

Name of Claimant

AOKI, Saifayoshi

Case 643

Custodian File

4967 (Principal of School in Vancouver)

<u>REAL PROPERTY</u>										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% 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	Amount	
<u>PERSONAL PROPERTY</u>										Total
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
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 CHATELS</u>										Total
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			
158.00			46%	800.00		368.00				
TOTAL RECOMMENDATION										368.00

CASE NO: 643.

JAPANESE PROPERTY CLAIMS COMMISSION

Lethbridge, Alberta,
September 8th, 1948.

IN THE MATTER OF THE CLAIM OF
SADAYOSHI AOKI.

PROCEEDINGS AT HEARING.

Original.

IN THE MATTER OF THE "INQUIRIES ACT"
PART 1, REVISED STATUTES OF CANADA 1927, CHARTER 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
SADAYOSHI AOKI.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

B.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

S. Aoki,
In Chief.

THE SECRETARY: Case No. 643, Sadayoshi Aoki.

SADAYOSHI AOKI, the claimant herein,
being first duly sworn, testified
through the Interpreter as follows:

DIRECT EXAMINATION BY MR. VIRTUE:

- Q Mr. Aoki, you lived in Vancouver before you were evacuated?
- A Yes.
- Q What was your occupation there?
- 10 A I was principal of the Japanese School.
- Q Principal of the Japanese School?
- A Yes.
- Q And in connection with your work as principal, did you require a great many books?
- A Yes.
- Q Now I show you a form of claim (indicating). Was that prepared by you in my office with the assistance of an Interpreter?
- A Yes.
- 20 Q And did you prepare your claim carefully?
- A Yes.
- Q Is that your signature (indicating)?
- A Yes.
- Q And are the statements in this about your personal property, books, furniture, and so on; are they true?
- A Yes.
- Q Are the prices you have placed on these articles fair prices?
- 30 A Yes.

S. Aoki,
In Chief.

Q And you consider your claim a just and fair claim?

A Yes.

MR. VIRTUE: I will offer that as an exhibit.

(SUMMARY MARKED EXHIBIT NO. 1).

MR. VIRTUE: All right, thanks.

MR. RICE: I am submitting, your Honour, that the goods
and chattels were sold for their fair market value.
I am submitting that other goods claimed by the
claimant, or chattels, at least, of which there is no
10 record of at any time, the Custodian is not res-
ponsible for and if the Custodian is responsible
for any, as well as those that are not accounted
for, the claim made by the claimant is excessive.

I wish to submit, your Honour, as an exhibit
an analysis of personal property claim to which
is attached a chattel summary.

(DOCUMENTS MARKED EXHIBIT NO. 2).

MR. RICE: I observe that the claim originally filed by
the claimant was for \$1055.00 and it is now
20 \$1015.00.

MR. VIRTUE: Well we will accept the amount as now
filed, Mr. Rice, as now sworn to.

CROSS-EXAMINATION BY MR. RICE:

Q You claim for a stove which you had purchased in
1934 for \$75.00?

A Yes.

Q What kind of a stove is it?

MR. VIRTUE: Where do you find that? What number on
30 your analysis of the claim?

A It is a six-hole stove.

MR. VIRTUE: Where do you find that on the claim or the analysis?

MR. RICE: What is that, the stove?

MR. VIRTUE: Yes.

MR. RICE: You have a kitchen range, perhaps I misquoted it and called it a stove.

MR. VIRTUE: Oh yes, kitchen range. I didn't identify it by stove.

10 MR. RICE: Q: Excuse me, what was the answer?

A It was a six-hole stove.

Q What make?

A: I have for-

gotten. It had a name, but I have forgotten.

Q Are you sure you paid \$75.00 for it?

A Yes.

Q Have you any record of that?

A No, I haven't got any record of it.

Q Who did you buy it from?

A In Mac & Mac's store in Vancouver.

20 Q What was that, new or secondhand?

A Yes, it was new.

Q You were evacuated in 1942?

A Yes.

Q And all this stove depreciated after you used it eight years was \$15.00?

A Yes, I think it was still worth that much.

Q I notice you bought a bureau in 1934 for \$30.00 and after using it eight years you still value it at \$30.00, is that right?

30 A Yes.

Q That did not depreciate a five cent piece over a period of eight years?

A It is my impression that it should appear as having been depreciated.

Q That is all.

MR. VIRTUE: That is all, thank you.

Your Honour, I want to call your attention to two statements in the analysis filed as Exhibit 2, under the "Remarks" column,

10 "Many school books and Japanese novels bearing name of claimant found. No record of disposal of books."

And again in the summary of claim, Exhibit 2, at the foot,

"Goods for which Japanese claims \$610.00 lost due to theft, etc."

That is their own statement.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

S.S.R. Howard
".S.R. HOWARD; Official Reporter."

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

W. T. Stack

SUB-COMMISSIONER.

NOV 27 1947

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:

AOKI , Sadayoshi.

Registration No.

06942.

2. Claimant's address at the time of his evacuation from the protected area:

1934 Triumph St., Vancouver B.C.

3. Claimant's present address:

Iron Springs, Alberta.

4. Claim relating to real property:

(a) Street address of real property:

(b) Legal description of property:

4697

Leth.

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

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

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

(I) Land— \$

(II) Buildings— \$

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

\$

5. Claims relating to personal property, etc.

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

1934 Triumph 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:

Stored in 2 rooms of the building at 1934 Triumph St., Vancouver B.C.

Dolls and Vases packed in box, stored in room.

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

designated to Custodian.

(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:

<u>Household Chattels</u>	
Kitchen range	\$60.00
Dining table	15.00
Chairs -16	28.00
Bureau	20.00
Sun Ray Lamp	50.00
3 vases - Genuine gold-lined vase	55.00
-Handpainted vase	25.00
Bamboo woven vase.	5.00
Gramophone	10.00
Japanese Festival Dolls	45.00
Prints with frames	
6 large	20.00
2 small	15.00
Coral	15.00
Clamshell-1 $\frac{1}{2}$ ' length	15.00
Hand painted trays-3.	15.00
Bon-bon dishes -4	12.00
Electric Heater	5.00
Office desk	30.00
Office chair	5.00

(List is completed on following page.)

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

Total value - \$1055.00

Received from Custodian - \$16.61 (cheque not cashed)
Claim - \$1038.39.

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 20th day of October, A.D. 1947.

November.

S. Kumamoto
.....
Witness to Signature of Claimant.

S. Aoki
.....
Signature of Claimant.

BOOKS

Economics books	
Book of Knowledge	
Teacher's Encyclopedia	\$100.00
Webster's Dictionary	75.00
Book of Beethoven Sonatas (German print)	45.00
	5.00
<u>Others</u>	25.00
	<u>\$250.00</u>
Fiction- 130	
Books on Pedagogy (in Japanese) 30	
Books on Philosophy- 12	
Books of Ethics -15	
Books on Psychology -12	
Books on sociology -6	
References of school textx- 30	
Books on Art -5	
Dictionaries- 4	
Books on Geography-6	
Books in History- 18	
Books in Literature 170	
	Total value of these books:
	<u>\$360.00</u>

STATUTORY DECLARATION

Sadayoshi AOKI

(Full Name of Claimant)

Iron Springs, Alberta.

(Present Address)

Retired.

(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:

Received from the Custodian the sum of \$16.61.

(cheque not cashed yet.)

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 *Picture Butte*

in the Province of Alberta,

this *2nd* day of *November*

A.D. 1947.

Russell D. Virtue

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

S. Aoki

VIRTUE & RUSSELL
Barristers & Solicitors
Lethbridge, Alberta.

IN THE MATTER OF Order-in-Council
P.C. 1810, as amended by Order-in-Council
P.C. 3737; and
(Full Name of Claimant)

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

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. 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:

Proof of Claim

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
in the Province of Alberta,
this day of
A.D. 1947.

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

VIRTUE & RUSSELL
Barristers & Solicitors,
Lethbridge, Alberta.

JAPANESE PROPERTY CLAIMS COMMISSION

Claim No. ⁴

SUMMARY OF EVIDENCE IN SUPPORT OF CLAIM

The Following are Particulars of the Claim:

1. Claimant's Name In Full: **Aoki, Sadayoshi**

2. Registration Number: **06942**

EXHIBIT No. 643-1

DATE Sept. 8, 1948

FILED BY A. G. Virtue

3. Present Address: **General Delivery,
Lethbridge, Alberta.**

4. Address Prior To Evacuation: **1934 Triumph Street,
Vancouver, B.C.**

PERSONAL PROPERTY:

ITEM	YEAR PURCHASED	PRICE PAID	VALUE	REMARKS
kitchen range	1934	\$75.00	\$60.00	
dining table	1934	25.00	15.00	
chairs-16	1934	40.00	28.00	
bureau	1934	30.00	30.00	
Sun Ray lamp	1940	50.00	50.00	
3 vases				
gold-lined vase	1940		55.00	gift
hand-painted vase	1940		25.00	gift
bamboo woven vase	1939		5.00	gift
gramophone	1931	85.00	10.00	
Japanese Festival dolls	1930- 1941	45.00	45.00	
Prints with frames				
	1932	3.00		
	1932	3.00		
6 large	1932	3.00		
	1932	3.00		
	1929	4.00		
	1936	4.00	20.00	
2 small	1940	7.50		
	1940	7.50	15.00	
coral	1939		15.00	gift
clamshell-1 1/2 ft. length (giant clam or Tridacna gigas)	1935		15.00	gift
hand-painted trays-3	1932		15.00	gift
Bon-bon dishes-4	1928 1931 1934 1934		12.00	gifts

(ADD ADDITIONAL PAGE IF NECESSARY)

(IF CLAIM FOR VESSEL DESCRIBE ON SEPARATE SHEET NUMBERED 6 A)

PERSONAL PROPERTY:

ITEM	YEAR PURCHASED	PRICE PAID	VALUE	REMARKS
electrid heater	1938	\$7.00	\$ 5.00	
office desk	1934	40.00	30.00	
office chair	1934	10.00	5.00	
			\$ 445.00	
Economic books-30	1938-41	160.00	100.00	
Books of Knowledge-set	1925	75.00	35.00	
Teachers Encyclopedia-set	1935	80.00	45.00	
Webster's Dictionary-1	1935	15.00	5.00	
Book of Beethoven Sonatas (leather-bound- German print)	1935	25.00	25.00	
			\$210.00	
OTHER BOOKS	1918- 1942			
Fiction-130		260.00	85.00	
Books on Pedagogy (in Japanese-30)		90.00	30.00	
Books on Philosophy -12		60.00	20.00	
Books on Ethics-15		75.00	25.00	
Books on Psuchology-12		60.00	20.00	
Books on Sociology-6		30.00	10.00	
References of school texts -30		60.00	20.00	
Books on art-5		20.00	7.00	
Dictionairies-4 (Japanese and Chinese)		20.00	7.00	
Books on Geography-6		24.00	8.00	
Books on History-18		90.00	10.00	

ADD ADDITIONAL PAGE IF NECESSARY) 340.00 ~~118.00~~
 Books on Literature-170 360.00
 (IF CLAIM FOR VESSEL DESCRIBE ON SEPARATE SHEET NUMBERED

PAYMENTS RECEIVED FROM CUSTODIAN ON
PERSONAL PROPERTY

Item:

Year:

Month:

Amount.

Total: \$ 16.61

Total Claim for Personal Property \$1015.00

Deduct Payments from Custodian \$ 16.61

Net Loss on Personal Property \$ 998.39

I Certify the above to be True and Correct.

[Handwritten Signature]

Witness

[Handwritten Signature]

Signature of Claimant.

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 4697

EXHIBIT N

NAME AOKI, Sadayoshi

REG. No. 06942

DATE		INVENTORY	SALES		SOLD WITH REAL PROP.
DECLARATION	April 18/42	TAKEN BY	AUCTION	TENDER &c	
EVACUATION	April 26/42	DATE			

Kitchen range
kitchen table and
10 chairs
dining room table and
6 chairs
bureau
gramophone
a large quantity of
educational books
value about \$2000.00
at 1934 Triumph St.,
Vancouver, B.C.

DETAILS OF CLAIM	AUCTION	TENDER &c
HOUSEHOLD CHATTELS		
1. Kitchen range	60.00	5.00
2. dining table	15.00	1.00
3. chairs - 16	28.00	8.35
4. bureau	20.00	.50
5. sun ray lamp	50.00	
6. 3 vases -		
1 genuine gold-lined	55.00	
1 handpainted	25.00	
1 bamboo woven	5.00	
7. Gramophone	10.00	
8. Jap. Festival Dolls	45.00	
9. Prints with frames -		
6 large	20.00	9.95
2 small	15.00	
10. Coral	15.00	
11. Clamshell - 1 1/2' length	15.00	
12. 3 handpainted trays	15.00	
13. 4 bon-bon dishes	12.00	
14. Electric heater	5.00	
15. Office desk	30.00	
16. Office chair	5.00	
BOOKS		
17. Economics books	100.00	
18. Book of Knowledge	75.00	
19. Teacher's Encyclopedia	45.00	
20. Webster's Dictionary	5.00	
21. Book of Beethoven Sonatas (German print)	25.00	
OTHERS		
22. Fiction - 130		
23. Books on Pedagogy (in Japanese) 30		
24. Books on Philosophy -12		
25. Books of Ethics -15		
26. Books on Psychology -12		
27. Books on sociology - 6		
28. References of school texts - 30		
29. Books on Art -5		
30. Dictionaries - 4		
31. Books on Geography - 6		
32. Books in History - 18		
33. Books in Literature-170		
total value of 22-33	360.00	
	1,055.00	24.80

SALES	TENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD	REMARKS
00								Auction Sale June 20/45
00				50.00				
35				55.00				
50				25.00				See Chattel Summary re goods, ownership unknown, removed from 1934 Triumph and sold at auction.
				5.00				
			10.00					
				45.00				
95				15.00				
				15.00				
				15.00				
				12.00				
				5.00				
				30.00				
				5.00				
						100.00		
						75.00		
						45.00		
						5.00		Ltr. June 15/45 -many school books & Japanese novels bearing name of claimant found. No record of disposal of books.
						25.00		
						360.00		
			10.00	287.00		610.00		

EXHIBIT No. 643-2
 DATE Sept 8/48
 FILED BY E. R. A. Rice

SUMMARY OF CLAIM

Goods for which Japanese claims \$148.00 sold at auction for \$24.80
 " " " " " 10.00 declared but not found
 " " " " " 287.00 no record at any time
 " " " " " 610.00 lost due to theft, etc.
 \$1055.00

Matheson
May 26/48

CHATTEL SUMMARY

File: 4697

May 27, 1948

Re: AOKI, Sadayoshi, Reg.No.06942

In JP Declaration of April 18/42, this man reported that he occupied an 8-room dwelling at 1934 Triumph St., Vancouver. His chattels were to be left in the building. 1934 Triumph St. was a 12-room, 2 storey building. The first floor had been used as a Japanese school. The second floor had living quarters. The property was registered in the name of Iwakichi SUGIYAMA, File 14168. The building was rented by the chairmen of the building association to William Baddeley. Rental arrangements covered building and contents. Some articles were to be used by tenant. Some were stored in one room. The Custodian did not interfere with rental arrangements made by the Japanese.

On April 2/45 Mr. Iwakichi SUGIYAMA reported that several persons had left chattels in the building. On Oct. 28/43, the tenant reported the building had been broken into. Custodian representatives found trunks, boxes, etc. broken open and the contents strewn about. AS no inventory of the contents was in our possession, we had no way of knowing what was missing. Memo of Oct. 12/44 states that the building had been broken into several times. In June, 1945, after the sale of the building, the chattels remaining were removed to 992 Powell to be offered for sale at auction. No inventory of the goods removed is in our records, and probably none was made.

We are holding in Chattel Suspense Account the proceeds of the sale of goods removed from 1934 Triumph Street, but not reported by any of the persons whose goods were declared to be at this address.

Mr. AOKI reported the following goods in his JP and in his letter of May 22/45:

<u>Declared Apr. 18/42</u>	<u>Auction Sale June 20/45</u>	<u>Cr. to Sadayoshi AOKI</u>
Kitchen Range	1 Fawcett Coal Range	\$5.00
Kitchen Table	Table &	
10 Chairs	9 Chairs	1.85
Dining Room Table	Round Dining Table	1.00
6 Chairs	6 Chairs	6.50
Bureau	Chest of Drawers	.50
<u>Ltr. May 22/45</u>		
Japanese Scrolls	13 Small Jap. Prints	4.10
& Picture Frames	24 Large Jap. Prints	5.85
	24.80

Declared Apr. 18/42

Lge. quantity of educational books

Ltr. June 15/45 says many books found and removed to Custodian warehouse. No record of disposition of these books.

1 Gramophone

No gramophone found

In re the items not previously reported by Mr. Aoki but now listed in his claim, we have in Suspense Accounts the proceeds of the sale of the following:

Ray Lamp (#5)	\$2.00
Large Shell (#11)	3.25
Vases (#6) (2 vases)	11.50

The other items in Suspense are furniture, chinaware, kitchenware, trays, dolls, misc. goods.

In an effort to clear up ownership of unidentified items from 1934 Triumph we wrote Mr. Aoki on Apr. 17/47 asking if he had left any goods apart from those he reported., but Mr. Aoki did not give us any further information in regard to his chattels. See his letter of June 28/47.

Machison