

Name of Claimant

NAKAI, Matsue

Case 950

Custodian File

2751

<u>REAL PROPERTY</u>										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village			
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Total	Sale Price	Total Award 125% of all Sale Prices: % of Total	Amount	
<u>PERSONAL PROPERTY</u>										
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			
25.00	6.25									6.25
<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 CHATELS</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	Application of % ratio to amount in next preceding column.	Sale Price of goods Sold by Tender	12% of Sale Price			
			46%	357.50		23.00				
					164.45		2.76			167.21
TOTAL RECOMMENDATION										173.46

CASE NO. 950

JAPANESE PROPERTY CLAIMS COMMISSION

(SUB-COMMISSION)

Winnipeg, Manitoba,  
27th September, 1948.

IN THE MATTER OF THE CLAIMS OF

MRS. MATSUE NAKAI

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,  
 27th September, 1948.

IN THE MATTER OF THE CLAIMS OF

MRS. MATSUE NAKAI

PROCEEDINGS AT HEARING

20

APPEARANCES:

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

SM. CHERNIACK, Esq.,    Appearing for the  
                                   Claimant.

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G.N.R. UPTON, Esq., Official Interpreter  
 MARK H. PEARCE, Esq., Sr., Official Reporter.

30

M. Nakai,  
In Chief.

MATSUE NAKAI, the claimant herein, being first  
duly sworn, testified as follows:

MR. CHERNIACK: In this case I ask leave to amend the  
value of \$680.00, that is the total value. The  
Custodian's sale price \$48.00 and the loss \$632.00.

DIRECT EXAMINATION BY MR. CHERNIACK:

Q Mrs. Nakai, I show you this typewritten statement, was  
this prepared in accordance with your instructions?

A Yes.

10 Q And is this (indicating) your signature? A Yes.

Q You swear the contents to be true to the best of your  
knowledge and recollection? A Yes.

(Statement, EXHIBIT 1.)

MR. CHERNIACK: On behalf of my learned friend I will tender  
the Custodian's Analysis as Exhibit 2.

(Custodian's Analysis, EXHIBIT 2.)

MR. CHERNIACK: Your honour will note that in Exhibit 1 we  
have changed the total claim, itemizing all goods for  
which claim is made, showing the date of purchase and  
20 the price paid and the claimant's valuation as at date  
of evacuation. Amongst the goods your honour will note  
is a radio. I wonder if my learned friend has a receipt  
from the Royal Canadian Mounted Police for that.

MR. FERG: I haven't, on the radio.

MR. CHERNIACK: On behalf of my learned friend I will file  
Royal Canadian Mounted Police receipt for the truck,  
indicated as a 1929 Chevrolet light delivery truck,  
mileage 57,789, condition appears fair.

(Receipt for Truck, EXHIBIT 3.)

30 MR. CHERNIACK: On behalf of my learned friend I file as

M. Nakai,  
In Chief.

Exhibit 4 the Appraisal, which is not dated, showing the estimate of necessary repairs at \$125.00, showing a selling price of \$25.00.

Q Mrs. Nakai, do you remember the condition of the truck when you left? A It was in good condition.

Q Did it run all right? A Yes.

Q Was there any motor trouble? A No.

Q How were the brakes? A Good.

Q You say there was no actual motor trouble?

10 A No.

Q Have you any papers with you, Mrs. Nakai? A No.

MR. CHERNIACK: I would like to file this as information, it is a copy of a letter produced from the Custodian's file, a letter from the Custodian to Mrs. Nakai, dated January 20, 1943, showing that the truck was sold for \$25.00, administrative expenses \$25.00, balance nil.

THE COMMISSIONER: What is the date of the letter?

MR. CHERNIACK: January 20, 1943.

(Used Car Appraisal Record, EXHIBIT 4.)

20 (Letter dated January 20, 1943, EXHIBIT 5.)

MR. CHERNIACK: My learned friend can confirm this. I am under the impression the truck was sold to the Mount Pleasant Auto Sales.

MR. FERG: No, the truck was sold to L. Swinburn.

MR. CHERNIACK: We might put on the record that the file indicates that the truck was sold to Mr. L. Swinburn. Further, there is a letter on the file from the Custodian to the Commissioner of the British Columbia Provincial Police, Motor Vehicle Branch, dated  
30 September 9, 1942, saying this motor vehicle has now

M. Nakai,  
In Chief.

been sold to Mount Pleasant Auto Sales. There is also on file a note of transfer of motor vehicle in connection with the license from the Custodian to the Mount Pleasant Auto Sales. I do not know what the explanation is for the conflicting information. Your honour will note from the Analysis, Exhibit 2, that a number of items were declared by the claimant on April 13, 1942. Your honour will also note that the statement is that these goods were left at Box 108, 7th Avenue, Steveston, British Columbia.

10

Q Mrs. Nakai, this Box 108 was in front of your house, or in the Post Office? A That is in the Post Office.

Q And at the Post Office did they know what house you lived at? A I do not think so.

Q You do not know whether they did or not? A No.

Q How far was the Post Office from your home?

A Quite far, it was down town and we lived on a farm.

Q How long did you live on a farm? A About four years.

20 Q And you lived with your mother, Mrs. Fuko Koshiba?

MR. CHERNIACK: Your honour will note that the claimant declared these goods, giving her Post Office address. This is in the J.P. Declaration form, which I should point out was typed and is prepared by a representative of the Custodian. I point that out, that we did show there was a time when an official of the Custodian's Office could have, and I submit should have, inquired as to the location of this house other than the Post Office address. Your honour will also note that the mother of the claimant owned the house and that was

30

M. Nakai,  
In Chief.

known by the Custodian. The house was on 7th Avenue, which is shown in the J.P. Declaration, and apparently Mrs. Koshiba didn't declare any personal property and you will then note in the remarks in the Analysis that the Custodian assumed there were no chattels of any value left on this property and apparently the Custodian did nothing for some time about making an inventory of the goods. The Custodian apparently just thought he had no responsibility because they didn't relate the people. I submit it is not the fault of the claimant, nor is it the fault of the claimant being aware that the goods belonging to the claimant were stored somewhere apparently, but nothing about inventorying the goods. Your honour will note in all these remarks there are a number of references that the house was ransacked, October 1942, February, March and April 1943, that various people notified the Custodian that the house had been entered and finally in March apparently the Custodian sent a representative down to inspect the place and couldn't find anything of value and again assumed that the goods stolen must be of little value. These assumptions should not be read as against the claimant but as against the Custodian. There are various letters on my learned friend's file which perhaps can be filed as exhibits to clarify this situation. There is a note here of a letter, May 25, 1943, and again, June 29, 1943, which perhaps should be filed if my learned friend would like to do so. I just looked at the letter and I do not see there is anything more in it than what is quoted by the Custodian.

M. Nakai,  
In Chief.

THE COMMISSIONER: There seems to be a fairly full record under the "remarks" section.

MR. CHERNIACK: Yes, the claimant was apparently a little upset when she wrote this.

Q Do you recognize this (indicating)? A Yes.

Q That is a letter from you to the Custodian?

A Yes, I was quite mad.

(Letter dated June 29, 1943, EXHIBIT 6.)

Letter from Mrs. Matsue Nakai to the Custodian,  
10 dated June 29, 1943, read as follows:

" P.O. Box 19, Headingly, Man., June 29, 1943.

Mr. R.B. Mackedie,  
Protection Department,  
506 Royal Bank Bldg.,  
Vancouver, B.C.

Dear Sir:-

I can hardly keep my pen still, just because I am so mad at you.

I have received the letter from Mr. Lum Poy  
20 that the stoves, beds, furniture and other things were all robbed except kitchen table and lumber were left. Aren't you Custodians are responsible for personal properties?

What are you doing, sitting in the office doing nothing? How you feel if you were in our position.

My mother Mrs. Fuko Koshiha File No. 2755 has declared that she owned no personal property but we Tokunaga Nakai-Matsue Nakai have our things in the  
30 house. All the furnitures and beds and stoves are



M. Nakai,  
In Chief.

" belong to us (Please look into our J. P. Registration Form).

We were very much disappointed. We thought everything is O.K. because Custodians are taking reasonable precaution to protect our properties.

Do take an inventory at once. We want you to take responsible for this happening.

Wishing to hear from you soon, I remain.

Yours truly,

10

Matsue Nakai.

P.S. Our neighbouring white man, Mr. Harry Thompson of Steveston was watching as the junk men carrying out all our stuff (he didn't even stop them) so he might knew those bad boys who robbed our things and sold to the junk men. M.N. "

20

MR. CHERNIACK: We find there are a number of goods sold and declared not found and there are goods shown as no record of at any time. I would like to indicate that these goods would have been inventoried had the Custodian attended to his job. Dealing with the radio, his story is all set out, your honour, but I have a note on my file and ask my learned friend to produce three letters which I would like to file: one is dated March 23, 1945, March 29, 1945, and April 10, 1945. I tender these together as Exhibit 7.

(Letters dated March 23\*45, March 29/45,  
April 10/45, EXHIBIT 7.

30

MR. CHERNIACK: They indicate that the radio had been stolen, was traced to the purchaser and they then speak of interviews with the purchaser. I would like to indicate

M. Nakai,  
In Chief.

at the bottom of the page where they mention the agent considers the radio to be worth \$35.00. I do not know to what extent that agent is an expert on radios but I would like to point out that it was sold for \$50.00 and sold under such circumstances which would indicate the possibility that the radio was worth more and was sold for less because of the circumstances. I would also like to indicate that Blackburn, the purchaser, to my knowledge of the law, doesn't seem to have very good title to that radio and I do not quite see that the Custodian, or anybody else acting for the owner, would have to re-pay the purchaser for that radio, whatever he paid for it, so that the Custodian apparently came to the conclusion that they did to Blackburn and they thought it wasn't worth it. Custodians in the past have not hesitated to consult legal counsel and charge it to the claimant for the advice they received. It seems to me here it wouldn't have hurt them to have done the same thing, to investigate the rights of Blackburn, who retained the radio after it had been stolen. I think also there is mention on this file of a description of this radio. As a matter of fact, I think the claimant sent in a drawing of it, which my learned friend has produced and which I will file as an exhibit. It is dated March 6, 1945, and I will file it as Exhibit 8.

(Drawing, EXHIBIT 8.)

MR. CHERNIACK: This letter, Exhibit 8, reads:

" c\*o Tully Bros., Box 19, Oakville, Man.,

March 6, 1945.

M. Nakai,  
In Chief.

" Mr. R.B. Mackenzie, Protection Department,  
506 Royal Bank Bldg., Vancouver, B.C.

Dear Sir:-

With reference to your letter of Feb. 24,  
I thank you very much for your enthusiasm about finding  
my radio. Yes I owned a Philco Radio.

I did not bring the receipt with me, but  
it is mantel type with 7 tubes in it.

10 It is 1938 type and it has a round dial and  
has streamlined shape.

(Drawing here)

I bought the radio from Philco Radio Agent,  
Mr. S. Hayami of Vancouver sometime during Aug. 1937.

Yours very truly, Matsue Nakai,

Reg. No. 04616 File 2755-2751. "

Q Mrs. Nakai, a mantel type radio is the kind of radio  
which sits on top of a table or mantel or on a fire-  
place; the console type of radio is the type that  
stands up? A. I always thought a mantel radio  
20 was a big radio.

Q This is not a mantel radio, it is a large radio?

A Yes.

MR. CHERNIACK: This was indicated on the drawing, your  
honour. Our submission in this case is, these goods  
were lost, destroyed or stolen whilst in the custody  
or control of the Custodian. It seems to me there,  
your honour, there was not some type of inventory,  
I do not know, but if there was, possibly we could be  
informed.

M. Nakai,  
Cr. Exam.

CROSS EXAMINATION BY MR. FERG:

MR. FERG: It is submitted that the property that has been sold was sold at its fair market value and the price claimed for other articles is excessive and unreasonable. I will file the appraisal and sale of the lumber subject to the production of the appraiser. This was made on May 25, 1944, by the Steveston Lumber Yard.

(Appraisal made by Steveston Lumber Yard,  
dated May 25, 1944, EXHIBIT 9.)

10

Q Mrs. Nakai, you didn't report a radio at the time of evacuation? A No.

Q Why didn't you report it? A It is our place on 7th Avenue and there is a barricade there and everybody was afraid to go to our place, they had to have special permit from the Officer to pass there and the man who collected the radio was the transfer man and he didn't collect our radio.

Q And was that the reason you didn't report it to the Custodian? A No, at first I reported something to the Custodian but I didn't report the radio.

20

Q Was that the reason why you didn't report it, because it had not been picked up before?

A Was it before the registration?

Q When did you register? A April 13, 1942.

Q All radios and cameras were supposed to have been turned in before that? A Yes.

Q And you didn't turn yours in? A No.

Q Now, your chattels were left at your father's place?

30 A That is where I lived.

M. Nakai,  
Cr. Exam.

- Q You lived with your father? A Yes, I am the only child in the family.
- Q And your chattels were all stored at your father's place? A Yes.
- Q Were the chattels listed under your father's name? A Mine.
- Q But had the Custodian listed all the chattels at your father's place under your father's name? A They didn't go and see the chattels.
- 10 Q Not while you were there? A No.
- Q They had never been there while you were there? A No.
- Q Had the Custodian ever seen a list of chattels to you to confirm you being the owner of it - had you ever received, after evacuation, a statement from the Custodian in which he set out to you, "Now, this is your chattels, I want you to confirm this," did you ever receive a document like that from the Custodian? A I got a letter like that from the Custodian after my house was broken into and I wrote a letter and that is the first time they knew I owned any of these chattels.
- 20 Q That was the answer they gave you, that was the first intimation they had that you owned any chattels and at that time they thought all the chattels belonged to your mother? A My mother died in 1941.
- Q Your mother's name was Koshiba? A Yes.
- Q And the chattels were listed under her name? A No, mine, at the time of registration.
- Q And at the time you signed your J.P. Form you were living with your mother, Mrs. Koshiba, and her chattels
- 30

M. Nakai,  
Cr. Exam.

and your chattels were all in one house together?

A Yes.

Q Did your mother own any chattels? A No.

THE COMMISSIONER: In the "remarks" section of the Analysis it says that Mrs. Koshiha declares no personal property on her J.P. Form.

MR. FERG: Yes, I see that, that is Mrs. Koshiha.

Q Now, Mrs. Nakai, your sewing machine, what did you pay for it when you bought it? A I am not

10 claiming those because those things I put in somebody's house and I got it later.

Q Now, the Chevrolet truck, have you any idea the year model of it? A I think 1930 or 1931.

Q What was paid for it when you bought it?

A I think, I am not sure, but about \$235.00.

Q You are not sure about it? A It is around 235.

Q When did you buy it? A 1938, I think.

Q The dishes, when did you buy your dishes?

20 A I got married in 1942 and most of the dishes I am claiming were presents from my friends who I invited to the wedding and they were all new and never used.

Q You didn't purchase them yourself? A No.

Q Did you pack the dishes away? A Yes, I didn't use them at all, I just opened it up and see what is inside and pack everything upstairs.

Q Can you tell us what you had in the way of dishes?

A I had one dinner set and I do not know how many cups and saucer sets and Japanese dishes and platters and 30 bowls.

M. Nakai,  
Cr. Exam.

- Q All these things you say were new? A Yes.
- Q All new? A Yes.
- Q And they had been given to you as wedding presents, most of them? A Yes.
- Q Was there anything that you purchased yourself in the way of silverware or dishes? A One silverware I bought, it was a tea set with tray.
- Q You bought that tea set and tray yourself?
- A Yes.
- 10 Q And you bought that when you were married?
- A No, I got married in 1942.
- Q Now, in your claim I see it is 1935 when you bought the tea set, is that right, you bought it new?
- A Of course.
- Q Did you buy the kitchen stove? A Yes.
- Q What did you pay for it? A Between 50 and \$60.00.
- Q When did you buy it? A 1936.
- Q Did you buy it new or used? A No, it was new.
- Q You are claiming for a heater too?
- 20 A Yes, that was new too.
- Q What did you pay for that? A 22 or \$23.00.
- Q And you bought that at the same time you bought the stove? A Yes.
- Q The Philco Radio, when did you buy that?
- A It is a 1938 model, so I bought it at the end of 1937.
- Q Was it new when you bought it? A Yes.
- Q What did you pay for it? A If I remember correctly it was \$161.00 from the Japanese agent.
- Q Now, with regard to this lumber, have you any idea how much lumber was in the pile?
- 30 A I do not know,

M. Nakai,  
Cr. Exam.

we bought around \$150.00 worth of it. We were trying to build a house on the farm. We were living in just a lean-to of the barn and the barn was 36 feet long and 24 feet wide and we had a big place to store the lumber and we were trying to build the house, so we bought enough lumber approximately to build the basement to start with.

Q Did you buy the lumber yourself? A My father did.

Q How did you come to own it? A Well, everything  
10 is mine.

Q Everything is yours? A Yes.

Q But your father bought it? A Yes.

Q With your money or his money? A A Japanese family only the father has the money, everything is his, and after he died everything is mine.

Q Well, your mother is still living? A Yes.

Q Did your father bequeath everything to you?

A Yes, between mother and myself.

Q And you know definitely that your father paid \$150.00  
20 for this lumber? A Yes, from the company we bought.

Q Were you with him when he purchased it? A Yes.

Q You were? A Yes.

Q And you saw him hand over the money? A Yes.

Q \$150.00? A Yes.

Q And you haven't any idea the amount of lumber that was in board measure? A I do not know, there is

2 x 4, siding and shiplap, and I couldn't tell you.

MR. FERG: No more questions, your honour.

30 BY THE COMMISSIONER:



Q Let's get this clear. You said that your father died?

A Yes.

Q When he died, according to your custom, everything goes to you, as you are the only child?

A Yes.

Q And is that the reason your mother says she has nothing to declare?                   A Yes, she has nothing.

Q When she made her J.P. Form she has no chattels?

A Yes.

10 Q That is what she says in her J.P. Form?                   A Yes.

Q The reason for that is everything belongs to you according to your customs?                   A Yes.

BY MR. FERG:

Q Just one statement in connection with the truck - ceiling price will have to be considered in arriving at fair market value of the truck?

A Yes.

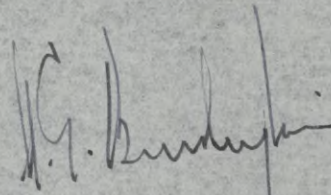
(PROCEEDINGS ADJOURNED SINE DIE)

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 15 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 28 1947

Case # 950

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

7751

*[Signature]*

*[Signature]*

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

(1) NAME Nakai, Matsue (RCMP) Reg. No. 04616  
\*(Print) Surname Given Name

(2) Pre-Evacuation Address Box 108, Steveston, B.C.

(3) Present Address 766 Flora Avenue, Winnipeg, Manitoba.

(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 \_\_\_\_\_

Barn and lean-to used as residence - 3rd house from Steveston Highway on the Avenue

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

Barn and lean-to

(c) How stored or packed at time of evacuation small items in cartons/boxes and wooden boxes or wrapped in cloth; heavy furnitures left unpacked.

(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:

	Estimated Value	Total value
1. 2 Double beds - complete	\$ 50.00	680
2. Lumber	\$ 150.00	Subject 8
3. 2 Bureaus	\$ 40.00	
4. Garden tools	\$ 50.00	
5. 1 highboy	\$ 35.00	
6. 2 clothes closets	\$ 30.00	
7. Dishes	\$ 50.00	
8. Silverware	\$ 50.00	
9. Radio	\$ 150.00	
10. Light Chevrolet Truck	\$ 150.00	
11. Wood stove	\$ 55.00	
12. Heater	\$ 16.00	

TOTAL CLAIM FOR PROPERTY LOSS \$ 816.00 633

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) - - - - - \$ 816.00

(6) (a) Place at which claimant prefers to be heard. (Vancouver, Kamloops, Nelson, Lethbridge, Moose Jaw, Winnipeg, Toronto or Montreal.) (b) Do you require the services of an interpreter at the hearing? Yes or no yes

Winnipeg

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, Matsuye Nakai of the City of Winnipeg 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 8th day of November

A.D. 1947.

*M. Nakai*  
*J. M. Chennick*  
A BARRISTER AT LAW ENTITLED TO PRACTISE IN THE PROVINCE OF MANITOBA 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.

NAKAI, Matsue (Mrs.)

(Claimant's Name)

PERSONAL CHATELS

04616

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

AS PER ATTACHED LIST.

Description of Storage of Goods:

Left in house and barn at my home and that of my mother, Mrs. Koshiba on 7th Avenue, Steveston, B.C. The buildings were boarded up and locked.

General Statement as to Chattels not Described above:

Additional Comments, if any:

I have reviewed my claim and have reduced my valuations to an amount which I consider to be the minimum fair market value at date of evacuation.

EXHIBIT NO. 950-1  
DATE Sept. 27/48  
FILLED BY claimant.

M Nakai

Signature

NAKAI, Matsue (Mrs.)

PERSONAL CHATTELS

04616

DESCRIPTION OF MAJOR ITEMS (and particularly of goods lost, stolen or destroyed)	Approximate date of purchase	new or used when purchased	Price paid	Condition when Evacuated	Estimated value
1 Chevrolet 1/2 ton truck	1938	used	235.00	good	125.00
installed new battery	1939	at cost of \$12.00			
1 double bed (steel) complete	1930	new	70.00	good	35.00
1 double bed (steel) complete	1928	new			
Lumber shiplap ) 2" x 4" ) shiplap ) sidings )	1939	new	150.00	unused	125.00
1 Bureau	1929	new	about \$20.00		10.00
1 Bureau	1936	new	25.00	good	15.00
1 highboy	1940	new	40.00	good	35.00
<u>DISHES</u>					
1 Dinner set	1942	new	15.00	unpacked	50.00
5 sets 12 cup & saucers	1931-42	new	10.00	} good	
4 trays	1942	new	8.00		
1 set pyrex (bakeware)	1942	new	5.00		
4 platters	1942	new	5.00		
3 doz. Japanese bowls and miscellaneous other dishes	1936-42	new	15.00		
<u>Silverware including:</u>					
1 tea set with tray	1935	new	25.00		50.00
1 Butter dish	1942	new	5.00		
1 Casserole with silver container	1942	new	5.00		
1 fruit bowl	1942	new	5.00	unused	
1 Carving set	1942	new	15.00		
1 Bread plate	1942	new	3.00		
1 kitchen stove	1937	new	75.00	good	50.00
1 heater	1937	new	20.00	good	12.00
1 Philco Radio (7 tube)	1938	new	175.00	good	125.00
	in 1941 completely checked and repaired				
1 Clothes closet (6' by 6')	1936	made to order	about \$35.00	good	20.00
1 clothes closet	1941	new	5.00		3.00
<u>Garden Tools, including:</u>					
1 hand cultivator	about 1930	new			25.00
1 lawn mower	1941	new			
2 shovels	about 1930	"	do not know	Fair	
10 hoes	about 1930				
2 rolls of wire	about 1935				
1 sprayer	about 1935				
other small implements and tools					

sale by Custodian 680.00  
Loss - 48.00  
632.00

**PERSONAL PROPERTY**

(Claimant's Name)

(Business)

Reg. No.

<u>Type of BUSINESS</u>	<u>Location</u>	<u>Gross Turnover 1941</u>	<u>Average Mark Up</u>	<u>Net Income 1941</u>	<u>Estimated Value of Goodwill</u>
-------------------------	-----------------	--------------------------------	----------------------------	----------------------------	--

Description of Stock-in-trade at evacuation (Attach inventory with cost prices)

Whether prices mentioned are wholesale or retail:

I PURCHASED THE BUSINESS

Date of Purchase

Price

Value Stock  
Date of Purchase

Value of Furniture equipment and Fixtures at date of purchase

Value of Goodwill at date of purchase:

Furniture equipment and fixtures acquired after purchases:

Description

Date Acquired

New or Used at  
Date Acquired

Price Paid

Condition when  
Evacuated:

Estimated value at date  
of Evacuation:

List of Accounts Receivable and Accounts collected by Custodian Attached:

Method of Storage and Arrangements Made at Time of Evacuation:

Additional comments, if any:

Signature

# ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 2751

EXHIBIT No. \_\_\_\_\_

NAME Matsue (Mrs. Tokunaga) NAKAI

REG. No. 04616

DATE	INVENTORY	DETAILS OF CLAIM	SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND
			AUCTION	TENDER &c		
DECLARATION <u>Apr. 13/42</u>	TAKEN BY _____					
EVACUATION <u>Apr. 23/42</u>	DATE _____					
1 sewing machine (Singer electric)		2 Double beds - complete 50.00				50.00
1 bed room suite		Lumber 150.00		23.00		
1 bed		2 Bureaus 40.00			20.00	20.00
silver ware value \$50.		Garden tools 50.00				
studio couch		1 highboy 35.00				35.00
3 lamps		2 clothes closets 30.00				
china ware		dishes 50.00				50.00
clothing		Silverware 50.00				50.00
		Radio 150.00				
		Light Chevrolet Truck 150.00		25.00		
		Wood Stove 55.00				
		Heater 16.00				
		<b>TOTAL 826.00</b>		<b>48.00</b>		<b>205.00</b>
		Recap:				
		Items claimed for value of 300.00	Sold by tender, etc. for	48.00		
		Items claimed for value of 205.00	Declared, not found			
		Items claimed for value of 116.00	No Record at any time			
		Items claimed for value of 205.00	Not accounted for, theft, etc.			
		<b>Total Claim 826.00</b>				

left at Box 108, 7th Ave., Steveston, B.C. Declarant will leave key to house and personal property with Custodian

EXHIBIT No. 950-2  
 DATE Sept. 27/48  
 FILLED BY Claimant

RADIO:



SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NOT ACCOUNTED FOR THEFT &c	UNSOLD	REMARKS
AUCTION	TENDER &c							
	23.00	20.00	50.00	20.00				Lumber appraised May 23/44 - \$18.00, sold for \$18.00, siding sold for \$5.00.
			35.00	50.00				
			50.00	30.00				
			50.00			150.00		
	25.00					55.00		Appraised by MdDermottMotors - \$25., sold Sept. 9/42 for \$25.6, Administration charges \$25.)
				16.00				
	48.00		205.00	116.00		205.00		Fuko KOSHIBA (Mrs. Tamagoro KOSHIBA), mother of the claimant, owned a house on 7th Ave. in Steveston on property leased from the Steveston Nosan Kaisha Co. Mrs. KOSHIBA, prior to her evacuation, sub-leased the land to Lum Poy, the buildings were not included in this agreement.

old by tender, etc. for 48.00  
 declared, not found  
 Record at any time  
 not accounted for, theft, etc.

Mrs. KOSHIBA declared no personal property (JP) the Custodian assumed that no chattels of any value were left on this property.

October 5/42, February 2, March 11, April 21, 1943 the Custodian agents in Steveston and Mrs. KOSHIBA tenant, Mr. Lum Poy, notified the Custodian that this house had been entered. Mr. Thomas King, Cust. agent in Steveston, and the Steveston police inspected this place, but could do nothing to prevent vandals entering. As no chattels were declared left in this house by Mrs. KOSHIBA it was assumed that the goods stolen must be of little value. Mr. Robinson, Custodian agent, stated "I think Poy did the best he could to protect KOSHIBA's interest under the circumstances" - 11/3/43.

Nov. 14/42, shortly after this house was first ransacked, Mrs. KOSHIBA wrote the Custodian that LUM Poy had offered to move into her house to avoid any further damage. Mrs. KOSHIBA asked the Cust. to collect \$5.00 additional rent for the use of the house. Lum Poy refused to pay increased rent.

Memo of April 21, 1943 the Custodian decided that Lum Poy should be allowed to occupy this house with no extra charge so that he could protect what remained on the property. After Mr. Poy occupied this house there was no further record of breaking and entering this house.

May 25/43 Fuko KOSHIBA wrote "We left every-thing at home just because you Custodian are looking after our properties". This is her first declaration to the Custodian that she had left any personal property in the Protected Area.

June 29/43 Matsu NAKAI wrote the Custodian that she had left her goods at her mother's, Mrs. Fuko KOSHIBA. Until this time the Custodian did not know there was any connection between Mrs. KOSHIBA and Mrs. NAKAI, nor did this office know the location of Mrs. NAKAI's goods. By this time the goods stored in this house by Mrs. NAKAI that had any value had been stolen, and those remaining were "deemed not worth the cost of removal and storage" - memo of March 11/43 from C.C. Robinson.

RADIO: Memo of Sept. 25/44 from G.M. Harris, Cust. agent in Steveston, states that Corp. Watts, Prov. Police for Steveston obtained evidence from one Hough that he had stolen a Philco radio from this Jap. property. On Oct. 2/44 and Feb. 24/45 the Custodian wrote Mrs. KOSHIBA and Mrs. NAKAI asking both if they owned a Philco radio. March 6, 1945 Matsue NAKAI claimed owning a Philco radio. This radio was not turned over to the R.C.M.P., nor had it been previously declared to the Custodian.

Memo of March 29/45 the possessor of the radio at the time the Custodian located it was a Mr. Blackburn who claimed to have bought it in good faith for \$50. and offered to return it to the Custodian for that amount. Our agents considered the radio to be worth \$35.- Memo of April 10/45, see note at bottom. No further action was taken by the Custodian.

*B. Mackenzie*  
 July 23/48

ROYAL CANADIAN MOUNTED POLICE

Detachment  
Seizure No. T-148  
FOR USE WHEN APPLICABLE

EXHIBIT REPORT

Detachment File No.  
Sub-Division File No.  
Division File No. **E 269-G-13-3**  
Headquarters File No.

Detachment  
Sub-Division  
Division **"E"**  
Date **March 13th** 19 **42**

RE: **Mrs. Matsuye KOSHIBA, Steveston B.C.**

On **March 13th** 19 **42**, I **H.F. Price** **RCMP**  
MEMBER'S NAME

Came into possession of the following goods by:-

SURRENDER UNDER O.C. P.C. 1486

*7th Ave. Box 108*

STATE BRIEFLY AUTHORITY, ETC., WHETHER BY SEARCH WARRANT, ETC.

NO. OF PKGS.	CAPACITY OR SIZE	DESCRIPTION OF CONTENTS DETAILS TO BE GIVEN IN FULL
LICENSE NO. (42) CA 908 MAKE & MODEL <u>Chev 29 truck light delivery</u> SERIAL NO. ENGINE NO. 83550 SPEEDOMETER READING 57789 CONDITION  EXTRA EQUIPMENT  DESCRIPTION & CONDITION VERIFIED		TIRE NUMBERS 4 <i>X See back</i> appears fair NONE <i>2340a</i>
Handed over to representative of Custodian whose signature in receipt thereof appears hereunder  DATE:	<i>[Signature]</i> Signature of Owner Japanese Registration No.	# 05571 delivered by Mitsujiro NOGUCHI  EXHIBIT No. <u>950-3</u> DATE <u>Sept. 27/48</u> FILLED BY <u>Claimant.</u>  <i>[Signature]</i> SIGNATURE OF MEMBER SUBMITTING REPORT

March 13/42

ROYAL CANADIAN MOUNTED POLICE

EXHIBIT REPORT

Detachment  
Sub-Division  
Division  
Date

Detachment File No.  
Sub-Division File No.  
Division File No.  
Date

OKW  
Rt Wll

2340

459310

270573

10.5130

114543

Appraisal of Light Delivery Chevrolet Truck  
 Appraised by McKeem Motors

C. O. 198-2500-2-40

**USED CAR APPRAISAL RECORD**

NAME T 148

ADDRESS \_\_\_\_\_

Paint	\$ <input checked="" type="checkbox"/>	Make	<u>Blue</u>
Tires <u>2 good 2 more</u>	\$ <input checked="" type="checkbox"/>	Body Style	<u>Pick-up</u>
Body & Fenders	\$ <input checked="" type="checkbox"/>	Year	<u>30</u>
Glass	\$ <input checked="" type="checkbox"/>	License	<u>6A908</u>
Top	\$ <u>10.00</u>	Serial	<u>459318</u>
Nickelling	\$ <input checked="" type="checkbox"/>	Mileage	<u>57789</u>
Radiator	\$ <input checked="" type="checkbox"/>	Remarks	
Running Boards	\$ <input checked="" type="checkbox"/>		
Mats & Kick Pads	\$ <input checked="" type="checkbox"/>		
Upholstery	\$ <input checked="" type="checkbox"/>		
Hardware	\$ <u>12.00</u>		
Motor Expense	\$ <u>85.00</u>		
Transmission	\$ <input checked="" type="checkbox"/>		
Rear Axle	\$ <input checked="" type="checkbox"/>		
Universal Joints	\$ <input checked="" type="checkbox"/>		
Clutch	\$ <input checked="" type="checkbox"/>		
Steering	\$ <input checked="" type="checkbox"/>		
Brakes	\$ <u>12.00</u>		
Tighten Up	\$ <u>4.00</u>		
Muffler	\$ <input checked="" type="checkbox"/>		
Sundries	\$ <input checked="" type="checkbox"/>		
Wash & Clean Motor	\$ <u>2.50</u>		
Clean Interior	\$ <u>2.00</u>		
Oil & Grease, Change	\$ <u>4.50</u>		
Oil & Check Over			
Total	\$ <u>123.00</u>		

Mod. interested in Selling price \$ 25.00

Salesman [Signature] Less Repairs \$ \_\_\_\_\_

Date [Signature] Appraised By Allowance \$ \_\_\_\_\_

For immediate acceptance only.

EXHIBIT No 950-4  
 DATE Sept. 27/48  
 FILLED BY Clairmont

CANADA

DEPARTMENT OF THE SECRETARY OF STATE  
OFFICE OF THE CUSTODIAN  
JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131

PLEASE REFER TO

FILE NO. 2751

506 ROYAL BANK BLDG.  
HASTINGS AND GRANVILLE  
VANCOUVER, B. C.

EXHIBIT No. 950 - 5

January 20, 1943.

DATE Sept. 27/48

FILED BY Crown

Mrs. Tokunaga NAKAI,  
Reg. No. 04616,  
c/o Brawn House Co-Operative,  
Headingly, Manitoba.

Dear ~~Sir~~ Madam:

Our No. T148

Re: Motor Vehicles

Your Chevrolet Light Delivery Truck

which was surrendered to the Authorities, has been

sold for \$ 25.00

Changes against your car were as follows:

Liens \$

Administrative Expenses \$ 25.00

The Balance thereafter remaining of \$ Nil

has been placed to your credit in our trust account.

Yours truly,

Specified Articles Department.

RPA:MA

JH

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

Jan. 14/49

*M. Wanstall*  
*Q/H*

EXHIBIT No. 950-6  
DATE Sept. 27/48  
FILLED BY Claimant

P. O. Box 19,  
Headingly, Man,  
June 29, 1943.

Mr R. B. Mackenzie,  
Protection Department,  
506 Royal Bank Bldg.,  
Vancouver, B.C.

EVACUATION SECTION	
Rec'd.	JUL 2 1943
File No.	2753 2751
Ans.	12-7-43 / MRM
Referred	Mackenzie

Dear Sir:-

I can hardly keep my pen still, just because I am so mad at you.

I have received the letter from Mr Lum Poy that the stoves, beds, furnitures and others things were all robbed except kitchen table and lumber were left. Aren't you Custodians are responsible for personal properties?

What are you doing sitting in the office doing nothing? How you feel if you were in our position.

My mother Mrs Fuiko Koshiba File No 2755 has declared that she owned no personal property but we TOKUNAGA NAKAI MATSUE NAKAI have our things in the house. All the furnitures and beds and stoves are belong to us (Please look into our J. P. Registration Form)

We were very much disappointed.

We thought every thing is O.K. because

Custodians are taking reasonable precaution to protect our properties.

Do take an inventory at once. We want you to take responsible for this happening.

Wishing to hear from you soon, I remain.

yours truly,  
Matsue Nakai.

P.S. Our neighbouring white man, Mr Harry Thompson of Steveston was watching as the junk men carrying out all our stuff (he didn't even stop them) so he might renew those bad boys who robbed our things and sold to the junk men. M. N.

MEMORANDUM

File Nos.: 2755  
2751

March 23rd, 1945.

To: Mr. Harris

From: Mr. Green

Re: Mrs. Fuko KOSHIBA  
Mrs. Matsue NAKAI

As mentioned to you on Saturday, will you please call on Mr. Blackburn in connection with the radio said to have been handed in by Mr. Hough on account of a debt. You will recall that in September 1944, Corporal Watts of the Provincial Police advised you that this man, Hough, then convicted of burglary, had admitted to stealing a Philco radio from the property of these Japanese then occupied by Lum Poy.

I have only just received confirmation from the owners that they had a Philco radio and I am enclosing their original letter herewith as it carries a picture of this article. Please be sure to return this letter for our files.

Mr. Wright's idea is that you should merely call on Mr. Blackburn and ask him about the radio but do not demand its return or get into any arguments. If he surrenders it, well and good, if not, kindly report the result of your interview.

HFG:IF

EXHIBIT No. 950-7  
DATE Sept. 27/48  
FILLED BY Clairmont



File 2755  
2751

To Mr. A. Green.  
from G. M. Harris

Stinson  
29 March 45

Re FUKU, M<sup>rs</sup> K.  
MATSUE M<sup>rs</sup> NAKAI.

I have seen Mr. Blackburn as  
requested in your memo of 23<sup>rd</sup>.  
He admits having the radio  
which no doubt is the same  
as reported by the above.

Blackburn claims to have bought  
the radio in good faith from  
Kough for \$50<sup>00</sup> & will be glad  
to turn it over to us for that  
amount. Please let me have  
further instruction on this.

Return original G. M. Harris  
letter as requested.

ENEMY SECTION	
Rec'd	APR 11 1945
File No.	
Ans'd	
Refer'd	MR Green

MEMORANDUM

File Nos.: 2751  
2755

April 10th, 1945.

To: Mr. Wright  
From: Mr. Green

Re: Mrs. Matsue NAKAI  
Mrs. Fuko KOSHIBA

Further to mine of March 13th, I wrote to Mr. Harris on March 23rd and now have his reply as follows.

Mr. Blackburn admits having the radio which no doubt is the same as reported by these Japanese. He claims to have bought it in good faith from Hough for \$50.00 and will be glad to turn it over to us for that amount.

Would you kindly advise me as to the best way to handle this matter? I should like to recover the radio if possible but appreciate that you may not wish to commit the Custodian too far in this matter.

HFG:IF

*Mr. Green*  
*Pls. talk to Mr. Harris's sph. & be about this the next time he comes into the office. You'd also be obliged to be present. you would arrange to be present.*  
*16/4/45*  
*Harris advises radio worth \$35.00 K.N.W.*

To Tully Bros, Box 19,  
Oakville, Man.,  
March 6, 1945.

Mr. R. B. Mackenzie,  
Protection Department,  
506 Royal Bank Bldg.  
Vancouver, B.C.

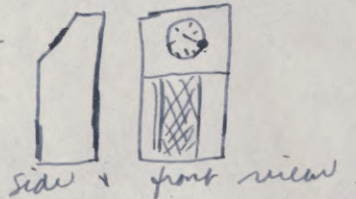
EVACUATION SECTION	
Rec'd	MAR 9 1945
File No.	
Ans.	
Referred	Mackenzie

Dear Sir:-

With reference to your letter of Feb. 24, I thank you very much for your enthusiasm about sending my radio. Yes I owned a Philips Radio.

I did not bring the receipt with me, but it is mantel type with 7 tubes in it.

It is 1938 type and it has a round dial and has streamlined shape.



I bought the radio from Philips Radio Agent,  
Mr. S. Hayami of Vancouver sometime during  
Aug. ~~1939~~ 1937.

Yours truly,  
Matsuo Nakai  
Reg. No. 04616

EXHIBIT No.

950-8

DATE

Sept. 27/48

FILLED BY

Claimant.

File 2755  
2751

Phone: 21 Steveston

P.O.Box 301

STEVESTON, B.C., May 25th 193 (1944)

M Custodian  
Steveston

In account with  
STEVESTON LUMBER YARD  
T. Leslie, Prop.

Lumber	Shingle	Lath	
Date	Description	Feet	Amount
	To valuation of Lumber & Wood at Mr. Hoshiba House 7th Ave.		
	400 ft. # 3 shiplap		
	150 ft. 1-6 #3 Siding		
	1/2 cord fire wood		\$18.00
	Appraisal fee		3.00
	"T.Leslie"		

File 11275  
2755  
Koshiba  
Lot 1 Sec.4  
B3N R7W Map 4774

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

Jan. 14/49

Mulvaney  
M