Name of Claimant TERAUCHI, Miyoko Case 954

Custodian File 5510

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	
48	26.50	7.95	55.21%	65	35.88			43.83

TOTAL RECOMMENDATION	43.83

1540

CASE NO. 954

JAPANESE PROPERTY CLAIMS COMMISSION

(SUB-COMMISSION)

Winnipeg, Manitoba,

27th September, 1948.

IN THE MATTER OF THE CLAIMS OF

MRS. MIYOKO TERAUCHI

PROCEEDINGS AT HEARING

CASE NO. 954

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. MIYOKO TERAUCHI

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.

MR. CHERNIACK: Your honour will note that the claim is a small one, the goods are valued at $153.00 and the Custodian's sale price is $26.50, so that the loss claimed is $126.50. The claimant lives in Whitemouth, Manitoba, and I understand she has three or four children. In any event, she is unable to come into the City, she has so informed us by letter, which Mr. Dean showed me, and she was suggesting possibly she would have to withdraw this claim. I am loathe to do so in spite of the fact it is a small claim. I am loathe to penalize her because of the fact she lives far from the City. I realize I have no evidence to submit other than the sworn original claim, which contains a sworn statement as to the claimant's value of these goods. I think I would like to file the Custodian's Analysis so that your honour will have it before you, and on behalf of my learned friend I will file this Analysis as Exhibit 1.

(Cudtodian's Analysis, EXHIBIT 1.)

When you see the Analysis you will note of these items four were sold by the Custodian. A kitchen stove and two beds were abandoned and one set of drawers are shown as "Not accounted for, theft, etc." It may be that the Commissioner will formulate some basis upon which to judge sales by auction, or at certain auctions, and should that be so, and should it be possible to apply same to this claim, I hope it will be done in spite of the fact that the claimant couldn't appear. If the Commissioner finds her absence was such to make it impossible to make a decision, that is something we

cannot help, but there are certain goods abandoned and the Custodian would have in his possession possibly some evidence for the reason for same and it is quite possible that by some formula the Commissioner might be able to find something favourable to the claimant, in which case I wouldn't like her penalized by her absence.

MR. FERG: I submit here, your honour, that the amount claimed for the articles abandoned and not found is
10 excessive and unreasonable and the defence in the matter is reserved.

THE COMMISSIONER: 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 3 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 #954.

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.

J-S-10

ACKNOWLEDGED

W 48

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

(1) NAME TERAUCHI (Print) Surname MIYOKO Given Name (RCMP) Reg. No. 03855

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

(3) Present Address Whitemouth, Man.

(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
In house #33 Phoenix Cannery, Steveston, B.C.

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

(c) How stored or packed at time of evacuation
Stored in House No 33

(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:

1.	2 Double Beds	Estimated Value $ 30.00
2.	2 Drawers	Estimated Value $ 50.00
3.	1 Kitchen Stove	Estimated Value $ 50.00
4.	1 Baby Bed	Estimated Value $ 10.00
5.	1 Couch	Estimated Value $ 10.00
6.	1 High Chair	Estimated Value $ 3.00
7.		Estimated Value $ 153.00
8.		Estimated Value $
9.	Received by Custodian	Estimated Value $ 19.54
10.		Estimated Value $

TOTAL CLAIM FOR PROPERTY LOSS $ 133.46

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) - $ 133.46

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

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

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

DOMINION OF CANADA)
Province of Manitoba)
TO WIT:)

I, Miyoko Terauchi of the village of Whitemouth 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 village of Whitemouth in the Prov. of Manitoba this 19th day of Nov. A.D. 1947.

X M. Terauchi X

A Commissioner &c. JUSTICE OF THE PEACE

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.

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 5510 EXHIBIT No.

NAME TERAUCHI, Miyoko (Mrs. Tetsuro)

REG. No. 03855

DATE	INVENTORY	DETAILS OF CLAIM		SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND
DECLARATION Apr.24/42.	TAKEN BY			AUCTION	TENDER &c		
EVACUATION Apr.27/42	DATE						
2 beds		2 double beds	30.00				
2 drawers		2 drawers	50.00	20.00			
1 kitchen stove		1 kitchen stove	50.00				
baby beds		1 baby bed	10.00	3.50			
in owner's custody at		1 Couch	10.00	1.00			
Steveston, B.C.		1 High Chair	3.00	2.00			
			153.00	26.50			

Additional chattels reported
in letter Mar.3/47:
1 wardrobe
furnitures
all kitchen wares.

RECAP OF CLAIM:
$48.00 - Sold for $26.50
80.00 - Abandoned
25.00 - Not accounted for theft, etc.
$153.00

EXHIBIT No. 954-1
DATE Sept. 27/48
FILLED BY Claimant.

: No. 5510 EXHIBIT No. CASE No.

. No. 03855 VENUE WINNIPEG.

SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NOT ACCOUNTED FOR THEFT &c	UNSOLD		REMARKS
TION	TENDER &c								
					30.00				See letter Mar.13/47.
20.00						25.00			Sold dresser with mirror.
					50.00				See letter Mar.13/47.
3.50									
1.00									(Old)
2.00									
26.50					80.00	25.00			

95

J. Spratt

Whitemouth, Man.,
September 22, 1948.

Secretary to the Commission,
Japanese Property Claim Commission
Court House, Winnipeg, Man.

Dear Sir;

I have received your letter for me to appear in court on Monday, Sept. 27th, 1948, on the hour of 9:45 AM but as I live quite far away and my health will not permit me of arriving there I think it will be impossible so please kindly cancel my claim for the property loss.

Thanking you, I am.

Yours truly,
(MRS.) Miyoko Teranchi
Whitemouth
Man.