

Name of Claimant

ITO, Katsutaro

Case 906

Custodian File

7266

<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	Sale Price	Total Award 125% of all Sale Prices:	% of Total	Amount	
<u>PERSONAL PROPERTY</u>											
Motor Vehicles		Boats and Boat Gear									
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Recorded Now Missing	45% of amount in next preceding column				
<u>NETS</u>											
Total award for Nets plus Sale Price	Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing			Percentage Total Award to Total Claim	Claim for Nets Sold Declared Not Found, & Recorded Now Missing	Apply % ratio to Claim	Deduct Custodian Sale Price				
<u>MISCELLANEOUS CHATTELS</u>											
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price				
85.85	47.95	14.38	55.81%	151.65	84.63					99.01	
TOTAL RECOMMENDATION										99.01	

CASE NO: 906

JAPANESE PROPERTY CLAIMS COMMISSION

(©SUB-COMMISSION)

Winnipeg, Manitoba.

September 15th, 1948.

IN THE MATTER OF THE CLAIM OF

KATSUTARO ITO

PROCEEDINGS AT HEARING

IN THE MATTER OF THE "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 15th, 1948.

IN THE MATTER OF THE CLAIM OF

KATSUTARO ITO

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PROCEEDINGS AT HEARING

APPEARANCES:

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

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

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SHIGRU HIRAYAMA, Esq., Official Interpreter.

MARK H. PEARCE, Esq., Official Reporter.

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K.Ito.
In Chief.

KATSUTARO ITO, the claimant herein being
first duly sworn testified as follows:-

MR. CHERNIAK: I ask leave to amend, Your Honour,
this is a personal property claim; I ask leave
to show the total value at \$241.50; the Cust-
odians Sale price \$47.95, and the loss \$193.55.

THE COMMISSIONER: \$193.55?

MR. CHERNIAK: Yes, Your Honour

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DIRECT EXAMINATION BY MR. CHERNIAK:

Q Mr. Ito, I show you a typewritten statement,
was this prepared in accordance with your
instructions? A Yes.

Q Is that your signature? A Yes.

Q Do you swear the contents to be true to the best
of your knowledge and recollection?

A Yes.

MR. CHERNIAK: I file this as Exhibit 1, Your Honour
and on behalf of my learned friend I will file his
Analysis as Exhibit 2.

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(PERSONAL CHATTEL STATEMENT, EXHIBIT 1.)

(ANALYSIS, EXHIBIT 2.)

MR. CHERNIAK: Your Honour will note that in
Exhibit 1 the claimant has set out his full
claim, showing the dates of purchase of all items,
the prices paid and the estimated value at date
of evacuation and the price at which the Custodian
sold these goods. He sets out, you will notice
Your Honour that he has shown miscellaneous items
to a total of \$150.00. He has specifically in-

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K.Ito.
In Chief.

10 dicated a substantial number which totals in excess of \$150.00 and he indicates after that that there are many other things which he does not recall. Your Honour will note from the Analysis, Exhibit 2, that most of these items consist of contents of cartons and boxes and, naturally, enough, the claimant does not remember all that was in the boxes and cartons, but he does show the larger items which were in the cartons and he indicates that there were many additional things and he has lumped them at a total of \$150.00. There is also a note that if these are returned he will gladly withdraw his claim for these. In Exhibit 2 there is an intimation that some of these goods are in storage and if they are and they are returned then obviously we will cancel our claim or withdraw all our claim for whatever items are returned. He sets out further that he depreciated these goods according to age and use and has shown what he considers to be the fair market value at date of sale.

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Q Mr. Ito, I notice that most of the items for which you are claiming were purchased in 1938 and 1939, what happened at that time which would cause you to buy new things?

A My house was built at that time so I had to buy new stuff.

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MR. CHERNIAK: I should indicate, Your Honour that in Exhibit 1 I showed the prices the goods sold

K.Ito.
In Chief.
Cr-Exam.

for by the Custodian and I should amplify this statement by saying that some of these items were not accounted for, theft, etcetera.

MR. FERG: It is submitted, Your Honour that the claim as made, that the prices claimed are excessive and unreasonable.

CROSS-EXAMINED BY MR. FERG:

- 10 Q You say you purchased most of these goods in 1938 and 1939? A Yes.
- Q And were these to replace other goods that you had in your possession?
- A Yes, those were replaced when the new house was built
- Q You ~~discredited~~^{carded} your old chattels and purchased these new things? A I never owned much chattels before 1938, but the things I had before ^{carded} I ~~discredited~~ them.
- 20 Q Would you have any receipts or vouchers for any of these articles in your claim?
- A No.
- Q Showing when you bought them and what you paid for them? A No.
- Q ~~Did~~ you purchase them in the ordinary course of business at furniture stores and things like that, retail, at Vancouver? A Most of the articles were bought from retail stores in Hammond and Vancouver and a few I brought from Japan.
- 30 Q And the prices you are claiming for the goods purchased in Japan, is that the Canadian equiva-

K.Ito.
Cr-Exam.

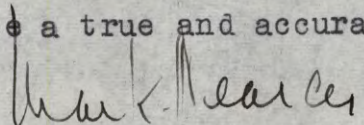
lent for Japanese money?

A Yes.

MR. FERG: That is all, Your Honour.

(PROCEEDINGS ADJOURNED SINE DIE)

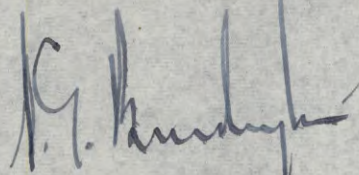
Certified to be a true and accurate transcript.


(MARK H. PEARCE)

OFFICIAL REPORTER

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I, the undersigned Sub-Commissioner hereby certify that the foregoing 5 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.


(SUB-COMMISSIONER)

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Case 906

DEC 5 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.

ACKNOWLEDGED

[Signature]

7266

W/8

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

(1) NAME ITO KATSUTARO (RCMP) Reg. No. 14364
(Print) Surname Given Name

(2) Pre-Evacuation Address Hunter Road, Port Hammond, B.C.

(3) Present Address 217 Clare Avenue, North Kildonan, Manitoba.

(4) REAL ESTATE NONE

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

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

(c) Type of Real Property (cross out words which do not apply):

- (i) Farm _____
- (ii) Residence _____ Type of business _____
- (iii) Business _____
- (iv) Any other type of property (describe) _____

(d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.) _____

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

- (i) Land - - - - - \$ _____
- (ii) Buildings - - - - - \$ _____
- (iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - \$ _____
- (iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - \$ _____
- (v) Amount at which Custodian sold property and credited your account - - - \$ _____

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

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
Home of Mr. U. Gyotoku, Trunk Road, Port Hammond, B.C.

(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
as above in Mr. Gyotoku's house

(c) How stored or packed at time of evacuation
mostly packed in boxes of some sort.

(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")

left in B.C. Left in the house belonging to Mr. Gyotoku at the time of evacuation and chattels
 were later confirmed by the Custodian.

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

1. Chattels as per attached list	Estimated Value \$	<u>333.50</u>
2. _____	Estimated Value \$	<u>241.50</u>
3. _____ <i>Sold for</i>	Estimated Value \$	<u>47.95</u>
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 \$ 333.50 ~~241.50~~ ^{193.55}

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) - - - - - \$ 333.50

(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, Katsutaro Ito of the Municipality
 of North Kildonan 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 26th day of November)
 A.D. 1947.

[Signature]
 A Commissioner for Oaths. A Commissioner &c.
 My Commission Expires Dec. 16th, 1947

K Ito

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.

KATSUTARO ITO - Reg. No. 14364

List of Chattels left in care of Custodian at the time of evacuation. The chattels were left in the house owned by Mr. U. Gyotoku, Trunk Road, Hammond, B.C.

1	Only	Bed and spring	35.00
3	"	" " "	75.00
4	Doz.	Assorted Sealers	4.00
1	Only	Electric Lamp (Mantel) large shade	3.00
1	"	" " (" small shade	2.50
1	"	Straw Mattress	1.50
1	"	15gal. Stone Crock containing misc. goods	15.00
1	"	10gal. " " " " "	12.50
1	"	Wooden Barrel " " "	25.00
5	"	Cartons (tied up) containing dishes and other household goods	25.00
2	"	Large Cartons (tied up) containing framed pictures, enameled tricket boxes etc.	30.00
1	"	Box (tied up) containing vases, plates and platters etc.	25.00
3	"	Boxes (nailed) containing lacquered trays, lacquered bowls, casserole, etc. and silver-wares (sugar and cream set, plates) etc.	30.00
2	"	Square boxes (wrapped up) small containing lacquered Japanese bowl sets and other valuables	30.00
2	"	Tables and chairs (4)	15.00
1	"	Fibre wardrobe	5.00

T O T A L

\$ 333.50

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 <u>sold for</u>
1 bed and spring	1938	new	35.00	good	20.00
3 beds and springs	1938	New	75.00	"	45.00
4 doz. assorted sealers	1939	"	4.00	"	2.00
2 electric lamps	1939	"	5.50	"	4.00
1 - 15 gal. stone crock	1938	"	4.00	"	3.00
1-10 gal. stone crock	"	"	3.50	"	2.50
2 tables and 4 chairs	"	"	25.00	"	15.00
1 fibre Wardrobe	"	"		")
<u>MISCELLANEOUS ITEMS IN VARIOUS CONTAINERS</u>)
) 26.95
3 large platters	1936	"	20.00	")
3 sets of bowls (10 each)	1935	"	33.00	")
50 Japanese saucers	1938	"	12.00	")
3 flower vasés	"	"	11.00	")
3 sets laquered trays	1939	"	10.00	")
1 set silver tea service	1939	"	17.00	") 150.00
1 dinner sets (about 50 pieces)	"	"	40.00	")
3 scenic paintings	1938	"	40.00	")
cigarette box (silver)	1935	"	4.00	")
<u>Description of Storage of Goods:</u>)
3 casseroles	1938	"	15.00	")
about 50 Japanese records	time to time	"	60.00	")
					241.50
					47.95
					<u>289.45</u>
					47.95
					<u>241.50</u>

Many other things which I do not recall. If these are returned I will gladly withdraw my claim for these. These goods were all stored at the house of U. Gyotoku and was inventoried by the Custodian.

General Statement as to Chattels not Described above:

Additional Comments, if any:

I have depreciated these goods according to age and use and have shown what I consider to be the fair market value at date of sale.

EXHIBIT NO. 906-1
 DATE Sept. 15/48
 FILLED BY Claimant.

K Ito

Signature

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 7266

EXHIBIT No. _____

NAME Katsutaro ITO

REG. No. 14364

DATE	INVENTORY	DETAILS OF CLAIM	SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND
			AUCTION	TENDER &c		
DECLARATION <u>1st May 1942</u>	TAKEN BY <u>I.C. Bardwell</u>					
EVACUATION <u>19th May 1942</u>	DATE <u>May 26/42</u>					
None		<ol style="list-style-type: none"> 1. 1 Bed and spring 35 00 2. 3 beds and springs 75 00 (2) 12 50 3. 4 doz. assorted sealers 4 00 50 50 4. 1 elec. lamp (Mantel) large shade 3 00 5. 1 elec. lamp (Mantel) small shade 2 50 6. 1 straw mattress 1 50 7. 1 15 gal. stone crock cont. misc. goods 15 00 6 00 8. 1 10 gal. stone crock cont. misc. goods 12 50 4 50 9. 1 wooden barrel cont. misc. goods 25 00 10. 5 Cartons (tied up) cont. dishes & other household goods 25 00 5 45 11. 2 lg. cartons (tied up) cont. framed pictures, enameled tricket boxes etc. 30 00 12. 1 box (tied up) cont. vases plates & platters, etc. 25 00 6 25 13. 3 boxes nailed, cont. lacquered trays, lacquered bowls, casserole, etc. & silverwares (sugar & cream set, plates) etc. 30 00 3 75 14. 2 square boxes (wrapped up) small cont. lacquered Japanese bowl sets & other valuables 30 00 1 00 15. 2 tables & chairs (4) 15 00 16. 1 Fibre wardrobe 5 00 3 50 				
		\$333.50		\$51.45		

EXHIBIT No. 906-2
 DATE Sept. 15/48
 FILLED BY Clamant.

SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NOT ACCOUNTED FOR THEFT &c	UNSOLD	REMARKS
AUCTION	TENDER &c							
8 00								
12 50						(1) 25 00		
50							3 00	
				2 50				
						1 50		
6 00								
4 50								Storage
5 45								Some dishes etc. in storage Storage
6 25								Storage
3 75								
1 00								Storage
3 50						15 00		
<u>\$51.45</u>								
				2 50		44 50		

Goods valued by the Japanese at \$286.50 sold for \$51.45 or in storage
 " " " " " " 2.50 no record
 " " " " " " 44.50 not accounted for, theft, etc.

\$333.50