Name of Claimant HIRAOKA, Heijiro Case 898

Custodian File 1556

| 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 | |
| | | 50.00<br>366 .66 | 5.00<br>36.67 | .00<br>.00<br>12.50 | | | | | | | 66.67 |

| 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 | |
| | | | | | | 15.00 | 6.75 | 6.75 |

| 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 | |
| | | | .00<br>279.96 | 195.97 | .00 | 195.97 |

| 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 | |
| | | | 46% | 184.50 | 84.87 | 95.00 | 11.40 | 96.27 |

| | |
|---|---|
| TOTAL RECOMMENDATION | 365.66 |

CASE NO 898

JAPANESE PROPERTY CLAIMS COMMISSION

(SUB-COMMISSION)

Winnipeg, Manitoba.

September 13th, 1948.

IN THE MATTER OF THE CLAIM OF

HEIJIRO HIRAOKA

PROCEEDINGS AT HEARING

Original.

CASE NO: 898

IN THE MATTER OFMTHE "INQUIRIES ACT"

PART 1. REVISED STATUTES OF CANADA 1927, CHAPTER 99

JAPANESE PROPERTY CLAIMS COMMISSION

(SUB-COMMISSION)

B E F O R E

10
(THE HONOURABLE MR. JUSTICE A.G.BUCKINGHAM, SUB-COMMISSIONER)

Winnipeg, Manitoba.

September 13th,1948

IN THE MATTER OF THE CLAIM OF

HEIJIRO HIRAOKA

20

PROCEEDINGS AT HEARING

APPEARANCES:

F.M.FERG, Esq., Appearing for the Dominion Government

S.M.CHERNIAK, Esq., Appearing for the Claimant.

- - - - - - - - - -

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

30 MARK H. PEARCE, Esq., Official Reporter.

HEIJIRO HIRAOKA, The Claimant herein, being first duly sworn, testified as follows:

MR. CHERNIAK: I ask leave to amend, Your Honour, showing parcel #1 at a value of $350.00; custodian's sale price, $50.00, the loss is therefore $300.00. Parcel 2, the Claimant's value is $2,000.00 - - -

THE COMMISSIONER: That is not shown here at all.

MR. CHERNIAK: There should be a sheet of paper attached to that Your Honour. We are now showing instead of $2,100.00, a valuation of the total at $2,000.00; the Custodian's sale price is correctly shown and the loss is therefore $1,651.97. As to the personal chattels, the total value of the personal property is $699.96, the Custodian's credit is $95.00, the loss claimed is therefore $604.96

DIRECT EXAMINATION BY MR. CHERNIAK:

Q Mr. Hiraoka, I show you three typewritten statements, were these prepared in accordance with your instructions? A Yes.

Q Are those your signatures?

A Yes.

Q Do you swear the contents of these statements to be true to the best of your knowledge and recollection? A Yes.

MR. CHERNIAK: Your Honour, I tender as Exhibits 1, 2 and 3 respectively, the Real Estate Statement as to Parcel 1, the Real Estate Statement as to Parcel 2 and the personal chattel statement.

(REAL ESTATE STATEMENT,PARCEL 1,EXHIBIT 1.)

(REAL ESTATE STATEMENT,PARCEL 2,EXHIBIT 2.)

(Personal CHATTEL STATEMENT, EXHIBIT 3.)

THE COMMISSIONER: With regard to Parcel # 2, on which the Claimant had a one third interest are the other two named making claim as being co-owners?

MR. CHERNIAK: One of them is deceased, Your Honour, as to theother I don't know, I will ask the witness.

10 Q Mr. Hiraoka, you owned property at Bamfield?

A Yes.

Q The property that you had in Bambield, you owned that with two other people, is that right?

A Yes.

Q What are their names? A Maede.

Q And who else? A Fujitaka.

Q And Mr. Maede, ishe alive?

A He died.

Q Did he have a wife and children?

20 A The wife and children, I don't know where they go.

Q Do you know if they are in Canada?

A I don't know, maybe Japan, I don't know.

Q What about Fujitaka? A Grand Forks, B. C.

Q Do you know if he is making a claim to the Commissioner? A I don't know.

MR. CHERNIAK: I wonder if my learned friend would have tyat information?

MR. FERG: I haven't got it, theonly reference I have to it is that these net proceeds were leased to

30 the credit of Fujitaka and Maede, deceased, joint

account, and this Fujitaka's one third joint account transferred to his personal account. There is no reference to any other file or any other claim by anybody else in connection with the property. Maede's file number is 13760 and there is no other reference to it.

MR. CHERNIAK: On behalf of my learned friend, I will file his appraisal as to Parcel 1, as Exhibit 4.

(APPRAISAL, EXHIBIT 4.)

10 MR. CHERNIAK: And as Exhibit 5 the Appraisal as to parcel #2.

(APPRAISAL, EXHIBIT 5.)

MR. CHERNIAK: In connection with the personal chattels, Your Honour, I followed the practice of loaning to my learned friend my copy of the analysis wherein I made some substantial changes, but he didn't have the opportunity of copying it into the Analysis Sheet which is being filed. I can file it and then, if you like, Sir, I can take it back and put in the
20 figures that I have on my Analysis Sheet. It won't take more than five minutes if you would like me to do it now before we proceed. The practice arose - well - in times when we were rushed as we have been up to now, when we didn't have time to prepare a new sheet all over, andthe practice arose in other Provinces as well as here for us to make amendments right on the copy of the Analysis Sheet and indicate that we had done so on the exhibit we filed and then turn it over
30 to the Government Couusel. We haven't been

writing it on the sheet filed for two reasons, one is we didn't have time and the other is this is the Exhibit that belongs to the Custodian and not us and we didn't feel that we had the right to mark it up unless he gave us permission to do so. It is just a matter of five minutes, Your Honour.

MR. FERG: I would suggest that Your Honour adjourn for five or ten minutes and we will write it out.

10 THE COMMISSIONER: All right, that, perhaps, is the best way to do it.

COURT ADJOURNED: 3.45, p.m.

COURT RESUMED: 3.55, p.m.

MR. CHERNIAK: I tender as Exhibit 6, Your Honour The Custodian's Analysis Form.

(ANALYSIS, EXHIBIT 6.)

MR. CHERNIAK: Your Honour will note that parcel 1 is an empty lot. According to the appraisal of the Custodian this lot is located - there is two

20 lots actually - located adjacent to the City of Port Alberni. The lots are vacant. He bought the two lots in 1930 for $350.00 and he feels that it is probably still worth $350.00, saying that 'with the increased activity around Port Alberni, land values went up, not down since I bought it." 'I therefore, believe that the fair market value of this property at date of sale was at least $350.00." The Custodian 's Appraisal, Exhibit 4, does not give us the size of the lot.

30 He doesn't say anything actually accept that

"This is not around Bamfield but is adjacent to the City of Port Alberni. Vacant Lots. Value $50.00" and in brackets he has $25.00 each..

Q Mr. Hiraoka, these lots that you had near Port Alberni, were they on the East side or West side of the settled part of the Town?

A I think it is on the West side.

Q Well, as I remember Port Alberni, on the West side of the Town is a plywood mill, a saw-mill, is that correct, a lumber mill?

A There is a big saw-mill on the West side of the Town.

Q And is there not a plywood factory?

A I don't know.

Q However, there is a big saw-mill there that you remember? A Yes.

Q These lots, were they on the main road at all?

A I don't know whether the main road leads through there or not but I buy from Mr. Harui who is going back to Japan and I paid him $350.00 and that is the price he paid, and I didn't investigate anything after that.

MR. CHERNIAK: Other than that, Your Honour, Parcel 1 is only a matter of value and can be better determined at the adjourned hearing than it can here. As to Parcel 2, Your Honour will note from Exhibit 2 that there are four lots, numbers 10, 11, 12 and 13 and were all bought from John Goforth for $513.60. I don't know that there is need to file

this, perhaps I will show it to my learned friend, two receipts totalling $513.00, representing payment for these four lots from Mr. John Goforth. I don't think it is necessary to file them and my learned friend agrees. I also have on file and I am showing to my learned friend, certificate of title No 79214 -I, dated December 14th, 1929, showing these four lots standing in the name of Heijiro Hiraoka,EWakich Maede and Bun Kondo, and
10 there is a note that the following piece of land has been transferred, Bun Kondo's one third interest and it gives a new certificate of title number.

Q I think you told us that Mr. Kondo's interest was taken over by Fujitaka? A Yes.

Q So at the date of evacuation these four lots stood in the name of Maede, Fujitaka and yourself?

A Yes.

MR. CHERNIAK: Exhibit 2 indicates that at the time
20 they purchased these four lots, there were two small houses on lots 10 and 11 and by agreement Fujitaka took lot 10, Maede took lot 11, and the Claimant took lots 12 and 13 with no buildings and all bush. The measurements of these lots are all shown in Exhibit 2 and your Honour will find that the reference to improvements in Exhibit 2 relates only to the houses which belong to the Claimant. Two storey house, 7 rooms, 2 upstairs, 5 downstairs, and not four as stated in
30 the appraisal. Perhaps we can take a moment to

look at the appraisal, Exhibit 5; the appraisal indicates that there are two dwellings, one dwelling of four rooms, which needs repairs, value $300.00. We imagine that is Mr. Hiraoka's because it is the better one and is slightly larger. There is also reference - - -

MR. FERG: I wonder if I could help you here, I have a report on this property, dated 17th of June, 1942. I think perhaps it ought to be filed. It reports that it is a five roomed house.

MR. CHERNIAK: I have never seen that.

MR. FERG: I will give it to you and you can look it over and if you decide to file it you can file it. I think it sheds some light on the matter.

MR. CHERNIAK: I agree with my learned friend, Your Honour, this ought to go in. If you call what has been filed an appraisal, this is a set of books. I will only file it on behalf of my learned friend under the usual terms that we have an opportunity to cross-examine the man.

MR. FERG: It is H.J.Hinton.

MR. CHERNIAK: A Chartered Accountant and licensed trustee. But I agree that this should go in

MR. FERG: Yes, this is a proper appraisal, the other is just a brief.

MR. CHERNIAK: Yes, Your Honour, the practice has been all along that we had copies of the appraisals, Not only did we not get a copy of this but it was in my learned friend's secret envelope. I would this read into the record, or, would the Custodian's

office undertake to let us have a copy of it for our own file. If Mr. Pearce does not object I think it should be read into the record in full.

THE COMMISSIONER: Why not file it as an Exhibit?

MR. CHERNIAK: I am going to Your Honour, but I would like a copy of it or have it in the record so that I will have it. It starts out "17th June, 1942. Office of the Custodian, 506 Royal Bank Building, VANCOUVER, B.C., Attention Mr. C.L. Drewry. Dear Sir,

10

Re: Heijiro Hiraoka. Registration No. 12073. My File No. 32.

In accordance with your instructions I have investigated and taken control of the property of the above man as recorded on his registration form as follows:

Real Property

"Five room frame house at Bamfield, B.C. House and lot valued at $1,700.00

20

"One Chicken House."

Personal Property

"Fishing gear and household effects as per attached list. Left in his house at Bamfield, B.C. Key now in the possession of John Jennet."

In connection therewith I have to report as follows:

LOCATION:

The property is situated about a mile from the Cable Station at Bamfield, B.C., on the east side

30

of a small inlet. The locality is known as Grappler Creek. It is an isolated spot and accessible only by boat from Bamfield. There are a few other white fishermen living nearby who are property holders or squatters. A rough plan showing all the Japanese houses and the reference number to this house is attached to my report on Yoshio Mariiwa, Registration No. 12153, My File No. 74

10 LAND and BUILDINGS

Land:

A Certificate of Encumbrance, which I hold, indicates that Heijiro HIRAOKA and Iwakichi MAEDE are the title holders to the extent of:
"An undivided 2/3 interest in lots 10, 11,12 and 13 of Section 20, Township 1, Barclay District, Plan 3770, Indefeasible Title No. 79214 - I."
The house stands on Lot 10. It is not built on the foreshore.

20 A search at the Land Registry Office, Victoria, shows that T.FUJITAKA is the registered owner of the other third interest.

There is a level ledge of land about fifteen feet wide and fifty feet long at the back of the house, which is used as a vegetable garden. The rest of these lots are covered with a heavy growth of bush and small trees. Sufficient clearing for a chicken house and run has been done.

Building

30 This is a wood frame building, two storeys, five

rooms - three downstairs and two upstairs. Running water piped into the house from well. Brick Chimney. Built on piling on land. Small vegetable garden. Chicken house and run. Good landing wharf. House is comparatively new having been commended about four years ago and is practically finished both inside and outside. it is estimated that the lumber alone in this house cost $700.00. Unfurnished this house should rent for $15.00 to $20.00 a month, or $20.00 to $25.00 if rented with what furniture there is in it.

The house is in good condition. It is clean inside and habitable for white persons. The probably sale value would be in the neighborhood of $1,200.00 to $1,500.00, if a purchaser could be found.

LAND and BUILDINGS

Building: (continued)

On account of the present housing shortage there should not be much difficulty in finding a tenant. A service man named Sergeant Dolly, at present stationed at Bamfield, was making enquiries as to renting this property.

Caretakers:

The Japanese occupant of this house appointed Mr. and Mrs. Andersen as caretakers of their property and personal effects. I enclose a copy of a document handed to me by Mrs. Andersen when I inspected the premises. Mrs. Andersen lives

close by and has offered to be of assistance in any way possible. She claims to know practically all of the Japanese families who lived in this vicinity.

Assessments:

A copy of a letter from the Provincial Collector at Alberni, B.C., is attached.

PERSOANAL PROPERTY:

I attach a detailed inventory of the contents of this house on the date that I made my inspection.

Insurance:

Provided the rate is not excessive this building should be insured for $1,000.00 to $1,200.00

Liabilities:

None are recorded.

Special Action Taken:

A special search was made around these premises to look for fishing boat equipment which might have been removed from fishing boats and not placed in safe storage. No gurdies were found on these premises. Following my inspection the Navy boat called and removed certain fishing boat equipment shown on the attached inventory

Perishable Properties Realized:

Wood:

There were approximately six cords of wood cut and stacked in the woodshed close to the water's edge. This wood was sold and the proceeds have been remitted to you. $18.00.

Sugar:

Sack of sugar, 70 pounds, removed from this house and sold. Proceeds have been remitted to you. $5.08

Fishing Gear and Boat Equipment Delivered to the Navy:

Details of what was removed from this house by the Navy boat is shown on the attached inventory.

Recommendations:

1. That Mrs. Andersen be confirmed in her appointment as agent and caretaker (in pencil there is 'no')

2. That she endeavour to rent the house. In this connection it should be noted that it might be necessary to use the attic to store the contents of four other Japanese houses in this district.

3. That insurance be effected if the owner so desires.

Yours faithfully

H.G.Hinton

HGH:LMS
Enclosures:

(APPRAISAL, EXHIBIT 7.)

MR. CHERNIAKE

Q Mr. Hiraoka, in reference to your house, you say that it is a seven roomed house, five rooms downstairs and two rooms upstairs?

A Yes.

Q One of the men who inspected it for the Custodian says that it is five rooms, three downstairs and two upstairs, would you say he is mistaken?

A There is five downstairs.

Q That had running water piped into the house?

A Yes.

Q It says here that your house is comparitively new, having been commenced about four years ago, that would be about 1938 that your house was commenced, is that correct?

A Yes, 1938 or 39.

Q And it says here that it is practically finished both inside and outside; this man estimated the lumber alone in the house cost $700.00; what do you think, did it cost more or less?

A I used edge grade lumber.

Q Is that a special type of lumber or is that the way the grain runs? A It is ordinary lumber but the pick of the stock.

Q They say that the house is in good condition, clean inside and habitable for white persons; they say the probable sale value would be in the neighborhood of $1,200.00 to $1,500.00 if a purchaser could be found and there is a recommendation that the building should be insured for $1,000.00 to $1,200.00. I show you a snapshot Mr. Hiraoka, is that you standing in front of a building? A Yes.

Q What building is that? A My house, this is the back side and the front way is this side.

Q You mean this is a rear view of your house?

A Yes.

Q It is a rear, and it would appear to be also a side view of the house? A Yes.

Q When was this taken, approximately?

A Just before evacuation.

MR. CHERNIAK: I tender this snapshot as Exhibit 8, Your Honour.

(SNAPSHOT, EXHIBIT 8.)

MR. CHERNIAK:

Q I see that there are some ladders leaning against the house, were you still working on the house at that time? A No, I wasn't working on the house

10

Q I show you another snapshot?

A That is the sidewalk leading to the house.

Q This shows a small porch with a lady standing on the porch, is that a front or rear view?

A Back.

Q Only it is a different angle from the other picture? A Not much difference.

Q The other one shows the corner of the house showing the back and the side?

20

A Yes.

Q And this one shows only the back?

A Yes, this is the side.

Q Oh, this is a side view?

A Yes.

Q Well, is this porch that is on both photographs, is that on the side of the house or the back of the house? A That is back here, this side.

Q In the snapshot that ~~I will~~ was put in as Exhibit 8 the ladders are leaning against the back of the house and this porch is on the side of your house?

30

MR. CHERNIAK: I tender that snapshot as Exhibit 9, Your Honour.

(SNAPSHOT, EXHIBIT 9.)

MR. CHERNIAK: The Claimant describes the house in detail , setting out that he estimates the cost of material and labour, including his own and hired labour at $1,800.00. In 1939 he built a shiplap woodshed 12 x 20, at an estimated cost of $75.00. The Claimant sets out that in addition to his buildings there was an old dilapidated house on Lot 10 and that there was a swelling house on Lot 11. He states that he doesn't know the cost of the latter building or the amount of labour and materials expended by Fujitaka in renovating the house, but he does know that his house was in good condition. He considers that the fair market value of his two lots and his buildings at date of sale by the Custodian was at least $2,000.00 and he believes that all four lots and the buildings on them would be worth between $3,000.00 and $3,500.00. The reason he has shown his own portion and then spoken of the whole area is that the Custodian took all the four lots and sold them for a lump some and gave the Claimant one third of the value.

THE COMMISSIONER: What does the title say?

MR. CHERNIAK: The title doesn't say, it just says 'Three owners.' I do not presume to know what the B.C.Law is but it is interesting to note that this case and the last case of Hiraoka, or

rather in the last case, the Custodian knowing that there were two different owners did try to arrive at some solution but in this case there was no attempt made at all for an equitable distribution in spite of the information that the Custodian had. In that connection there is a paragraph of a memo prepared by the Custodian that is filed which I would like to read into the record. A Custodian's memorandum which is possibly based to a large extent on this Exhibit which has been filed, the Hinton Statement, it reads as follows: "Much the best building on the above jointly owned land, was built and the dwelling occupied by the Claimant. The Custodian agent estimated the cost of lumber in this house recently completed at $700.00. The only other habitable building was an old shack in poor condition owned by Fujitaka Takischi. The third building which the owner reported was built many years ago and was in the last stages of deterrioration and ready to collapse." And from the Custodian's file it would appear that during the time that these properties were under the control of the Custodian, the house was rented and the only revenue from these four lots came from Mr. Hiraoka's house - - -

MR. FERG: No, one of theother houses was rented for $5.00 a month, wasn't it?

MR. CHERNIAK: Well, I wish you would correct me if I am wrong. In any event it would be the

larger portion. For the house of the Claimant, The Custodian being fully aware of the ownership of the house in this case, saw fit to apportion one third of the sale price to each of the three owners - - -

THE COMMISSIONER: That is a question of law that will have to be argued.

MR. CHERNIAK: Yes, Your Honour, but for that reason the Claimant considered that his house and the
10 two lots which he claimed were his, showing a value of that at $2,000.00, but should the Commissioner decide to consider his one third interest, he has then indicated the total value of the four lots and buildings at between $3,000.00 and $3,500.00. The assessed value,
a according to the Custodian's file, Your Honour is that the four lots and all the buildings on them is $400.00 for the land and $2,000.00 for the buildings, a total of $2,400.00. It should
20 also be brought to Your Honour's attention that the appraisal filed as Exhibit 5, I think it is, does not give any value for that land at all, it just indicates the values for the buildings.

THE COMMISSIONER: Well, we don't know - - -

MR. CHERNIAK: My point, Your Honour, is, he says we know there are four lots, and one building $500.00 I think he says and another building $300.00, he doesn't seem to give any value tO the size of the lots, they all vary in sizes,
30 and he doesn't appear to pay any attention to

them. I have in my possession a certificate of title for parcel 1 in thename of the claimant dated April 24th, 1930 which I am showing to my learned friend. Referring now, Your Honour to the personal property claim. Exhibit 3, signed by the Claimant shows that the claimant has now set out his full claim on the Custodian's Analysis Sheet, which is filed as Exhibit 6. His original claim had shown the replacement cost of most of the articles, but when the Claimant came to discuss his claim with his Counsel he was informed he had to show the fair market values and not the replacement cost. He therefore sets out - we went over his claim, item by item - and he sets out what he considers the fair market value. Turning now to Exhibit 6, the Custodian Analysis Sheet, you will note that in the column headed 'inventory', that is the second column from the left, we have written in the date of purchase and the original cost of most of the items, and in the column headed 'Sales, Auction', we have written in the new values. None of these goods were sold by auction.

THE COMMISSIONER: You used that column to show your new values?

MR. CHERNIAK: Under the column heades 'Sales, Auction', that is in our writing, that is correct sir. And I should mention that all the writing in ink to the right of that column is part of

the original analysis of the Custodian. In other words, all the check marks and remarks is the writing of the Custodian's office. My writing appears only in the column headed 'Inventory' and 'Sales, Auction' and I think there are a few inked words enlarging on the description of some of the items.

THE COMMISSIONER: The water pump, is that yours showing 'withdrawn'?

10 MR. CHERNIAK: That is right. That has been withdrawn because it was never reported and never inventoried. The only check that appears in the column 'No record at any time' was the water pump and that is the reason we dropped it and withdrew the claim for that. Do you follow me, Sir? A Yes, I follow you.

MR. CHERNIAK: I think my learned friend will confirm, Your Honour, that all sales made by the Custodian and shown in the column tender, were

20 sales made to the purchaser of the Real Property.

MR. FERG: You can put that in if you like, it was appraised by William Burnip and sold to the purchaser.

MR. CHERNIAK: On behalf of my learned friend, Your Honour, and subject to the production of the appraiser, I file a memorandum Re Sale of Chattels, showing the items that were sold by the Custodian and the amounts for which they were sold.

(MEMORANDUM, EXHIBIT 10.

30

THE COMMISSIONER: Now, let us see; I see here there is an additional column on the Analysis of personal property?

MR. CHERNIAK: Yes, Your Honour.

THE COMMISSIONER: What about that?

MR. CHERNIAK: I don't know whether my learned friend wants to produce it or not but he has it on his file, a receipt from the Navy for the goods which are set out in this column and, as I say, my learned friend holds a receipt which indicates what the Navy took. They took these goods and issued a receipt for it.

MR. FERG: Were they taken over by the Navy on behalf of the Custodian?

MR. CHERNIAK: I don't know. That is something we will learn at the adjourned hearing I suppose. I might say, according to the Custodian's file which I have seen and ask my learned friend to admit if it is correct, that there seems to be no record at any time of the Custodian making an attempt to obtain these goods from the Navy or to obtain compensation from the Navy. In other words, the conclusion I have come to from his file is that the Custodian did nothing about getting these goods or getting compensation for them inspite of the fact that they have had a record of the goods for whatever time my learned friend will advise Your Honour. We have no record of it except what the Custodian's file will show.

MR. FERG: Your Honour, I will put these things in I think. I will file a receipt from the Navy, listing the goods, dated May 16th- there is no year but I take it it is 1942, it lists the goods in question.

(LIST OF GOODS, EXHIBIT 11.)

MR. FERG: I will also put in the record a letter from George A. Touche and Company, chartered accountants. Bank of Toronto Building, Victoria, B.C., 27th October, 1947. R.G.Bell, Esq., Office of the Custodian, 506 Royal Bank Building, Vancouver, B.C. Your file No. 1556. "Dear Sir, Heijiro Hiraoka - Registration No. 12073. In accordance with the request contained in your letter of the 24th instant I am enclosing the Navy's receipt for the articles belonging to this Japanese and which are listed in the report of the 17th June, 1942. Yours faithfully."

I will also read into the record a letter from R.G.Bell, Office of the Custodian to the Commanding Officer, Pacific Command Royal Canadian Navy, Esquimalt, B.C., dated July 20th, 1948. "Dear Sir, Re: Heijiro Hiraoka - Reg. No. 12073. We enclose copy of a receipt for Boat and Fishing equipment taken by the Navy from the above evacuee at Grappler Creek (Bamfield) on the West Coast of Vancouver Island, and would be obliged if you would search your records and let us know what happened to the goods in this list.

These chattels are listed in Heijiro Hiraoka's

claim against the Government in the sum of $295.16. Our records carry no trace of them beyond the receipt referred to. Yours truly."

MR. CHERNIAK: The Touche letter that my learned friend read into the record refers to a Report of the 17th of June, 1942.

MR. FERG: That is the receipt.

MR.CHERNIAK: No, the letter refers to a report.

MR. FERG: I think that is a mistake because that is the d ate of the Navy receipt.

MR. CHERNIAK: Well, my conclusion is that this was reported to the Custodian on June 17th, 1942.

MR. FERG: I haven't anything on that.

MR. CHERNIAK: Well, if there is such a thing - - -

MR. FERG: It will be made available.

MR. CHERNIAK: I assume the Custodian's office will produce the report referred to by Touche.

Q Mr. Hiraoka, you are claiming for a wing pump, was that used for the house or was that used for the boat? A It was used as an auxillary pump on the boat.

Q It was therefore - was it therefore attached in any way to the house or building or land?

A It could be used in the house too.

Q Was it in use at the house at the date of evacuation, or was it part of the house?

A It was stored.

Q Was it screwed down to any part of the hous e?

A No, it was stored upstairs.

Q There is a claim for a door lock, $1.50, wasthat

in any way attached to the house?

A It was stored upstairs unattached, it was in the box.

Q Eight window blinds, were they on the windows when you left? A Not attached to the windows - it was in the closet.

THE INTERPRETER: He says he had 24 blinds but the others were old.

MR. CHERNIAK:

10 Q You did leave 24 blinds? A Yes.

MR. CHERNIAK: These questions, Your Honour, have been in reference to the Custodian's check in his Analysis that they were sold with the real property.

THE COMMISSIONER: Yes, I see that.

MR. CHERNIAK: Now, Mr. Hiraoka, you show here that in 1938 you bought two crosscut saws for $17.00 and you are giving the value for the two of them at $12.00; the Custodian says that one of these

20 saws wasof no value and that it was abandoned, what is your recollection of these two saws?

A Maybe the saw was used by somebody after I left the property but when I left the property I left it in good shape.

Q Did you rent that property and chattels to anybody? A No.

Q Now there is a mattress which you say you bought in 1938 and that you paid $10.00 for; the Custodian says it was of no value, what do you say.

30 A Well, it was a used mattress and that is why they

probably considered it was worthless but for me it was still good.

Q Was it in good condition, the mattress?

A It was still in good condition.

Q You mean then that it may be of little value because somebody had slept on it, is that what you have in mind? A Yes.

Q Now there is a heater which you say you bought in 1941 for $7.50; the Custodian says it was of no value, what do you say?

A It was still good.

Q Was it burnedout in any way?

A No, it was still good.

Q Was it damaged in any way?

A No.

MR. CHERNIAK: I think I might be able to help out my learned friend, Your Honour, in regard to what I requested. I notice this report is dated June 17th, 1942 and refers to certain goods taken by the Navy; it may be that Mr. Hinton - in regard to the report of the 17th of June as referred to in Touche's letter - he says here "Following my inspection the Navy boat called and removed certain fishing boat equipment shown on the attached inventory." I think there is no question that these goods taken by the Navy were taken from the Custodian's representative Mr. Hinton and that completely relieves my mind.

THE COMMISSIONER: That letter was addressed to the Custodian?

MR. CHERNIAK: Yes, Your Honour, and he sets out 'In accordance with your instructions - - -"

CROSS-EXAMINED BY MR. FERG:

MR. FERG: Your Honour I would just like to place on record exerpts from Certificate of Encumberance land registry office in connection with parcel #2. It shows that an undivided 2/3 interest in lots 10,11,12 and 13 of Section 20, Township 1, Barkely District, Plan 3370, dated the 29th of June, 1943, stood in the name of Registered Owners Heijiro Hiraoka and Iwakichi Maede as an undivided 2/3 interest. I wish to make these remarks that in the absence of any documentary evidence showing any definite interest that we would have to deal with this property as a whole and in the manner in which the Custodian has dealt with it, that is, in the absence of some other document between these parties showing a definite division of the property than is shown in the Land Registry Office as to the state of the title. I also submit that the real property, these two parcesl of real property were sold at their fair market value. That the chattels were sold at their fair market value and that the claim made for chattels and personal property reported as not found and, or, due to theft, etcetera, that the amount claimed is excessive and unreasonable.

Q. Mr. Hiraoka, you have no agreement in writing of any kind between yourself and Maede, respecting

lots 10,11 and 12? A No.

Q So that any arrangement that you had between you was verbal, purely a verbal agreement?

A Yes, only verbal.

Q Did Maede furnish any of the costs of your house? A No.

Q That is the house that you were living in, did Maede assist financially or otherwise in the building of that house?

10 A No, not even one cent.

MR. CHERNIAK: I think he was dead.

THE COMMISSIONER: He is dead now but not at that time, was he?

MR. FERG: Not at the time of building the house, Your Honour.

THE WITNESS: He died in 1932.

MR. FERG:

Q There is another man who had an interest in that property? A Yes.

20 Q He is living now? A Yes.

Q Did he assist you financially or in any other way in the building of your house?

A No.

Q Now, did you ever have an independent person or an appraiser at the time of your evacuation or since, make a valuation for you of these two parcels of real property?

A No.

Q And you haven't had anybody value your chattels

30 or personal property? A No.

Q Are any of the chattels that you are claiming for the property of anybody else?

A No, it is all my own. There is a lot more of my own goods that I am not making claim for.

Q I see you are claiming for 15 Japanese Kimonas; Where did you get these kimonas?

A My wife brought them over from Japan.

Q How old were they? A She came over in 1939.

10 Q From Japan? A Yes.

Q And she brought them with her?

A Yes.

Q Do you know what she paid for them?

A She paid 400 yen at that time.

Q What were these articles for at the time, re-sale?

A No, her own.

THE COMMISSIONER: What would you require that number of kimonas for?

MR. FERG:

20 Q What would you require that number for, 15 kimonas, what would you need 15 for?

A You wear a coat and you have got to have your pants on and you wear a shirt.

Q I need a clean shirt every day but I haven't got 15 of them. Do you mean to say your wife required 15 kimonas for regular use?

A Yes., they need more living in Japan.

MR. FERG: I think that is all, Your Honour

30 (PROCEEDINGS ADJOUNED SINE DIE)

Certified to be a true and accurate transcript.

Mark H. Pearce

(MARK H. PEARCE)
OFFICIAL REPORTER

I, the undersigned Sub-Commissioner hereby certify that the foregoing 28 pages of typewritten matter contain a true and accurate record of the sub-commission held in the Law Courts Building, Winnipeg, Manitoba, at the time and date first above mentioned.

A. G. Rutherford

(SUB-COMMISSIONER)

Case 898 NOV 28 1947

**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.

1 copy 15 56 ACKNOWLEDGED

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

(1) NAME HIRAOKA (Print) Surname Heijiro Given Name (RCMP) Reg. No. 12073

(2) Pre-Evacuation Address Bamfield, B.C.

(3) Present Address Box 19, Oakville, Manitoba

(4) REAL ESTATE

(a) Street Address (if any) Parcel One Alberni District, B.C.
Parcel Two Barclay District, Bamfield, B.C.
City or Municipality, Province

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

Parcel One:- Lots one (1), Two (2) in Block Seven (7) of Lot One Hundred Twenty-Two (122) Alberni District, Plan 1072

Parcel Two:- ~~xxxxxxxxxxxxxxxx~~ owned by Heijiro Hiraoka, Iwakichi Maede, and Bun Kondo - Lots Ten (10), Eleven (11); Twelve (12) and Thirteen (13) of Section Twenty (20) Township One (1), BARCLAY DISTRICT, Plan 3770.

(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) Parcel One - sole owner
Parcel two - one third interest

(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 - - - - - - - - - - - - - - - - $ 350.00

Parcel one (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) - - - - - - - - - - - - - - - - - - - - - - - - $ 350.00

(v) Amount at which Custodian sold property and credited your account - - $ 36.00 - 50

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 314.00 300.

Loss - Parcel Two 1751.97 - 1651.97

Total loss - real property 2065.97

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
Bamfield, B.C. - in my house

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

(c) How stored or packed at time of evacuation
One box packed, others 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") Custodian

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

| | | | Sold | Loss |
|---|---|---|---|---|
| 1. | Chattels per List One | Estimated Value $ 301.95 | 98.00 | 203.95 |
| 2. | Chattels per List Two | Estimated Value $ | | 478.90 |
| 3. | Chattels per List Three | Estimated Value $ | | 295.16 |
| 4. | | Estimated Value $ | | |
| 5. | | Estimated Value $ | | |
| 6. | | Estimated Value $ | | |
| 7. | | Estimated Value $ | | |
| 8. | | Estimated Value $ | | |
| 9. | | Estimated Value $ | | |
| 10. | | Estimated Value $ | | |

TOTAL CLAIM FOR PROPERTY LOSS $ 978.01 604.96

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) - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - $ 3,043.98

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

(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 )
Province of Manitoba )
TO WIT: )

I, Heijiro Hiraoka of the Village of Oakville in the Province of Manitoba

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 City of Winnipeg in the Province of Manitoba this 10th day of November A.D. 1947.

H. Hiraoka

A Commissioner for Oaths
My commission expires 4 November 16/48.

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.

List No. 1

Heijiro Hiraoka

Personal property left at Bamfield which was listed by Custodian which was sold for $98.00

| | own price |
|---|---|
| 4 coils rope | $ 25.00 |
| 1 wing pump | 7.50 |
| 2 crosscut saw 7'x 7½' | 15.00 |
| 2 drums | 5.00 |
| 5 wedges | 5.00 |
| 2 crow bars | 3.50 |
| 2 beds and springs | 50.00 |
| 1 mattress | 8.00 |
| 1 kitchen ranges | 30.00 |
| heater | 7.50 |
| singer sewing machine | 60.00 |
| coal oil stove (crated) | 15.00 |
| 1 gas lamp | 7.95 |
| 9 kitchen chairs (14) | 17.50 |
| 2 wire camp beds | 20.00 |
| 1 dinette table | 10.00 |
| 1 round table | 5.00 |
| 1 kitchen combination | 10.00 |
| 2 cabinet table | |
| Total | $201.95 |

Heijiro Hiraoka

List No. 2

Loss of personal property left at Bamfield which was not listed by Custodian

| | |
|---|---|
| 1 trunk | $ 30.00 |
| 15 Japanese Kimona | 250.00 |
| 3 stone jar | 8.00 |
| 8 window blind | 7.00 |
| 1 door lock | 1.50 |
| 18 window curtains | 12.00 |
| 1 suit coat (old) | 20.00 |
| 1 overcoat (old) | 15.00 |
| 2 ladies overcoat | 15.00 |
| 1 makinaw coat | 5.00 |
| 1 box camera | 5.00 |
| far glass | 7.00 |
| 1 barometer | 28.00 |
| compass 5" | 20.00 |
| water pump | 25.00 |
| 2 whale bore stick | 10.00 |
| hauling axe and handle | 5.25 |
| draw knife | 3.50 |
| 10 lb. sledge hammer | 1.90 |
| farmer tools | 8.00 |
| shake knife | 1.75 |
| | $478.90 |

List No. 3

Things removed by Navy

| | | |
|---|---|---|
| Babbitt (36 lb) | | $2.50 |
| Air Buoy (2) | | 14.00 |
| Navy Anchor | | 7.20 |
| 2 anchor chain | | 14.00 |
| Trolling Gears and fishing equipment in packed box | | 235.50 |
| 14 spool wire line | $80.00 | |
| fishing safey pins | 18.00 | |
| 2 cotton line | 5.00 | |
| tube | 13.00 | |
| small and big nibler | 12.00 | |
| King fish line | 10.00 | |
| 150 spoon | 97.50 | |
| | 235.50 | |
| Lead line 1 box (160 lbs) | | 10.00 |
| hooks | | 10.00 |
| sinker (28 lbx) | | 1.96 |
| TOTAL | | $295.16 |

Item IV - REAL ESTATE

re: Parcel 2 - owned by Heijiro Hiraoka, Iwakichi Maede, and Bun Kondo - Lots Ten (10), Eleven (11); Twelve (12) and Thirteen (13) of Section Twenty (20) Township One (1), BARCLAY DISTRICT, Plan 3770.

Heijiro Hiraoka - Market value of my one-third interest is as follows:-

| | | | |
|---|---|---|---|
| 1) | Land | $700.00 | |
| 2) | House | 1400.00 | |
| | Total | | $2100.00 - 2600 |
| | Amt. sold by Custodian | | 348.03 |
| | Loss | | $1751.97 1651.97 |

HIRAOKA, Heijiro
(Claimant's Name)

**REAL ESTATE**
(Other than farm)

PARCEL 1

12073
Reg. No.

| Type of Premises (e.g. House, Store, etc.) | No. of Rooms | Type of Finish | Use of Premises | Size of Lot | When Purchased | Date of Purchase |
|---|---|---|---|---|---|---|
| None | | | | do not know | 1930 | |

| Type of Locality | Cost Price | Improvements made by Claimant | Estimated Value | Date of Sale |
|---|---|---|---|---|
| Residential | 350.00 lot | none | 350.00 | |

Comments re upkeep of premises:

Comments re Appraiser's report not covered above:

I paid $350.00 for this lot and I believe that with the increased activity around Port Alberni, land values went up, not down since I bought it. I therefore, believe that the fair market value of this property at date of sale was at least $350.00.

EXHIBIT No. 898-1
DATE Sept. 13/48
FILLED BY Claimant

H. Hiraoka
Signature

HIRAOKA, Heijiro
(Claimant's Name)

**REAL ESTATE**
(Other than farm)

PARCEL 2

12073
Reg. No.

| Type of Premises (e.g. House, Store, etc.) | No. of Rooms | Type of Finish | Use of Premises | Size of Lot | When Purchased | Date of Purchase |
|---|---|---|---|---|---|---|
| 2 storey house | 7 rooms, 2 upstairs, 5 downstairs, not 4 as stated in appraisal | frame | dwelling | Lot 10-99 x 160<br>11-99 x 166<br>12-99 x 198<br>13-84 x 150<br>all fronting on inlet | 1929 | |

| Type of Locality | Cost Price | Improvements made by Claimant | Estimated Value | Date of Sale |
|---|---|---|---|---|
| residential | Lot 10, 11, 12 and 13 from John Goforth at $513.60<br><br>When we bought these 4 lots, there were 2 small old houses on Lots 10 & 11. By Agreement, Fujitaka took lot 10, Maede took lot 11, and I took lots 12 and 13 with no buildings, and all bush. I cleared my 2 lots. | In 1938 built house 20 x 24 2 storeys and one storey kitchen 10 x 16, frame on post shingle side and roof, finishing lumber and fir floors. Total estimated cost of material and owned and hired labour $1800.00. In 1939 I built a shiplap woodshed 12 x 20, estimated cost $75.00 | 2000.00 | |

Comments re upkeep of premises:
kept in good condition by me and apparently by Custodian.

Comments re Appraiser's report not covered above:
In addition to my buildings above referred to there was an old dilapidated house on lot 10, and there was a dwelling house on Lot 11. I don't know the cost of this latter building nor the amount of labour and materials expended by Fujitaka in renovating the house, but I know that his house was in good condition.
I consider that the fair market value of my 2 lots and my buildings at date of sale by Custodian was at least $2000. I believe that all 4 lots and the buildings on them would be worth between $3000.00 and $3500.00.

EXHIBIT No. R 898-2
DATE Sept. 13/48
FILLED BY Claimant

H. Hiraoka
Signature

HIRAOKA, Heijiro
(Claimant's Name)

**PERSONAL CHATTELS**

12073
Reg. No.

| Description of Major Items (and particularly of goods lost, stolen or destroyed) | Approximate Date Purchase | New or Used When Purchased | Price Paid | Condition when Evacuated | Estimated value at Date of Evacuation |
|---|---|---|---|---|---|
| I have shewn full details of most of the items on the Custodians analysis sheet and my total value is shewn as | | | 699.96 | | |
| Custodians sale price - | | | 95.00 | | |
| Loss claimed - | | | $604.96 | | |

Description of Storage of Goods:

In my home at Bamfield, B.C.

General Statement as to all Chattels ~~not Described above~~: In my original claim I had shewn the replacement costs of most of the articles. However when I came to discuss my claim with my counsel I was informed that I had to show the fair market values at date of sale by the custodian. My counsel and I went over my claim item by item and have now set down what I consider was the fair market value of these chattels.

Additional Comments, if any:

EXHIBIT No. 898-3
DATE Sept. 13/48
FILLED BY Claimant

H. Hiraoka
Signature

Alberni Assessment District
Alberni Land District

Bamfield B.C.
Catalogue No 500
Lots 1 and 2 Blk 7 DL 122

This is not around Bamfield but is adjacent to the city of Port Alberni
Vacant Lots
Value $50.00 ($25 each).

J H Wright

EXHIBIT No. 898-4
DATE Sept. 13/48
FILLED BY Claimant

Alberni Assessment District
Barclay Land District
Bamfield B.C.

Catalogue No 504
Lots 10 - 13 DL 20

2 Dwellings
1 Dwelling of 4 Rooms
needs repairs
Value $300.00

#
1 Dwelling of 2 rooms and
Lean to Kitchen
Shiplap Partitions
Roof leaks

Value. $200.00

J B G Winter

Furniture 170

EXHIBIT No. 898-5
DATE Sept. 13/48
FILLED BY
Claimant

# ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 1556 EXHIBIT No.

NAME Heijiro HIRAOKA

REG. No. 12073

DATE

DECLARATION 24/3/42

EVACUATION 18/7/42

INVENTORY

TAKEN BY

DATE

| | | Bought time & time | Cost |
|---|---|---|---|
| Trolling Gear | $ 50.00 | | |
| 4 Coils Rope | 30.00 | 1940 | 8.- |
| Babbitt (36 lbs) | 14.00 | 1938 | 17.- |
| Anchor Chain | 6.35 | | |
| Wicker Basket | 50.00 | fairly new | 5.- |
| Box tools | 20.00 | | |
| Kitchen Utensils | 20.00 | 1938 | 50.- |
| Wing Pump 1" | 10.00 | 1938 | 13.- |
| Wing Pump ¾" | 6.00 | 1938 | 30 |
| Crosscut Saw 7' | 7.00 | 1941 | 7.50 |
| Crosscut Saw 7½' | 7.50 | 1939 | 65.- |
| 2 Drums | 4.60 | 2 months before evacuation | 15.- |
| 5 Wedges | 3.50 | 2 or 3 " " " | 7.95 |
| 2 Crowbars | 2.00 | 1939 | 17.50 |
| 2 Bedsteads;Springs | 35.00 | 1938 | 21.- |
| 1 Mattress | 10.00 | 1938 | 10.- |
| Kitchen Range | 30.00 | New unfinished | |
| Wood Heater | 7.00 | | |
| 1 Barometer | 20.00 | | |
| 1 Singer Machine | 45.00 | 1930 | 31.- |
| Coal Oil Stove | 17.00 | 1939 | 78.- |
| 70 lbs. Sugar | 6.30 | | |
| Box canned goods | 6.00 | 1938 | 20.- |
| 2 Tubs Soy | 10.00 | | |
| Coleman gas lamp | 8.00 | | |
| | $419.00 | | |

Supplementary Declaration (14/11/42):

| | | | |
|---|---|---|---|
| | | 1939 | 6.- |
| | | 1941 | 8.50 |
| | | 1932 | 28.- |
| 13 Cords Wood | $130.00 | 1941 | 20.- |
| 5 Cords Wood | 75.00 | | |
| 9 Window Blinds | | made 1937. | value 10.- |
| 8 Window Curtains (new) | | brand new | 5.25 |
| 12 Window Curtains (used) | | " " | 3.75 |
| | | | 1.90 |
| | | 1941 | 14.- |
| | | 1936 | 7.20 |
| | | 1938 | 14.- |
| | | 1940+41 | 140.- |
| | | " | 30.- |
| | | New Never used | 5.- |
| | | 1940+1941 | 15 head |
| | | New Never used | 12.- |
| | | " " " | 10.- |
| | | Some new, some used one season average best | 75.- |

| DETAILS OF CLAIM | | SALES: AUCTION (New Values) | SALES: TENDER &c | SOLD WITH REAL PROP. | DECL. NOT FOUND |
|---|---|---|---|---|---|
| 4 Coils Rope | $ 25.00 | 25.- | | | |
| 1 Wing Pump | 7.50 | 6.- | | ✓ | |
| 2 Crosscut Saws | 15.00 | 12.- | (1) 2.00 | | |
| 2 Drums | 5.00 | 5.- | 8.00 | | |
| 5 Wedges | 5.00 | 3.00 | | | |
| 2 Crowbars | 3.50 | 2.- | | | |
| 2 Beds and Springs | 50.00 | 40.- | 30.00 | | |
| 1 Mattress | 8.00 | 8.- | | | |
| 1 Kitchen Range | 30.00 | 20.- | 5.00 | | |
| Heater | 7.50 | 6.- | | | |
| Singer Sewing Machine | 60.00 | 45.- | 15.00 | | |
| Coal Oil Stove | 15.00 | 15.- | 5.00 | | |
| 1 Gas Lamp | 7.95 | 7.- | 2.00 | | |
| 9 Kitchen Chairs | 17.50 | 14.- | 3.50 | | |
| 2 Wire Camp Beds | 20.00 | 15.- | 6.00 | | |
| 1 Dinette Table | 10.00 | 7.50 | 5.00 | | |
| 1 Round Table | 5.00 | 5.- | 1.00 | | |
| 1 Kitchen Combination | 10.00 | 10.- | 10.00 | | |
| 2 Cabinet Tables | -- | | .50 | | |
| 1 Trunk | 30.00 | 15.- | | | |
| 15 Japanese Kimona (never worn) | 250.00 | 70.- | | | |
| 3 Stone Jars | 8.00 | 8.- | | | |
| 8 Window Blinds | 7.00 | 7.- | | ✓ | |
| 1 Door Lock | 1.50 | 1.50 | | ✓ | |
| 18 Window Curtains | 12.00 | 12.00 | | | |
| 1 Suit Coat (old) | 20.00 | | | | |
| 1 Overcoat (old) | 15.00 | 15.- | | | |
| 2 Ladies Overcoats | 15.00 | | | | |
| 1 Mackinaw Coat | 5.00 | | | | |
| 1 Box Camera | 5.00 | 3.- | | | |
| Far Glass | 7.00 | 7.- | | | |
| 1 Barometer | 28.00 | 20.- | 2.00 | | |
| Compass 5" | 20.00 | 17.50 | | | |
| Water Pump | 25.00 | withdrawn | | | |
| 2 Whale Bone Sticks | 10.00 | 10.- | | | |
| Hauling Axe & Handle | 5.25 | 5.- | | | |
| Draw Knife | 3.50 | 3.00 | | | |
| 10 lb. Sledge Hammer | 1.90 | 1.- | | | |
| Farm Tools | 8.00 | 5.- | | | |
| Shake Knife | 1.75 | 1.- | | | |
| Babbitt (36 lbs.) | 2.50 | 2.50 | | | ✓ |
| Air Buoys (2) | 14.00 | 10.- | | | |
| Navy Anchor | 7.20 | 5.- | | | |
| 2 Anchor Chains | 14.00 | 10.- | | | |
| Trolling Gear: | | | | | |
| 14 spool wire line | 80.00 | 80.- | | | |
| Fishing Safety Pins (about 150) | 18.00 | 18.- | | | |
| 2 Cotton Lines | 5.00 | 5.- | | | |
| Tube about 150 | 13.00 | 13.- | | | |
| Small & Large ~~Nibler~~ Swivel (4 boxes) | 12.00 | 12.- | | | |
| King Fish Line | 10.00 | 10.- | | | |
| 150 Spoons | 97.50 | 75.- | | | |
| Lead Line 1 box (160 lbs.) | 10.00 | 10.- | | | |
| Hooks (about 20) | 10.00 | 10.- | | | |
| Sinker (28 lbs.) | 1.96 | 1.96 | | | |
| Total: | $1,076.01 | 699.96 | 95.- | | |
| Ack. Custodian Credit | 98.00 | 95.- | | | |
| Amt. of Pers. Prop. Claim | $ 978.01 | 604.96 | | | |

Summary of Other Sales:

| | |
|---|---|
| Writing Desk | 1.00 |
| Kitchen Utensils | 2.00 |

EXHIBIT No. 898-6

DATE Sept. 13/48

FILLED BY Claimant

FILE No. 1556 EXHIBIT No. _____ CASE No. _____

REG. No. 12073 VENUE Winnipeg

| SALES: AUCTION | SALES: TENDER &c | SOLD WITH REAL PROP. | DECL. NOT FOUND | NO RECORD AT ANYTIME | ABANDONED | NOT ACCOUNTED FOR THEFT &c | UNSOLD | Taken by Navy. | REMARKS |
|---|---|---|---|---|---|---|---|---|---|
| No Value | | | | | | | | | |
| 25 – | | | | | | | | ✓ | |
| 6 – | | ✓ | | | | | | | "Fixture in house" - 18/7/44. |
| 12 – | (1) 2.00 | | | | (1) ✓ | | | | "No value" - 18/7/44. |
| 5 – | 8.00 | | | | | | | | |
| 3 50 | | | | | | ✓ | | | |
| 2 – | | | | | | ✓ | | | |
| 40 – | 30.00 | | | | | | | | |
| 8 – | | | | | ✓ | | | | "No value" - 18/7/44. |
| 20 – | 5.00 | | | | | | | | |
| 6 – | | | | | ✓ | | | | "No value" - 18/7/44. |
| 45 – | 15.00 | | | | | | | | |
| 15 – | 5.00 | | | | | | | | |
| 7 – | 2.00 | | | | | | | | |
| 14 – | 3.50 | | | | | | | | |
| 15 – | 6.00 | | | | | | | | |
| 7 50 | 5.00 | | | | | | | | |
| 5 – | 1.00 | | | | | | | | |
| 10 – | 10.00 | | | | | | | | |
| | .50 | | | | | | | | |
| 15 – | | | | | | ✓ | | | |
| 70 – | | | | | | ✓ | | | |
| 8 – | | | | | | ✓ | | | |
| 7 – | | | | | | | | | |
| 1 50 | | ✓ | | | | | | | |
| 12 00 | | ✓ | | | | | | | |
| | | | | | | ✓ | | | |
| | | | | | | ✓ | | | |
| 15 – | | | | | | ✓ | | | |
| | | | | | | ✓ | | | |
| | | | | | | ✓ | | | |
| 3 – | | | | | | ✓ | | | Camera removed to Fraser's Bay (House #5) but there lost trace of. |
| 7 – | | | | | | ✓ | | | |
| 20 – | 2.00 | | | | | ✓ | | | |
| 17 50 | | | | ✓ | | | | | |
| Withdrawn | | | | | | | | ✓ | |
| 10 – | | | | | | ✓ | | | |
| 5 – | | | | | | ✓ | | | |
| 3 50 | | | | | | ✓ | | | |
| 1 – | | | | | | ✓ | | | |
| 5 – | | | | | | ✓ | | | |
| 1 – | | | | | | ✓ | | | |
| 2 50 | | | ✓ | | | | | | |
| 10 – | | | | | | | | ✓ | |
| 5 – | | | | | | | | ✓ | |
| 10 – | | | | | | | | ✓ | |
| 80 – | | | | | | | | ✓ | 3 boxes. |
| 18 – | | | | | | | | ✓ | |
| 5 – | | | | | | | | ✓ | |
| 13 – | | | | | | | | ✓ | |
| 12 – | | | | | | | | ✓ | |
| 10 – | | | | | | | | ✓ | |
| 75 – | | | | | | | | ✓ | |
| 10 – | | | | | | | | ✓ | |
| 10 – | | | | | | | | ✓ | |
| 1 96 | | | | | | | | ✓ | |
| 699 96 | 95 – | | | | | | | | |
| 45 – | | | | | | | | | |
| 604 96 | | | | | | | | | |
| | 1.00 | | | | | | | | |
| | 2.00 | | | | | | | | |

# ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 1556 EXHIBIT No.

NAME Heijiro HIRAOKA

REG. No. 12073

| DATE | INVENTORY | DETAILS OF CLAIM | SALES | | SOLD WITH REAL PROP. | DECL. NOT FOUND |
|---|---|---|---|---|---|---|
| DECLARATION | TAKEN BY | | AUCTION | TENDER &c | | |
| EVACUATION | DATE | | | | | |

**Summary of Other Sales (cont'd.):**

| | |
|---|---|
| Wood | $ 27.00 |
| Sugar | 5.08 |
| Total proceeds Other Sales: | $130.08 |

**RECAPITULATION**

| Claim | Disposition | |
|---|---|---|
| $ 265.95 | Sold by Tender &c for $95.00 | 95 |
| 16.00 | Sold with Real Property | 14 50 |
| 2.50 | Declared Not Found | 2 50 |
| 20.00 | No Record at any Time | 17 50 |
| 23.00 | Abandoned | 20 |
| 405.90 | Not Accounted For, Theft &c | |
| 342.66 | Taken by Navy | |
| $1,076.01 | Gross amount Pers. Prop. Claim | |

Vancouver, B. C., July 8/48.

RGB/P.

LE No. 1556 EXHIBIT No. _____ CASE No. _____

EG. No. 12073 VENUE Winnipeg.

| SALES | | SOLD WITH REAL PROP. | DECL. NOT FOUND | NO RECORD AT ANYTIME | ABANDONED | NOT ACCOUNTED FOR THEFT &c | UNSOLD | REMARKS |
|---|---|---|---|---|---|---|---|---|
| AUCTION | TENDER &c | | | | | | | |
| | $ 27.00<br>5.08<br>$130.08 | | | | | | | |
| .00 | 95<br>14 50<br>2 50<br>17 50<br>20 | | | | | | | |
| &c | | | | | | | | |
| Claim | | | | | | | | |

17th June 1942.

Office of the Custodian,
506 Royal Bank Building,
VANCOUVER, B. C.

Attention Mr. C. L. Drewry.

Dear Sir:

re: Heijiro Hiraoka. Registration No. 12073.
My File No. 32.

In accordance with your instructions I have investigated and taken control of the property of the above man as recorded on his registration form as follows:

Real Property:

"Five room frame house at Bamfield, B. C. House and lot valued at $1,700.00.
"One chicken house."

Personal Property:

"Fishing gear and household effects as per attached list. Left in his house at Bamfield, B. C. Key now in the possession of John Jennet."

In connection therewith I have to report as follows:

Location:

The property is situated about a mile from the Cable Station at Bamfield, B. C., on the east side of a small inlet. The locality is known as Grappler Creek. It is an isolated spot and accessible only by boat from Bamfield. There are a few other white fishermen living nearby who are property holders or squatters. A rough plan showing all the Japanese houses and the reference number to this house is attached to my report on Yoshio Mariiwa, Registration No. 12153, My File No. 74.

EXHIBIT No. 898-7
DATE Sept. 13/48
FILLED BY Claimant

Land and Buildings:

Land:

A Certificate of Encumbrance, which I hold, indicates that Heijiro HIRAOKA and Iwakichi MAEDE are the title holders to the extent of:

"An undivided 2/3 interest in Lots 10, 11,12 and 13 of Section 20, Township 1, Barclay District, Plan 3770, Indefeasible Title No. 79214-I."

The house stands on Lot 10. It is not built on the foreshore.

A search at the Land Registry Office, Victoria, shows that T. FUJITAKA is the registered owner of the other third interest.

There is a level ledge of land about fifteen feet wide and fifty feet long at the back of the house, which is used as a vegetable garden. The rest of these lots are covered with a heavy growth of bush and small trees. Sufficient clearing for a chicken house and run has been done.

Building:

This is a wood frame building, two storeys, five rooms - three downstairs and two upstairs. Running water piped into the house from well. Brick chimney. Built on piling on land. Small vegetable garden. Chicken house and run. Good landing wharf. House is comparatively new, having been commenced about four years ago and is practically finished both inside and outside. It is estimated that the lumber alone in this house cost $700.00. Unfurnished this house should rent for $15.00 to $20.00 a month, or $20.00 to $25.00 if rented with what furniture there is in it.

The house is in good condition. It is clean inside and habitable for white persons. The probable sale value would be in the neighborhood of $1,200.00 to $1,500.00, if a purchaser could be found.

Land and Buildings:

Building: (continued)

On account of the present housing shortage there should not be much difficulty in finding a tenant. A service man named Sergeant Dolly, at present stationed at Bamfield, was making enquiries as to renting this property.

Caretakers:

The Japanese occupant of this house appointed Mr. and Mrs. Andersen as caretakers of their property and personal effects. I enclose a copy of a document handed to me by Mrs. Andersen when I inspected the premises. Mrs. Andersen lives close by and has offered to be of assistance in any way possible. She claims to know practically all of the Japanese families who lived in this vicinity.

Assessments:

A copy of a letter from the Provincial Collector at Alberni, B. C., is attached.

Personal Property:

I attach a detailed inventory of the contents of this house on the date that I made my inspection.

Insurance:

Provided the rate is not excessive this building should be insured for $1,000.00 to $1,200.00.

Liabilities:

None are recorded.

Special Action Taken:

A special search was made around these premises to look for fishing boat equipment which might have been removed from fishing boats and not placed in safe storage. No gurdies were found on these premises. Following my inspection the Navy boat called and removed certain fishing boat equipment shown on the attached inventory.

Perishable Properties Realized:

Wood:

There were approximately six cords of wood cut and stacked in the woodshed close to the water's edge. This wood was sold and the proceeds have been remitted to you. $ 18.00

Sugar:

Sack of sugar, 70 pounds, removed from this house and sold. Proceeds have been remitted to you. $ 5.08

Fishing Gear and Boat Equipment Delivered to the Navy:

Details of what was removed from this house by the Navy boat is shown on the attached inventory.

Recommendations:

I recommend:

1. That Mrs. A. Andersen be confirmed in her appointment as agent and caretaker. no
2. That she endeavour to rent the house. In this connection it should be noted that it might necessary to use the attic to store the contents of four other Japanese houses in this district.
3. That insurance be effected if the owner so desires.

Yours faithfully,

H G Hinton

HGH:LMS
Enclosures:

Exhibit 8.

Exhibit 9.

4/10/46

# MEMORANDUM RE SALE OF CHATTELS

(Apart from Auction Sales)

FILE NO: 1556

NAME: HIRAOKA, Heijiro

DATE ADVERTISED:
(or other information)

APPRAISER'S NAME: William Burnip

VALUATION: $98.00

PURCHASE PRICE: $98.00

COMMITTEE'S APPROVAL:

PURCHASER'S FULL NAME: Mrs. Dorothy Jean Eager,

ADDRESS: 2589 Bowker Avenue, Victoria, B.C.

OCCUPATION: Widow

BILL OF SALE REQUIRED: YES NO
(state if purchase price already paid or arrangements made) Sold with real property.

ENCUMBRANCES, IF ANY: NIL

LIST OF CHATTELS SOLD:

| | | | |
|---|---|---|---|
| Barometer | $2.00 ✓ | Brought forward: | $69.00 |
| Kitchen utensils | 2.00 ✓ | Gas lamp | 2.00 ✓ |
| 1 Crosscut saw 7' | 2.00 ✓ | 9 Kitchen chairs | 3.50 ✓ |
| 2 Drums | 8.00 ✓ | 2 Wire camp beds | 6.00 ✓ |
| 2 Beds & springs | 30.00 ✓ | 1 Dinette table | 5.00 ✓ |
| Kitchen range | 5.00 ✓ | 1 Round table | 1.00 ✓ |
| Singer sewing machine | 15.00 ✓ | Writing desk | 1.00 ✓ |
| Coal oil stove | 5.00 ✓ | Combination kitchen cabinet and table - Home made: | 10.00 ✓ |
| Total to be carried forward: | $69.00 | 2 Small tables | 0.50 ✓ |
| | | Total: | $98.00 |

EXHIBIT No. 898-10
DATE Sept. 13/48
FILLED BY Claimant

Transferred from - 1424-1556-13760 - Joint Account - on October 4, 1946

Fishing Gear and Boat Equipment Manfredy
Delivered over to Officer in charge of HMCS .....

Taken from House No 4. owner: HIRAOKA

at Grapplers Creek. My file No. 32
Bamfield

| Weight or quantity | Description in detail. |
|---|---|
| 4 only | Spools Trolling Wire |
| 2 ... | Air Buoys. |
| ... | Hand Pump |
| 1 36" | Navy anchor. |
| 4 Fathm | 1/4" anchor. Chain |
| 1. Box | Cardboard. Carton. Gear. |
| 1 ... | Wood. Tool. Box, Gear. |
| 1 Box | Spoons. Hooks. Bait, Used. |
| 2 only | 11" Propellers. Used. |
| 2 Coils 80 lb 1/2 | Manila Rope. |
| 2 Coils 50 lb 3/4 | ... Rope. |
| 1 Box 160 lb | lead line ~~100 lb~~ |
| 1 23 lb | ... + Hooks ~~%~~ |
| 1 Box 28 lb | Sinkers. |

EXHIBIT No. 898-11
DATE Sept. 12/48
FILLED BY Claimant.

Delived by W. A. Wright Received by A. Pelverton Cox'n

Date May 16th