr. Rice.

THE SUB-COMMISSIONER: Q: Can't you answer that?

A It is that I can't hear very well.

THE SUB-COMMISSIONER: He cannot hear very well, he says, Mr. Rice.

MR. RICE: Q: I am sorry. Why did you value the boat
10 at $1000.00 when your father valued it at $900.00?

A He just had $900.00 put for it but not include the gear in that $900.00, and that is why it was put $1000.00.

Q Your father didn't forget about the gear when he valued it at $900.00.

A He forget to put in the gear.

Q You said that your father valued it at $900.00, before he died, but you value it at $1000.00.

A Yes.

20 Q I want to know why, or can you tell me why? All right.

RE-DIRECT EXAMINATION BY MR. VIRTUE:

Q Did you think the boat was honestly worth $1000.00?

A Yes, that is what I figured.

Q Now when you turned this boat over to the Naval officer?

A Yes.

Q Did you sign a form then?

30 A Yes, I signed it then.

Q You signed it then?

A Yes.

Q And showed yourself as the owner?

A Yes.

Q I believe there was a new engine and new gears put in the boat in 1941?

A Yes, that is right.

Q That is right? A: Yes.

Q In 1941? A: Yes.

10 Q Just a few months before they took it you put in a new engine and new gears?

A Put in June about.

Q In June of 1941?

A Yes, June of 1941.

Q All right, thank you.

THE SUB-COMMISSIONER: Q: When did you become the owner of the boat?

A When my father died.

Q When was that?

20 A Died October 15th, 1941.

MR. RICE: With much respect, your Honour, I don't think that statement is correct.

THE SUB-COMMISSIONER: Well he says that his father died October 15th, 1941.

A About around that, some times the month of October, 1941.

MR. RICE: Q: Did your father leave a will leaving the boat to you?

A No.

30 Q And you had a brother and a sister?

A I have got a sister.

Q A sister? A: Yes.

Q And a mother? A: Yes.

Q And they would share in the boat as much as you would? A: Pardon?

Q They would share in the ownership of the boat after your father's death just as much as you would?

A No, because at that time I took it myself, you see, but the womens can't drive the boat and I took it
10 down to the Naval officer and put it down and signed it.

MR. VIRTUE: Q: Was there an arrangement among the family that the boat would be yours?

A Yes.

Q Yes, all right, thank you. Okay, Mr. Adachi.

Just one thing I wanted to add here, sir, apparently the position of the Custodian is that this was a sale by the Voluntary Sales Committee, but it is obvious that that could not have been
20 the case here because the registered owner of the boat was dead and he couldn't consent and the consent of the real owner was not obtained.

THE SUB-COMMISSIONER: Well, even if the consent was obtained as in the other case, you disputed that, too, so that it does not make very much difference, does it?

MR. RICE: What happened here, your Honour, is that the boat was sold apparently in the lifetime of the owner but before the sale was completed, ---
30 it was sold to a man named Borthwick, -- but before

the sale was completed the owner died and it was for that reason that the matter was turned back to the Custodian who, in turn, had the Public Administrator, I believe, take out administration of the deceased's estate and documents were fixed up and the sale completed in that manner, your Honour, and I think the moneys were distributed between the proper parties. That would not have been done if what this claimant says is right, that it belonged to him.

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."

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

20

SUB-COMMISSIONER.

30

ACKNOWLEDGED Rule 5-673 Case No. 642.

NOV 24 1947

Lethbridge

Proof of Claim

IN THE MATTER OF Order-in-Council P.C. 1810, as amended by Order-in-Council P.C. 3737; and

IN THE MATTER OF "THE INQUIRIES ACT" being Chapter 99 of the Revised Statutes of Canada, 1927, and

IN THE MATTER OF a Commission appointed to inquire into and report upon the claims of persons of the Japanese Race under said Orders-in-Council.

1. Name of Claimant in full: ADACHI KIICHIRO

   Registration No. 02019

2. Claimant's address at the time of his evacuation from the protected area:
   Celtic Cannery, 49th Ave. & Blenheim Street, Vancouver, B. C.
3. Claimant's present address:
   Picture Butte, Alta.
4. Claim relating to real property:

   (a) Street address of real property: NIL

   (b) Legal description of property:

VIRTUE & RUSSELL, Barristers, Lethbridge.

(c) Type of real property, i.e., farm, residence, commercial, etc., and short description of it:

NIL

(d) Title or interest held by Claimant in the real property:

NIL

(e) Fair market value of real property at date of sale:

(I) Land— $ NIL

(II) Buildings— $

(f) Amount of loss alleged to have been sustained by the Claimant under the terms of reference:

$ NIL

5. Claims relating to personal property, etc.

(a) Location at which property was left by Claimant at date of evacuation:

Boat - New Westminster
Furniture - House - Celtic Cannery, 49th Ave. & Blenheim St., Vancouver, B. C.

(b) Type of premises in which property was left by Claimant and manner in which that property was stored or packed at time of evacuation:

Some furniture stored at Celtic Cannery, Vancouver, B. C.

(c) In whose care was property left by the Claimant at date of evacuation?

B. C. Packing Co., - Vancouver, B. C.

Boat - Officials of Dominion Govt.

(d) Itemized and detailed description of the property which is the subject of the claim, and itemized value thereof at the time of sale, loss or destruction:

Commercial fishing boat - 7 H.P Engine

30' X 7' X 3½' - $1,000.

(e) Amount of loss alleged to have been sustained by Claimant under the terms of reference:

$650.

6. I desire that my claim be heard at the City of Lethbridge in the Province of Alberta.

7. An Interpreter will ..... be required.

DATED this 21st day of ~~October~~ NOVEMBER, A.D. 1947.

Marjorie Lennard
Witness to Signature of Claimant.

Kuchiro Oikawa
Signature of Claimant.

VIRTUE & RUSSELL, Barristers, Lethbridge.

STATUTORY DECLARATION

I, ADACHI KIICHIRO
(Full Name of Claimant)

of Picture Butte, Alta.
(Present Address) *(Occupation)*

DO SOLEMNLY DECLARE:

1. I am the above named Claimant.

2. I have a personal and full knowledge of the circumstances and facts relating to the Claim above referred to.

3. The above Claim is true and correct.

4. I have not received any payment upon the above Claim other than the following:

NIL

And I make this declaration conscientiously believing the same to be true, and knowing it is of the same force and effect as if made under oath, and by virtue of The Canada Evidence Act.

DECLARED at Lethbridge

in the Province of Alberta,

this 21st day of November

A.D. 1947.

A Commissioner for Oaths in and for the Province of Alberta.

Kiichiro Adachi

VIRTUE & RUSSELL, Barristers, Lethbridge.

IN THE MATTER OF Order-in-Council P.C. 1810, as amended by Order-in-Council P.C. 3737; and

IN THE MATTER OF "THE INQUIRIES ACT" being Chapted 99 of the Revised Statutes of Canada, 1927, and

IN THE MATTER OF a Commission appointed to inquire into and report upon the claims of persons of the Japanese Race under said Orders-in-Council.

Proof of Claim

CLAIMANT: ADACHI KIICHIRO

VIRTUE & RUSSELL
Barristers & Solicitors,
Lethbridge, Alberta.

JAPANESE PROPERTY CLAIMS COMMISSION

Claim No. 1.

SUMMARY OF EVIDENCE IN SUPPORT OF CLAIM

The Following are Particulars of the Claim:

EXHIBIT No. 642-1
DATE Sept. 8/48
FILLED BY A. Kitto

1. Claimant's Name In Full: Kiichiro ADACHI

2. Registration Number: 02019

3. Present Address: McIntyre Ranch, Magrath, Alberta.
(Barnwell during month of September)

4. Address Prior To Evacuation: Celtic Cannery, VANCOUVER, B.C.

Note: NO CLAIM IS BEING MADE FOR REAL PROPERTY.

FISHING VESSEL

1. Name of Vessel.."R.A." (and fishing license # painted on)

2. Registration Number

3. Length+++ 30' .....Width----7' .....Depth-----3½'

4. Power Unit.....7 H.P. Motor

5. Date Purchased or Built.....Built in 1927

6. Cost of Vessel.....$1100.00

7. Maintanence and Improvements.

   (a) New Engine (1941)....$750.00

   (b) New Gears (1941)....$200.00

   (c) Painted and general repairs every year.

8. FAIR MARKET VALUE.....$1000.00

9. SOLD BY CUSTODIAN FOR..... 350.00

LOSS SUFFERED $650.00

Remarks: This Vessel is registered in the name of Claimant's father (Rokujiro ADACHI) but the vessel was given to the Claimant by his father but the change of ownership was never recorded.

I Hereby Certify The Above to be True and Correct.

Signature of Witness

Kichiro Adachi
Signature of Claimant

EXHIBIT No. 642-2

DATE Sept. 8/48

FILED BY G.E.A. Rice

PERSONAL PROPERTY CLAIM 31 May 48

5673

CLAIMANT	Kiichiro ADACHI	Regn. No: 02019	CLAIMING ON BEHALF OF HIMSELF & TATSUYA ADACHI & Takaka KADONAGA AS BENEFICIARIES OF THE ESTATE OF "Rokujiro ADACHI" (FATHER of Kiichiro and Takaka, ~~Mother~~ husband of Tatsuya.)
CLAIM	Commercial Fishing Boat - 7 H.P. Engine 30' x 7' x 3½'	- $1000.	
	Custodian credit	350.	
	LOSS	$ 650.	

REFERENCES HISTORY

Ref.1 Japanese "Vessel Registry" form turned into in by Kiichiro ADACHI at date of relinquishing vessel to JFVDC notes:

WHEN HULL BUILT:	1928
DATE ENGINE RE-INSTALLED	1940
PRESENT VALUE	$900. (now claiming $1,000.)

Ref.2 The vessel described in this reference was appraised by the JFVDC on Survey No. 280 NW (on file at this office in book form) and a value of $316.00 set on it.

Ref.3 A sale of the vessel to Alexander BORTHWICK in the amount of $350.00 was made by JFVDC sometime prior to June 1, 1942, however as the Registered Owner of the vessel (Rokujiro ADACHI) had died on 15 Oct 41, the necessary Bill of Sale could not be completed.

Ref.4 Delivery of the vessel to Borthwick was made on 1 Jun 42.

As Rokujiro ADACHI's estate had not been Administered, the funds derived from the sale of the vessel were paid to the Custodian by the JFVDC. The Custodian in turn forwarded same to J.M. Streight, Official Administrator, and upon his winding up of the estate, paid the beneficiaries as per instructions received from Mr. Streight. The widow of Rokujiro received one-third with a like amount going to each of the children above-mentioned.

Ref.5 F. Matheson's memorandum to McArthur d/15 Jan 45 provides a complete summary of the vessel claimed on

JC/..

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

Oct. 18, 1948 C. McGlughan

Form "J"

EXHIBIT No. 642-3
DATE Sept. 8/48
FILED BY G.E.A. Rice

Mission B.C.

OFFICE OF THE CUSTODIAN

JAPANESE SECTION

To be completed by persons of the Japanese race having no property in any protected area.

NAME: ADACHI Kiichiro

HOME ADDRESS: Celtic Cannery Vancouver B.C. REGISTRATION No. 02019

SEX: Male AGE: 34 MARRIED? Yes

OCCUPATION AND EMPLOYER: Fisherman Celtic Cannery Vancouver B.C.

NAME OF WIFE OR HUSBAND: Kiyoko ADDRESS: Celtic Cannery Vancouver B.C

NAMES OF LIVING CHILDREN:

Iwao (M) 10	ADDRESS:	"
Tetsuo (M) 7		"
Yoo (M) 4	ADDRESS:	"
Naruko (F) 2		"
Sakiye (F) 11	ADDRESS:	"

I certify that the above information is true and complete and state that I have no property of any kind whatsoever in any protected area in British Columbia.

Dated this 21st day of April 1942.

WITNESS: "F.T. Williams" (Signature) "Kiichiro Adachi"

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

Oct. 18, 1948

C. McLaughlan