Name of Claimant SUGA, Yoshio Case 948

Custodian File 4234

REAL PROPERTY											Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)			V.L.A. Mission Village			
Sale Price	5% thereof & 12.50	Sale Price	10% there-of	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices		Sale Price	Total Award 125% of all Sale Prices:		
						% of Total	Amount		% of Total	Amount	

PERSONAL PROPERTY								
Motor Vehicles		Boats and Boat Gear						
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Not Found & Recorded Now Missing	45% of amount in next preceding column	

NETS						
Total award for Nets plus Sale Price	Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing	Percentage Total Award to Total Claim	Claim for Nets Sold Declared Not Found, & Recorded Now Missing	Apply % ratio to Claim	Deduct Custodian Sale Price	

MISCELLANEOUS CHATTELS								
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price	
273.00	85.25	25.57	31.22%	247.75	77.35			102.92

TOTAL RECOMMENDATION	102.92

CASE NO. 948

JAPANESE PROPERTY CLAIMS COMMISSION

(SUB-COMMISSION)

Winnipeg, Manitoba,

27th September, 1948.

IN THE MATTER OF THE CLAIMS OF

YOSHIO SUGA

PROCEEDINGS AT HEARING

CASE NO. 948

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,

27th September, 1948.

IN THE MATTER OF THE CLAIMS OF

YOSHIO SUGA

20 PROCEEDINGS AT HEARING

APPEARANCES:

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

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

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

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

TATSUO YOSHIO, having been first duly sworn, testified as follows:

MR. CHERNIACK: Your honour, the claimant is now a resident of Fort William, Ontario, and was unable to come to the hearing. His brother, who is here, knows quite a bit about the properties for which claim is being made and we realize the evidence will not be as strong as it would be had the claimant been here himself, but as he could not come I propose to put in the best evidence available and that is the evidence of the brother.

10

THE COMMISSIONER: Who filed the claim, Mr. Cherniack?

MR. CHERNIACK: The claimant filed the claim, he was in Alberta and made his claim and when he moved it was too late for the Fort William hearing and we set it down for the Winnipeg hearing and we wrote him, but he advised he was unable to get away.

DIRECT EXAMINATION BY MR. CHERNIACK:

20

Q Mr. Yoshio, where did you live prior to evacuation?

A New Westminster.

Q What was your address there? A We had the Post Office there.

Q Can you tell us on whose property, or on what street?

A We lived on this track, we had bought a shop right on the waterfront.

Q On the C.N.R. track? A Yes.

Q Where did your brother live in relation to you, that is, your brother Yoshio? A He was living a long block away from us on the same track.

30

Q How long had he been living there?

A Since 1936.

Q Why do you say that? A He got married at that time, he was living with us until that time and got married and set up his own home.

Q About a block from where you lived? A Yes.

Q And you had been living there prior to 1936?

A Yes.

Q We are presenting a claim of your brother, Yoshio Suga, for certain of his goods, when was he evacuated in relation to you? A About two months before I was evacuated.

Q When he left were you present at his home?

A Yes, I was there helping him pack.

Q Can you therefore say whether or not these goods for which he is claiming were left at his home when he went away? A Yes, because we locked up, nailed boards on and left everything in that house.

Q My learned friend can correct me, your honour - oh, I haven't filed the analysis and I think we should. On behalf of my learned friend I will file the Custodian's Analysis as Exhibit 1.

(Custodian's Analysis, EXHIBIT 1.)

MR. CHERNIACK: Your honour will note that in that analysis that there were two inventories taken about seven or eight months apart, or six or seven months apart, and there are a number of items shown under "No account theft, etc." I would assume, subject to correction by my learned friend, listed in the "No account theft," column, were inventoried in the first inventory and

missing in the second. There is a comment about the first item to the effect that the trunk was not sold and contents not listed but the goods may have been sold amongst other goods sold at auction. Well, I do not know what the breakdown of the other goods sold at auction is, that is conjecture that I couldn't go on.

Q There was an electric hot plate and a camera, do you remember those two items? A Yes.

Q Do you remember whether they were left in the house?

10 A The camera was in the trunk and the heater was in a box.

Q The hot plate, there is no claim made for a heater, oh, yes, there is. A There was a heater and a hot plate.

Q Oh, yes, but I am talking of the electric hot plate; do you remember where that was? A That was left in the cupboard.

Q Anything else left in the cupboard?

A A lot of dishes and chinaware.

20 Q So it was left in the same cupboard with the chinaware and silverware? A Yes.

Q And you remember that? A Yes.

MR. CHERNIACK: Your honour will note both the hot plate and the camera are shown as "No record at any time" and I would like to indicate the J.P. Declaration, copy of the relevant portion, which appears in column 1, of the analysis is made generally, household goods, kitchen utensils and chinaware, etc. I submit the hot plate goes with the kitchen goods and the camera

30 under "etc."

Q This trunk, your brother showed the valuation was $112.00 for the trunk and contents; do you remember the trunk? A Yes.

Q Have you any idea when it was bought?

A He bought that after he got married.

Q That was after 1936? A Yes.

Q Have you any idea how much he paid for it of your own knowledge? A I should, because we got it from the company at the shop, from the Mac & Mac Hardware

10 Store.

Q You bought it through your shop? A Yes.

Q Do you remember roughly how much it cost?

A Somewhere around thirty or thirty-five dollars.

Q Was it in fairly good shape? A Well, we haven't moved it from there since. It was only a year or so since we got it.

Q You mean before evacuation? A Yes, we haven't moved it at all any place.

Q You never moved it around? A No.

20 Q Was it scratched up or broken? A No, it was in a room all the time.

Q What type of trunk was it? A About thirty inches wide, forty-two inches long and about twenty inches high, approximately.

Q Did it have a drawer or a shelf in it?

A Just a shelf, that is all.

Q The kind that removes? A Yes.

Q Sort of takes up half the space of the trunk when you lift it up? A Yes.

30 Q What was the trunk made of, was it metal?

A Yes, Metal outside and it was dark green.

Q It was a sort of composition material? A Yes.

Q That you could push in, it is slightly flexible?

A Yes.

Q Do you remember the contents, or how do you remember the contents? A What we took from the closet to put in, they didn't want.

Q You helped them pack it? A Yes.

Q What do you remember of what was in the closet?

10 A What they need every day and what they didn't wear they put that all inside.

Q What they were not taking with them they put it all inside? A Yes, they didn't take very much with them.

Q What would you say as to the quality, was it work clothes? A No, it was all the good clothes they left behind.

Q What sort of clothes? A Coats and dresses and a suit in too.

20 Q What would you say as to the condition?

A The suit he left there was the one he got married in and he didn't wear it much after that.

Q He got it around 1936? A No, 1937 in the spring.

Q You do not know how much he paid for it?

A Fifty-two dollars something, I got one the same time and the same material.

Q You know how much you paid? A Yes, fifty-two dollars something.

Q And it wasn't worn much? A No.

30 Q What other men's clothing was there? A Trousers

there.

Q Any shoes? A Not good shoes.

Q Any shirts? A Yes, a lot of shirts.

Q What about the lady's? A I think she brought all her dresses with her. There was a lady's coat there.

Q A cloth coat? A Yes.

Q A spring coat or summer? A A spring coat with a fur collar, I think.

10 Q You do not know how much she paid for that?

A No.

Q Any other articles? A There were a lot of these little dolls.

Q Do you mean Japanese Festival Dolls? A Yes.

Q How many? A We bought a set for him, there was three in a set.

Q What do you mean by "we?" A The brothers.

Q You were one of them? A Yes.

Q You bought a set of three dolls? A Yes.

20 Q When was that? A In 1938.

Q When the child was born? A Yes.

Q How much did that set cost? A About $12.00 or $12.50.

Q For the three? A Yes.

Q And was there another set? A They had a set themselves, they had two sets there.

Q Were there three dolls in each set? A Yes.

Q You do not know how much that was? A No.

Q Was it better than yours? A About the same.

30 Q What else did you mention? A We had a lot of

knick-knachs that they put on the wall.

Q Vases? A No, not vases, there was nothing practicable.

Q Was there a Budishan there? A Yes.

Q Any idea how much that cost? A No.

Q An old one? A It was pretty old, from my dad right through.

Q Your dad had bought it? A Yes.

Q Anything else that you can remember in the trunk?

10 A I think that is all I can remember now.

Q You mentioned the camera as being in the trunk?

A Yes, that was there.

Q Do you know when it was bought? A His wife brought that with her so I don't know how much they paid for it.

Q It was bought before they were married? A Yes.

Q What kind was it? A I think they had two there, she brought the box with her, that is only two or three dollars, and he had a kodak.

20 Q But can that open up, can you pull out the lens?

A Yes.

Q Do you know when he bought that? A He had that too.

Q Before they were married? A Yes.

Q You don't know what size films it took? A 116.

Q You don't know how old it was, roughly? A No. I would say two or three years.

Q It was bought around 1933 or 1934? A I do not know.

Q You do not know how much was paid for it?

30 A No.

Q China and silverware, what did that amount to, any idea how much there was? A A lot of silver he had for gifts when he was married.

Q Do you remember the cutlery and serving dishes?

A Yes.

Q Larger dishes too? A Yes, and a lot of big plates, chinaware.

Q Did they have a dinner set too? A Yes, a complete set.

10 Q Any idea of the cost of that set? A I think at that time he paid about $65.00 for that set.

Q When? A After he got married.

Q Do you remember if there were broken pieces to it?

A No, they hardly used it.

Q That was their set for special events? A Yes.

Q And there were other pieces? A Yes, that they got for gifts.

Q Can you give us a rough idea how many pieces of silver there might be? A As a wedding gift we gave them

20 the knives and forks and spoon set.

Q Do you remember how much it cost you? A Around $35.00, something like that.

Q That is for the cutlery itself? A Yes.

Q And there were other pieces? A Yes, there were fruit bowls.

Q Silver? A Yes.

Q What about the aluminumware? A They left everything there, what they had for everyday use.

Q That would be all the cooking utensils?

30 A Yes, and they had a set of these Wearever cookers.

Q You mean pots and pans? A Yes.

Q Wearever? A Yes. It just came out at that time.

Q Yes? A And there were eleven pieces, I went around with the salesman to sell that.

Q Do you remember how much it cost?

A Well, the frying pan alone cost $5.00 and the pots was $3.00 or $4.00 each and there was a double boiler like.

Q You don't remember how much the whole thing came to?

10 A It was around 75 or $80.00.

Q You remember that? A Yes, I went with the salesman to sell it.

Q $75.00 or $80.00? A Yes.

Q Do you remember the electric clock? A Yes.

Q Do you remember when that was bought?

A That was after they got married.

Q Did you have anything to do with buying it?

A Yes, I think I bought that from Mac & Mac's. I think I paid 4 or $5.00, that is all. It is one you can

20 hang up on the wall.

Q That is the only electric clock there was?

A Yes, there was one like for the bedroom, an electric clock that sits on the table.

Q Do you remember when that was purchased?

A I wouldn't know about that one.

Q Would you care to guess its value?

A That would be about 4 or $5.00 too.

Q Nothing was second-hand? A New.

Q So you figure the two clocks together would be worth

30 $10.00? A Yes.

Q Now, the hot plate? A Yes, that was there.

Q Do you know anything about the time when it was bought? A They bought that in 1937.

Q Have you any idea how much was paid, of your own knowledge? A No, I didn't buy that one.

Q So you don't know? A No.

Q But you remember the plate was there and it was with the dishes in the cupboard? A Yes.

Q Now, what about the couch, your brother is claiming
10 $8.00 for it? A Yes, it was a folding couch.

Q That opens up and makes a double bed?

A Yes.

Q Did it have a back to it? A No.

Q They are sometimes called Toronto couches or Winnipeg couches, is that what you mean?

A One with the legs that folds down.

Q There is a flap on each side which opens up and the leg comes down? A Yes.

Q And the mattress opens up as well? A Yes.

20 Q Do you remember when it was bought?

A He bought it after they were married.

Q Did they use that for sleeping? A No, they had their own bed.

Q Do you remember how much that cost? A $12.00

Q Is that just a guess? A Yes.

Q You think it would have cost around $12.00?

A Yes.

Q New? A Yes.

Q It was new when he bought it? A Yes.

30 Q What about the cupboard? A The cupboard, we

made that, or I made that.

Q Are you a carpenter? A Yes.

Q A cabinet maker? A Yes.

Q Are you any good? A Well, I am in business now.

Q Making what? A Cabinets.

Q Were you in business then making cabinets?

A We were building boats then.

Q But you do finishing work? A Yes.

Q What wood was that? A That gum wood and yellow

10 cedar.

Q Was it finished? A Yes.

Q Do you sell them? A Yes.

Q When did you make that? A After he was married, I made it for him.

Q How much would you sell it for at that time?

A About 65 or $70.00.

Q You know that you could sell it for that?

A Yes.

Q 65 or $70.00? A Yes.

20 Q Was it in pretty good shape? A Yes.

Q Now, the table and chairs? A That was just the ordinary tables and chairs.

Q Do you remember when they were bought?

A After they got married.

Q Did they buy them new? A Yes.

Q Do you remember where they bought it?

A I wouldn't remember now.

Q Have you any idea how much they paid? A No.

Q Well, that is not an important point, I see it was sold

30 for $1.50 less than their price.

Q What about the heater, do you remember that?

A She used that in the winter. It was pretty damp out there.

Q When was it bought? A 1937, the year she got sick, that is when she bought that.

Q Do you remember how much was paid for it?

A I would have to take a guess.

Q Well, have you any real idea of what heaters of that type were worth at that time? A I would say

10 around $7.00.

Q What condition was it in when you left?

A It was all right, there was nothing wrong with it, it was practically new. They all use them in the winter.

Q There is a baby buggy there, how many babies did they have? A Two.

Q Was this bought for the first one or the second one?

A Bought for the first one, my dad bought that.

Q Did you have something to do with the buying of it?

20 A They paid $42.00 for that, it was a pram.

Q Do you remember when you bought it?

A In November 1937.

Q You paid $42.00 for it? A Yes.

Q Was it banged up much at the time of evacuation?

A No, all they did was to pull it from their place to our place.

Q The baby didn't sleep in it at night?

A No, but the other one did.

Q Do you remember the dresser? A Yes.

30 Q Did they buy that, or did you make it?

A They bought it.

Q Do you remember when they bought it? A I think she bought it just before they got married.

Q Was it bought by itself or were there other pieces with it? A There was a stool with it and a small four-drawer chiffonier.

Q There doesn't seem to be a claim for the chiffonier?

A No, I do not know whether they left that or not.

Q You do not know the cost of the dresser?

10 A No.

Q You are a cabinet maker, can you give us an idea?

A That one new would be worth about $40.00, I would say.

Q What condition was it in? A It was in good condition.

Q At the date of evacuation? A Yes.

Q What about the baby bed, do you remember that?

A I do not remember that.

Q That would have been bought, I suppose, at the same time? A I guess around November, because the

20 baby was born in November.

Q But you do not know how much it cost or anything like that? A No.

Q Have you any idea of what it would be worth?

A No, I am just guessing.

Q We don't want you to guess. Now, do you remember the single bed? A Yes.

Q Have you any idea when the single bed was bought?

A It wasn't a single bed, a three-quarters.

Q There is a claim for a single bed and a double bed?

30 A There was a three-quarter bed.

Q And also a double bed? A Yes.

Q What about the three-quarter bed? A We bought them that.

Q When? A That was when they got married.

Q Do you remember how much you paid for it?

A We got a mattress separate, we paid $23.00 for the mattress and the bed I do not remember that.

Q Was it a steel bed? A Steel with like a panel.

Q Was it made from tubing? A It was a square

10 post.

Q Would the post be hollow? A Yes.

Q Was it a full panel? A No, a part panel

Q A centre panel? A Yes.

Q Were there any rods in the sides of the panel?

A No.

Q There were sides? A Yes.

Q Was there a spring with it? A Yes, a coil spring and we changed that. It came with the bed and we didn't want it, that is a flat type.

20 Q It had a flat spring? A Yes.

Q And you didn't want that and you changed it for a coil spring? A Yes.

Q Have you any idea of what it would be worth at that time? A No.

Q What about the double bed, do you remember that?

A I do not remember the double bed.

Q You know they had one? A I know they had two beds there.

Q Do you remember if the double bed was wood or metal?

30 A No, it was all metal, they didn't have any wood bedsteads.

Q Do you remember the type of spring? A I think that was a flat spring on it.

Q Was it a panel type? A No, it was one with the bars.

Q Do you mean tubing? A No.

Q So there was no full panel? A No.

Q It was made of round tubing? A Yes.

Q Was there a mattress on it? A Yes.

Q Would this have been purchased before their marriage or after? A I think that was purchased after they were married because we gave them the three-quarter bed first.

Q They slept on that for a while? A Yes.

Q You have no recollection how long after that they bought the full sized bed? A No, I think that was bought after the baby was born.

Q Did you have anything to do with buying it?

A No.

Q Your brother is claiming $85.00 for a range, what is that? A A wood and coal range. We bought it at Mac & Mac's. It was a McClarity, or something like that.

Q Did you, personally, buy it? A Well, the company.

Q Do you mean your company? A Yes.

Q Your own business? A Yes.

Q How many holes were in it? A Four holes.

Q Did it have a heater on top? A No, just a shelf.

Q Was it coal or oil? A It was coal and wood.

Q Did it have a water heater on it? A No.

Q Did it have an oven? A Yes.

Q Do you remember how much you paid for it?

A I cannot remember how much.

Q You do not remember how much? A No.

Q When was it bought? A They had an old stove before that and I think they bought that in 1938.

Q But you don't remember how much was paid for it?

A No.

Q Do you remember a boiler? A A boiler?

Q Yes, that would be some kind of tub.

A Oh, yes, a copper boiler.

10 Q Do you remember that? A Yes.

Q Do you know how much was paid for it? A No.

Q Would you have any idea as to its value?

A Maybe $2.00, that is about all.

Q And wash tub, your brother is claiming for a boiler and wash tub, do you remember two separate ones?

A Yes.

Q You wouldn't know when that tub was bought or how much was paid for it? A No.

Q Now, this house that your brother had, it wasn't on

20 his land, was it? A No.

Q Do you know whose land it was? A It was there on the mill he was working for.

Q Was that Brown's Mill & Lumber Company? A Yes, either on that or the C.N.R.

Q Do you know of your own knowledge whether he paid rent to anybody for that land? A No, I do not.

Q You do not know that he did? A No.

Q And you do not know that he didn't? A No.

Q When did he buy it? A When he got married.

30 Q Do you know whether he bought it or just went in and

started to live in an empty house?

A Previously there were three bachelors living there and they were the ones that built that building and he bought it from them.

Q Have you any idea when it was built?

A About six months before he got married.

Q Do you know how much he paid for it? A I could not say exactly but he paid about $200.00 for it.

Q So you are not sure of the exact amount. Are you sure
10 it was worth more than $175.00? A Yes, I remember he was short of money at that time.

Q So you know it was close to 200? A Yes.

Q Was it vacant when he bought it?

A They moved out and he moved in.

Q But they didn't move out until they sold it to him?

A No.

Q Who are they? A Three fellows.

Q Were they Japanese? A Yes.

Q Do you remember their names? A Two went to
20 Japan and there is one here in Alberta.

Q Do you know his name? A Shighiro.

Q Do you remember his first name? A Shigeru.

Q Did you do any work on that house after he bought it?

A Yes, we put an addition in the back.

Q Did you have something to do with it? A Yes.

Q What sort of addition was it? A For a wood shed and one to go outside for a washroom, there were two additions we put on after.

Q That is the two you mention? A Yes.

30 Q Anything else? A That is about all.

Q It was a pretty new shed? A Yes.

Q Can you estimate the cost of the material and of the labour that went into these additions?

A If I were to do it now I would say it cost me $150.00.

Q The value of the lumber is up and the value of the labour is up now? A Yes.

Q At that time, what would you care to say?

A At least $95.00 to $100.00.

Q That is just an estimate, you don't really know?

10 A No.

Q You didn't pay for the material? A No.

Q And you didn't punch the clock when you did the work?

A I helped him put it up.

Q Your brother was an experienced man? A Yes.

Q Doing what for the Brown Mill Lumber Company?

A He was dogger and setter, that is like setting lumber for a certain amount of thickness they want to cut.

Q And you were a boat builder? A Yes.

Q Anybody else work with you? A My brothers are

20 carpenters.

Q Your father, what is he? A From the Old Country he was a boat builder.

Q And your brother? A My elder brother he is a carpenter too. I am the youngest of the three of them, there are three brothers.

Q Is he a carpenter? A Yes.

Q And you estimate the cost then at $95.00? A Yes.

Q And to-day? A About $150.00.

Q I had better file the J.P. Form - do you know your

30 brother's signature? A Yes, I think so.

Q Can you say whether or not that is his signature?

A Yes.

MR. CHERNIACK: This, your honour, is the J. P. Form produced from my learned friend's file and I tender it as Exhibit No. 2.

(J. P. Form, EXHIBIT 2.)

MR. CHERNIACK: I would like to bring to your honour's attention a statement as to real property. It says: "Location and description - None; Buildings and other
10 Improvements - Two-room shack situated on the property of Brownsville Lumber Co., " that is under the "Statement of all Real Property," and in the "Statement of Real Property Occupied," it says, "Location and description - See page 1." No. 2 under "Landlord's Name and Address - Land belongs to Brownsville Lumber Co., New Westminster, B.C." And under "Statement of Personal Property Owned," it states, "No. 1 - Household goods, kitchen utensils, chinaware, etc., in my house situated at the Brownsville Lumber Co., New Westminster,
20 B.C. Key will be left in care of the Brownsville Lumber Co., New Westminster, B.C." I am pointing out that at the date of evacuation the Custodian was fully aware that the claimant stated he owned the house built on property which was not his.

Q Did this house have a basement? A No.

Q Could you pick up and take it away? A Yes, you could. It was made so you could take it away.

MR. CHERNIACK: It will also be noted from the Analysis Sheet, Exhibit 1, that the Custodian's representatives
30 were at that house both on May 26, 1942, and January 13,

1943, and then it should be pointed out, as far as I can learn from my learned friend's file, no attempt was made by the Custodian to check up about the house until October 26, 1946. Since that is four and a half years since evacuation, I would like to make sure of my statement. I would like my learned friend either to confirm or correct me as to that date I have given, October 1946.

MR. FERG: There is a copy of letter on the file dated October 26, 1946, from the Custodian's Office to the Brownsville Lumber Company inquiring respecting this house and a reply from them on November 5, 1946, that is all the file shows about it.

MR. CHERNIACK: It is, of course, our submission this was a personal chattel, movable, and was declared to the Custodian in the J.P. Declaration. Apparently the Custodian made no effort to appraise the house, try to sell it, try to find out whether they could do it until October 26, 1946, at which time apparently there was a contention that Suga lived in this house by virtue of "Squatter's Rights," which is shown in the Analysis. No question was directed to Suga as to his right to be in the house and nothing was done until October 1946. It was apparently overlooked, which, as I say, was some four and a half years after evacuation, and that is the case.

CROSS EXAMINATION BY MR. FERG:

MR. FERG: It is submitted that the property sold was sold at its fair market value, that the man's claim for "Articles

abandoned or not found on account of theft," that the prices claimed are unfair and unreasonable and beyond the market value. With regard to the house and shack in question, it is submitted that the claimant lived in this house by virtue of "Squatter's Rights" only and the Brownsville Sawmill, or the C.N.R., the owners of the property on which it was erected, had complete control over the shack in question. It is also submitted that in view of the fact that the claimant has not
10 appeared for cross-examination, we just wish to note that fact, that the claimant has not appeared for cross-examination.

Q Are you married, Mr. Suga? A Yes.

Q When were you married? A January 1942.

Q You were not married at the time your brother set up housekeeping? A No.

Q And you lived with your father? A Yes.

Q How far distant were you from your brother's place?

A A long city block, about one and a half blocks here.

20 Q Considerable of the evidence you have given this morning is based upon what your brother, or somebody, told you about these articles ?

A No, because I haven't seen him.

Q But the information you gave concerning the purchase of articles by your brother is only what was told to you?

A No, what I know by myself, because I was there. We were living together until he got married. After that we were every day in and out.

Q Most of these articles your brother purchased before he
30 got married was in contemplation of his marriage. Take

for instance the kitchen range, you say you know nothing about that? A We bought that through our company, but I do not know how much we paid for it.

Q How do you mean, you bought it through the company?

A Through our shop, in our account with the hardware company.

Q So your father and your brother, the claimant, and yourself, own a company? A Yes.

Q You call that company a partnership? A Yes.

10 Q What was your business? A Boat builder.

Q And your brother was building boats until he got married? A Yes.

MR. CHERNIACK: Can we record the name of the company in case Mac & Mac can be communicated with.

MR. FERG:

Q What was the name of your company? A Suga Boat Building Company.

Q Take for instance the purchase of the baby pram, or baby buggy, you were not present at the purchase of

20 the buggy? A Yes.

Q Were you there at the time? A Yes.

Q Along with your brother? A Yes, because we gave it to them as a gift.

Q Who do you mean "we?" A My other brother, I had three brothers and the eldest one got married and that left two of us, and the father and the three of us gave them that as a gift to the baby when she was born.

Q Who did you buy the pram from? A Mac & Mac.

Q What did you pay for it? A $42.00.

30 Q It was a nice present? A It was a real English pram.

Q With regard to the heater, was it one of those round tin heaters? A No, it was square.

Q Was it cast iron? A No, it wasn't cast iron, just metal and nickel-plated legs.

Q What was the body of it like? A It was ivory, or cream.

Q And as to the contents of the trunk, did you see the trunk actually packed? A Yes, I helped them pack it.

10 Q Was the trunk locked? A Yes, it was.

Q And left in the house? A Yes.

Q And all these goods were left in this shack?

A Yes, everything was locked up and nailed up the windows and doors.

Q You didn't know anything about the terms or arrangements on which the house was built on the C.N.R. property?

A The first three men that had it before, they got permission from the railway company to build on that because they had no place to build.

20 Q Do you know that? A Yes.

Q Were there any documents signed? A I do not think--

Q You do not know anything about that? A No.

Q Did your brother get any documents?

A All he had was a Bill of Sale for the house.

Q Have you ever seen the Bill of Sale?

A I was there at that time. I checked with the company again at that time because my brother cannot speak very well English and I went there to ask from the company whether we could buy that place from these fellows

30 and at that time they said, it is all right, you are

working here, you have to have a place, go ahead and buy it.

Q As long as he is working? A Yes.

Q Were there any documents signed giving that consent?

A No.

Q Was there anything stated about the ownership of the house in the event of them leaving?

A The only thing was he got a Bill of Sale from the fellows who built the place.

10 Q That is for the house? A Yes, I think the fellow who signed it was Kimura.

Q But you do not know anything about on what terms and the question of the ownership of the house in the event of them leaving? A No, he just bought it and that is all there was to it.

Q When you checked on it, the company said it was O.K. for him to buy it as long as he was working for them?

A Yes.

Q Did you discuss any further what would happen if your

20 brother ceased to work for the Brownsville Lumber Company? A No, but the only thing was, we could take it away, it was on skids and that is the only reason he buy it.

Q Does that make any difference whether it was on skids or not? A Then you could take it away with you.

Q And you say there was $112.00 worth of goods in your brother's trunk when he packed it?

A It would be good that all right, all the good stuff was left there.

30 Q What do you mean? A Any article that you don't

use every day we left everything there.

Q How big was this trunk? A I would say about 42 inches long, 30 inches wide.

Q The usual family trunk? A Yes.

Q Was it all clothing? A Yes, and tools and all this.

Q That was all put in the trunk? A Yes.

Q And left on the property? A Yes.

Q And you were present while the trunk was being packed
10 and saw everything put in? A Yes.

MR.FERG: That is all the questions, your honour.

RE-EXAMINATION BY MR. CHERNIACK:

Q You say this house was on skids; I do not know whether I have seen buildings on skids, but are skids something like skis? A Like a runner on a sleigh.

Q Does that mean there were no posts driven into the ground? A Oh, yes, there was, it was sitting on the posts.

20 Q The skids were on the posts? A Yes.

Q Not attached, but just sitting on? A Yes.

Q In order to take it away, what do you do, hitch on a truck and drive away? A Yes.

Q And it would slide with you? A Yes.

Q There was nothing to hold it back? A No.

Q It would just slide away? A Yes.

Q You didn't have to put it on wheels? A No.

Q Just take it away on the skids? A Yes.

Q When you went to the Brownsville Lumber Company, do
30 you know who you saw? A I forget his name.

Q Do you know what job he had there?

A He was like the boss there.

Q A foreman? A No, he was in the office but I cannot remember his name.

Q Could it be Mr. Lovick by any chance?

A No, it wasn't Lovick.

Q But it was somebody who was in authority?

A Yes.

Q Are you sure in your own mind he knew your brother bought the place and paid for it? A Yes.

10

Q And they said they had no objection?

A Not as long as he was working there.

Q But you never discussed what would happen if he wasn't working for them? A No.

Q And he worked there right till evacuation?

A Yes.

(PROCEEDINGS ADJOURNED SINE DIE)

Certified to be a true and accurate transcript.

MARK H. PEARCE, Sr.,
OFFICIAL REPORTER.

CERTIFICATE

I, the undersigned Sub-Commissioner, hereby certify that the foregoing 27 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

NOV 21 1947

Case No. 948

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

File 4234
Winnipeg

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

(1) NAME SUGA Yoshio (RCMP) Reg. No. 08103
(Print) Surname Given Name

601 McLeod St, St. William

(2) Pre-Evacuation Address P.O. Box 71, South Westminster, B.C.

(3) Present Address Stirling, Alberta.

(4) REAL ESTATE

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

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

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

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

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

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

(i) Land - - - - - - - - - - - - - - - - $_____

(ii) Buildings - - - - - - - - - - - - - - - - $_____

(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - - - - - - - - - - - $_____

(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - $_____

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

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

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation _____

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

(c) How stored or packed at time of evacuation _____

(over)

(d) In whose care was property left at date of evacuation by the claimant. (This question refers to the terms of reference which exclude claims where the property was lost, destroyed or stolen while under the custody, control or management of any person other than the Custodian appointed by the owner of the property. It involves some definite arrangement whereby you appointed someone to take care of the property and such person accepted the responsibility of so doing. Unless such an arrangement was made the question should be answered "in no one's care")

In care of the Custodian

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

1.	trunk and contents	Estimated Value $ 112.00
2.	China and silver wares	Estimated Value $ 35.00
3.	Aluminum ware	Estimated Value $ 21.00
4.	Electric clock	Estimated Value $ 8.50
5.	Electric hot plate	Estimated Value $ 5.00
6.	Couch	Estimated Value $ 8.00
7.	cupboard	Estimated Value $ 30.00
8.	table and chairs	Estimated Value $ 7.50
9.	heater	Estimated Value $ 5.00
10.	dresser	Estimated Value $ 25.00

continued on supplimentTOTAL CLAIM FOR PROPERTY LOSS $ 257.00

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) - $ ~~608.25~~ $503.25

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

LETHBRIDGE

(b) Do you require the services of an interpreter at the hearing? Yes or no NO

N.B.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to take declarations. All lawyers are qualified to do so.

DOMINION OF CANADA)
of)
TO WIT:)

I, Yoshio Suga of the Village of Stirling in the Province of Alberta

DO SOLEMNLY DECLARE THAT:

The information set out in the form above is true and correct to the best of my knowledge, information and belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of 'The Canada Evidence Act".

DECLARED before me at the Town of ~~Town~~ Raymond in the Province of Alberta this 15th day of November A.D. 1947.

Y. Suga

W. L. Jones

A Commissioner &c.

N.B. — THIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONER SHOULD BE MAILED BY REGISTERED MAIL TO THE COMMISSIONER, c/o THE OFFICE OF THE CUSTODIAN, ROYAL BANK BLDG., VANCOUVER, B.C., BEFORE NOVEMBER 30th, 1947. IF YOU CANNOT MAIL IT BEFORE THIS DATE SET OUT BELOW REASONS FOR THE DELAY.

SUPPLIMENT

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

11. baby buggy	estimated value	$ 35.00
12. baby bed		10.00
13. single bed		18.00
14. double bed		27.50
15. range		85.00
16. boiler		3.75
17. wash tub		2.00
18. camera		5.00
19. house		165.00
	total	$351.25
	From sheet 1	257.00
	Total property loss	$608.25
Amount at which Custodian sold property		105.00
	Total Claims	$503.25

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No 4234 EXHIBIT

NAME Yoshio SUGA

REG. No 08103

DATE	INVENTORY	DETAILS OF CLAIM		SALES		SOLD WITH REAL PROP.
DECLARATION Apr. 15/42	TAKEN BY D. Smith May 26)42 &			AUCTION	TENDER &c	
EVACUATION Apr. 20/42	DATE ~~S.C. Carlsen~~ Jan. 13/43					
Household goods Kitchen utensils Chinaware, etc.		1. Trunk & contents	112.00			
		2. China & silver ware	35 00	5 25		
		3. Aluminum ware	21 00	5 25		
		4. Electric clock	8 50			
		5. Electric hot plate	5 00			
		6. Couch	8 00			
		7. Cupboard	30 00	3 00		
		8. Table & chairs	7 50	6 00		
		9. Heater	5 00			
		10. Baby buggy	35 00	10 00		
		11. Dresser	25 00	10 00		
		12. Baby bed	10 00	2 00		
		13. Single bed	18 00	7 00		
		14. Double bed	27 50	7 00		
		15. Range	85 00	29 00		
		16. Boiler	3 75			
		17. Wash tub	2 00	75		
		18. Camera	5 00			
			$443.25	$85.25		
		Other goods sold at auction		43.50		
				$128.75		
		19. Claim for house	$165.00			

2-room shack built on C.N.R. Right of Way through Brownsville Lumber Co., New Westminster. Suga lived in this shack by virtue of "Squatter's Right" only.

EXHIBIT No. 948-1
DATE Claimant
FILLED BY Sept. 27/46.

FILE No 4234 EXHIBIT No. CASE No.

REG. No. 08103 VENUE Lethbridge

SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD	REMARKS
AUCTION	TENDER &c							
						112 00		Trunk not sold. Contents not listed, goods may have been sold amongst "other goods sold at auction".
5 25								
5 25						8 50		
				5 00				
						8 00		Inventoried as "old".
3 00								
6 00						5 00		
10 00								
10 00								
2 00								
7 00								
7 00								
29 00								
						3 75		
75				5 00				
$85.25				$10 00		$137.25		
43.50								
$128.75								

Goods for which Japanese claims $296.00 sold at auction for $85.25
" " " " " 10.00 no record at any time
" " " " " 137.25 no account, theft, etc.

$443.25

of Way
Westminster.
of "Squatter's

948

FORM "JP" FILE No.

SURREY

OFFICE OF THE CUSTODIAN

JAPANESE SECTION

To be completed by persons of the Japanese race having property in any protected area. The proper administration of this property requires such persons to give full particulars as requested in this form.

PERSONAL INFORMATION

NAME: SUGA, Yoshio

c/o Brownville Lumber Co., Surrey, B.C.

HOME ADDRESS: P.O. Box 71, New Westminster, B.C.

REGISTRATION NUMBER 08103 SEX: Male AGE: 35

OCCUPATION: Millhand

(If any business or businesses carried on, state where, under what name and whether carried on by yourself or in partnership with anyone; if partnership, give partner's name.)

EMPLOYER: Brownville Lumber Co., New Westminster, B.C.

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Fumiko 36 960

ADDRESS OF WIFE OR HUSBAND: P.O. Box 71, New Westminster, B.C.

NAMES OF ANY LIVING CHILDREN: Yoshie (F) Shige (M)

ADDRESS OF CHILDREN: P.O. Box 71, New Westminster, B.C.

AGE OF CHILDREN: 5 years 2 years

STATEMENT OF ALL REAL PROPERTY (Each parcel must be mentioned and particulars given)

1. LOCATION AND DESCRIPTION: None

2. BUILDINGS AND OTHER IMPROVEMENTS: Two-room shack situated on the property of Brownsville Lumber Co. ~~land~~.

3. INSURANCE (Give particulars; state where policies are) None

4. TAXES (Amount and where payable) None

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed) None

6. OCCUPANCY AND LEASES (If vacant so state) Myself

EXHIBIT No. 948-2

DATE Sept. 27/45

FILLED BY Claiment.

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: None

8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: None

9. IF FARM LAND STATE CROPS SOWN None

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: See page 1

2. LANDLORD'S NAME AND ADDRESS: Land belongs to Brownsville Lumber Co., New Westminster, B.C.

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: None

4. STATE WHEREABOUTS OF LEASE: None

5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid) None

6. IF FARM LAND, PARTICULARS OF CROPS SOWN: None

STATEMENT OF PERSONAL PROPERTY OWNED:

1. GIVE BRIEF DESCRIPTION AND STATE LOCATION OF FURNITURE, FIXTURES, EQUIPMENT AND MACHINERY, STOCK IN TRADE AND PERSONAL EFFECTS:

Household goods, kitchen utensils, chinaware, etc., in my house situated at the Brownsville Lumber Co., New Westminster, B.C. Key will be left in care of the Brownsville Lumber Co., New Westminster, B.C.

2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS None

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY None

FORM "JP" FILE No.

4. INSURANCE CARRIED ON ABOVE PROPERTY: None

5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF OTHERS: None

6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom) None

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts)

Six $5 War Savings Certificates at home.

8. BANK ACCOUNTS: None

9. LIFE INSURANCE: $1000 25-year endowment policy with the Monarch Life Co. Beneficiary my wife. Policy at home. Policy No. P76896
Joint $1000 20-year endowment policy for my wife and two children with the Prudential Life Co. Beneficiary myself. Policy Nos. M6977017 M6975473 and M6975474

10. INTEREST IN ANY ESTATES OR TRUSTS. None

11. SAFETY DEPOSIT BOX: None

LIABILITIES:

1. PERSONAL DEBTS: None

2. TRADE DEBTS: None

I, the undersigned, hereby voluntarily turn over to the Custodian all my property in the protected area as set out above, excepting fishing vessels, deposits of money, shares of stock, debentures, bonds or other securities, if any.

I certify that the above information is true and complete and fully discloses all my property of every description in any protected area in British Columbia and sets forth all my liabilities direct and indirect.

Dated this 15th day of April 1942.

(Signature) Y. Suga

R. T. Williams
Witness

FOR DEPARTMENTAL USE

August 19th 1948.

K. D. Deans, Esq.,
Secretary, Japanese Property Claims
Sub-Commission,
Court House,
Winnipeg, Man.

Dear Mr.Deans,

Re claim of Yoshio SUGA, Reg.#08103

Enclosed herewith is the above claim, which has been returned to us from Lethbridge. We understand that Mr.Suga has moved to Winnipeg and wishes his claim heard there. We have no Winnipeg address forthis claimant, and neither has the Custodian's office any new address. We are therefore writing Claimant's Counsel, Mr.Huckvale, at Lethbridge, to ascertain if he has a forwarding address, and shall advise you of the result. You may be able to get his address from Mr.Cherniack, as Mr.Suga may have been in touch with him.

Yours truly,

A. WATSON
Per.

Secretary.

Enc.
VW.

August 19th 1948.

Messrs. Ritchie & Huckvale,
Barristers and Solicitors,
Acadia Bldg.,
Lethbridge, Alta.

Attention of Mr.Huckvale

Dear Sirs,

Re claim of Yoshio SUGA, Reg.#08103

We have this morning received return of this claim from Miss Thomas, with advice that Yoshio Suga has moved from Lethbridge to Winnipeg and that you have requested that the hearing take place in Winnipeg. We are forwarding the claim to Mr.Deans, Secretary at Winnipeg, with request that it be added to the Winnipeg list.

If you have the Winnipeg address of this claimant, will you kindly let us have it by return mail if possible, so that we may advise Mr.Deans, as he will require to send notice to Mr.Suga of the date of hearing.

Yours truly,

A. WATSON
Per.

Secretary.

VW.

August 19th 1948.

The Custodian,
Department of Secretary of State,
675 W. Hastings St.,
Vancouver, B.C.

Dear Sir,

Re claim of Yoshio SUGA Reg.No.08103
Your file4234

We have received advice this morning from Lethbridge that Mr.Huckvale requested that the above claim be removed from the Lethbridge list and placed on the Winnipeg list for hearing, as Mr.Suga had moved to Winnipeg. As no Winnipeg address has been furnished, we are writing Mr.Huckvale to ascertain if he has such address. We are today forwarding the claim to Mr.Deans, Secretary at Winnipeg, so that he may add it to the list for hearing at that point.

Yours truly,

VW.

August 18th 1948.

Miss Lillie Thomas,
15 Victoria Mansions,
Lethbridge, Alberta.

Dear Miss Thomas,

Re SUGA Yoshio Reg.No.08103

We acknowledge receipt of your letter of the 17th inst. enclosing this claim, which we are forwarding to Winnipeg for hearing.

Yours very truly,

EW.

HONOURABLE MR. JUSTICE H. I. BIRD
COMMISSIONER

A. WATSON
SECRETARY

JAPANESE PROPERTY CLAIMS COMMISSION

COURT HOUSE
VANCOUVER, B.C.

15 Victoria Mansions,
Lethbridge, Alberta.
August 17, 1948.

Dear Mr. Watson:- RE: SUGA, Yoshio
Reg. No. 08103
(No. 72 on W.E.Huckvale list)

During the hearing to-day Mr. Huckvale stated that the above noted Claimant has moved to Winnipeg, and requested that the same be removed from the Lethbridge list, with the right to place same on the Winnipeg list for hearing.

With this I am returning to you the original Claim herein, being the file in my hands.

Kindly acknowledge receipt of same, and oblige,

Yours very truly,

Lucie Thomas

Secretary
Japanese Property Claims
Sub-Commission (Lethbridge).

A. Watson, Esq.,
Secretary
Japanese Property Claims Commission,
VANCOUVER, B.C.