

Custodian File " **Fumi**
2542 & 12411

<u>REAL PROPERTY</u>										
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village		Total	
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	80% of all Sale Prices		Sale Price	125% of all Sale Prices:	
						% of Total	Amount		% of Total	Amount
<u>PERSONAL PROPERTY</u>										
Motor Vehicles			Boats and Boat Gear							
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Recorded Now Missing		45% of amount in next preceding column		
<u>NETS</u>										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing		Percentage Total Award to Total Claim		Claim for Nets Sold Declared Not Found, & Recorded Now Missing		Apply % ratio to Claim	Deduct Custodian Sale Price	
<u>MISCELLANEOUS 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			
50.00	25.00	7.50				90.00		10.80	18.30	
TOTAL RECOMMENDATION									18.30	

IN THE MATTER OF THE "INQUIRIES ACT"
PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99.

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E
(THE HONOURABLE MR. JUSTICE H. I. BIRD, COMMISSIONER).

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Toronto, Ontario,
May 4, 1948.

IN THE MATTER OF THE CLAIM OF
EIZO KAMAITAKAHARA
PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq., appearing for the
Dominion Government.

R.A. BEST, Esq., appearing for the
Claimant.

A. WATSON, Esq., Secretary.
D. J. HANDFORD, Esq., Official Interpreter.
A. G. VEITCH, Esq., C.S.R. Official Reporter.

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E. Kamitakahara
In Chief.

EIZO KAMITAKAHARA, the Claimant herein, being first duly sworn, testified through the Interpreter as follows:

MR. BEST: Q. Mr. Kamitakahara, I believe you have a claim for a cleaning and pressing business which you formerly carried on at 2525 Oak Street in Vancouver. Is that correct?

A. Yes.

Q. I am showing you a claim for personal property business in relation to that business.

10 Was that form completed upon your instructions? A. Yes; that is right.

Q. And that is your signature? A. Yes.

MR. BEST: I would ask leave to file that as Exhibit No. 1.

(STATEMENT OF BUSINESS CLAIM, MARKED EXHIBIT NO. 1)

MR. HUNTER: My lord, on the strength of Exhibit No. 1 I would like to move at this time that the claim for good-will be struck out.

20 THE COMMISSIONER: What were the circumstances? Were there chattels sold or was the business sold?

MR. HUNTER: No, my lord; most of the chattels were shipped to the claimant and he, himself, sold a number of them. There was no business sold. It was a lease-hold. He gave it up.

THE COMMISSIONER: On the basis of the ruling I previously made I am afraid you do not stand very much chance on your good-will claim, Mr. Best.

MR. BEST: I think this case is almost analogous with
30 the case of Mr. Brewin's yesterday, referring to

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In Chief.

the first case. I think the circumstances are almost exactly the same. He did have a business up until the time of evacuation and as Mr. Hunter says he did dispose apparently of some of the chattels in the premises on which the business was being carried on.

THE COMMISSIONER: Yes.

MR. BEST: But he did not make any endeavour either to
10 sell the business, as I understand it, or to sell
the larger chattels with which he could carry on
the business. The Custodian did, for instance ---

THE COMMISSIONER: Have you had an opportunity of
reading the various rulings I made in Vancouver,
after hearing argument, in December?

MR. BEST: Yes, some, my lord.

THE COMMISSIONER: This question was disposed of there.

MR. BEST: Mr. Hunter stated nothing was sold by the
Custodian.

MR. HUNTER: No. We sold one thing.

20 MR. BEST: That was the most important thing in this
claim, the steam pressing machine with which he
carried on his business.

THE COMMISSIONER: I am afraid you are bound by the
ruling previously made. I disallow the claim
for good-will.

MR. BREWIN: I did not understand your lordship at the
hearing to make a ruling but good-will, under any
circumstances, would go by the board.

30 THE COMMISSIONER: No, but my recollection of it was
that I would consider a claim for good-will if

E. Kamitakahara
In-Chief.
Discussion.

the Custodian sold the business qua business, not otherwise.

MR. BREWIN: My lord ---

THE COMMISSIONER: Have you a copy of those rulings, Mr. Hunter? I had one.

MR. HUNTER: I just had an original one which was a sort of draft. The ruling definitely was that where a business was sold as a going concern good-will might be considered, otherwise it was considered outside the terms of reference.

THE COMMISSIONER: That is my recollection of it.

MR. BREWIN: I do not wish to argue at length, my lord, but ---

THE COMMISSIONER: Wait for just one moment. I will see if I can find my copy.

MR. BREWIN: Might I state my recollection of your lordship's ruling?

THE COMMISSIONER: Since we have it down on paper somewhere I would rather you wait until I get it. Certainly my recollection is in accordance with that expressed by Mr. Hunter but it is possible for both of us to be mistaken.

I refer you to paragraph 9:

"Where a claim is made for pecuniary loss
"sustained from sale at a price alleged to
"be less than the fair market value of real
"or personal property, which property had
"been sold along with other assets of a
"going business, the sale having been made
"of the business as a going concern, evidence

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In Chief
Discussion

"may be led of value of good-will alleged to
"attach to the said property. Evidence of
"value of good-will is not admissible except
"in such circumstances."

MR. BREWIN: I understood very clearly your lordship
was not going to allow good-will in cases where
the chattels, for example, attached to the
business had been separated and there was not a
going business at the date of sale, but ---

10 THE COMMISSIONER: I am afraid your recollection is
not as accurate as that of the typed ruling. I
am afraid you will have to abide by it, Mr. Brewin.

MR. BREWIN: I suppose there is no need to say any-
thing further about it now, then.

THE COMMISSIONER: No. Your remedy lies with the
Executive Council. That is my interpretation of
the order-in-council, which contains the terms
of reference.

MR. BEST: Will your lordship go this far, that good-
20 will can only be claimed where the Custodian
actually sold a business as a going concern?

THE COMMISSIONER: I will not go any further than the
language I read to you.

I will give you an opportunity to read it,
yourself, because you see in the interval - this
decision was made in December last - it has been
acted upon in a number of instances during the
hearings which have taken place across the
country so far; so that, having acted upon that
30 ruling in other cases I certainly would not be

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inclined to re-open it at this stage.

MR. BEST: I appreciate that, my lord.

If I may just sort of explain this case, my lord, now, it would seem it would come within the scope of your ruling there.

THE COMMISSIONER: I would be glad to hear your statement of the facts. I was taking it as expressed in a ruling but I would be glad to hear a further statement.

10 MR. BEST: As I understand it, and this is subject to the evidence of the witness, there was no sale of this business as a going concern. That is admitted. On the other hand the business qua business did exist up to the time of evacuation.

THE COMMISSIONER: Yes?

MR. BEST: And the Custodian did take over the implements of the business as such and did sell at least the one large implement, the steam pressing machine of the business.

20 THE COMMISSIONER: Yes?

MR. BEST: But there was no effort made apparently by the Custodian or by the claimant to sell the business as a going concern.

THE COMMISSIONER: Well, I take it that the business ceased to function as a business from the date of the claimant's evacuation.

MR. BEST: That is correct. I would think it did.

THE COMMISSIONER: In the interval, or probably before his evacuation, by virtue of the evacuation, he sold some of his assets. Is that the case?

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In Chief
Discussion

MR. BEST: That is the case.

THE COMMISSIONER: And then subsequently, as I understand it, the Custodian sold this principal item, as you described it, the principal chattel item.

MR. BEST: Yes, my lord.

THE COMMISSIONER: I think those facts are completely covered by the ruling made in December last and accordingly I would feel I must disallow the claim for good-will.

10 MR. BEST: I see, my lord.

THE COMMISSIONER: Will you proceed with your chattel claim?

MR. BEST: Yes, my lord.

I think that reduces the claim on Exhibit 1, my lord, to the item which is mentioned lower down, this steam pressing machine, which was sold by the Pacific Maid Dress Company.

20 Q. Mr. Kamitakahara, you left a steam pressing machine in your premises and instructed that it be moved to some other premises, with the consent of the Custodian, at the time of the evacuation. Is that correct?

A. Yes.

Q. Who sold that pressing machine?

A. I understood the Custodian sold it.

Q. For how much? A. For \$90.

Q. And you place a value on that machine of \$325?

A. Yes, sir.

Q. When did you buy that machine, Mr. Kamitakahara?

30 A. In 1939, maybe.

E. Kamitakahara
In Chief

Q. You bought it in 1939? A. Yes.

Q. And how much did you pay for it then?

A. \$400.

Q. \$400? A. Altogether, including the connection and the sawdust burner and the water tank. Everything was included in that.

Q. \$400 for the complete pressing unit?

A. Yes.

Q. From whom did you buy it?

10 A. From Mr. Moriyama.

Q. You bought it from Mr. Moriyama.

I think that disposes of that claim for that particular chattel, which was the only one connected with the business.

THE COMMISSIONER: Yes. There is an additional claim for household goods?

MR. BEST: There is one very small claim for a radio, my lord.

Q. Mr. Kamitakahara, you also claim, I believe ---

20 A. A radio.

Q. A radio? A. That is correct.

Q. And is that your signature and was that form prepared on your instructions?

A. Yes; that is correct.

(HOUSEHOLD GOODS CLAIMED, MARKED EXHIBIT NO. 2)

Q. I understand you bought this Crosley radio in October, 1936, for \$75?

A. Yes, sir.

Q. I see. Was it a new radio?

30 A. It was.

E. Kamitakahara
In Chief
Cross-Exam.

Q. It was a new radio?

A. It was included in that one there.

Q. Yes? A. \$975.

THE COMMISSIONER: I am afraid I do not understand.

Would you put the question in Japanese, Mr. Interpreter?

A. It is included in the inventory.

MR. BEST: Q. Yes. It is included in an inventory of some chattels which you bought from a Mr. Preston in October, 1936?

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A. Yes; that is right.

Q. You paid \$975 for these various ---

A. For the whole store.

Q. Yes. How did you evaluate this radio at \$75?

A. Because I take it at \$75.

Q. You mean you --- A. I bought ---

Q. You mean you and the vendor sort of agreed that certain chattels were worth so much at the time?

A. Yes; worth so much at the time I bought it.

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Q. And the total came to \$975? A. Yes.

MR. BEST: I believe that is all.

MR. HUNTER: My lord, it is submitted that the personal property of every kind was sold for its fair market value.

CROSS-EXAMINATION BY MR. HUNTER:

Q. You made arrangements with a Mr. Cooper of the Pacific Maid Dress Company to store your pressing machine?

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E. Kamitakahara
Cross-Exam.

- A. He ask me how much he should get for that. I said I do not know myself but, well - I asked him to sell at any price he could sell. I ~~did~~ not do anything. I didn't have any idea about the price then.
- Q. He informed the Custodian that you had set a minimum of \$90 on it? Is that right?
- A. Up to \$150 I asked for it to be sold at. He could not sell at \$150, I suppose.
- 10 Q. In other words, you told him you expected to get a price somewhere between \$90 and \$150?
- A. Yes; that is right.
- Q. Now, with respect to this radio, when was it in 1936 you bought all these chattels, it was agreed that the radio was worth \$75?
- A. That is right, sir.
- Q. How old was it when you bought it from the Prestons?
- A. I think it was about five years old.
- Q. You think it would be about a 1931 model?
- 20 A. No. I mean it was a brand new one.
- Q. Pardon? A. It was a brand new one when I bought it.
- Q. That is what I am trying to get at; it was included in the chattels which you bought in 1936?
- A. Yes.
- Q. At that time I presume Prestons had been using it. How long had they had it prior to the time you got it?
- A. I think about half a year.
- 30 Q. It was fairly new then?

E. Kamitakahara
 Cross-Exam.
 Re-Exam. Re-Cross-Exam.

- A. It was fairly new then.
- Q. In other words, it would be about a 1935 or 1936 model? A. Yes.
- Q. Somewhere around there? A. Yes.
- Q. You used it? A. Four or five years.
- Q. Was it your only radio? A. Yes, sir.
- Q. And you and your family used it, I suppose?
- A. Yes.
- MR. HUNTER: I think that is all.

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RE-EXAMINATION BY MR. BEST:

- Q. As to the value of this Preston machine, I now have a receipt dated July 5, 1939, from Mr. Moreyame for \$400 for the pressing machine?
- A. Yes.
- MR. BEST: Perhaps I might put that in as an exhibit.
 (RECEIPT, MARKED EXHIBIT NO. 3)
- Q. Is that the receipt you received from Mr. Moreyame when you bought that pressing machine in 1939? A. Yes.
- MR. BEST: Thank you.

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MR. HUNTER: I wonder if I might ask an additional question, my lord?

THE COMMISSIONER: Very well.

RE-CROSS-EXAMINATION BY MR. HUNTER:

- Q. Mr. Kamitakahara, when you discussed this question of price with Mr. Cooper on the selling of this machine what did he say? Did he make any arrange-

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E. Kamitakahara
Re-Cross-Exam.

ment with you? Did he promise he could sell it or did he just say that he would sell it if he could?

A. He said he might buy it and sell it for factory use. I said he might give me - if he used it in his own factory I said \$90 would be enough, for himself, but if he sell it to any other people I expect at least \$150.

Q. I see; but he was definitely to sell it if he could, because you wanted the money. I think that was the answer? A. Yes.

10 MR. HUNTER: In that event I would like to make the further submission that this was under the custody, control or management of some person other than the Custodian appointed by the owner and accordingly since it did not come within the custody, control or management of the Custodian it is not within the terms of reference.

MR. BEST: Now, just on that point, my lord ---

20 THE COMMISSIONER: Let me ask the witness one question.

MR. BEST: Yes, my lord.

THE COMMISSIONER: Mr. Kamitakahara, when you made whatever the arrangement was with this man, Cooper, I would like you to tell me what the understanding was.

What was the understanding between you and Cooper?

A. He said - I think he said we go back to B.C. again after the war, during that time he could use it in his own factory and I think he finally found

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it necessary to ---

Q. I want you to tell me what your bargain was with
Cooper? A. About the pressing machine?

Q. Yes. Was he to keep it for you until you came back?

A. That is what I thought. He could use it for
himself or could sell it.

Q. Then, am I right in this, that he was free to, or
rather, he undertook to look after it for you?

A. Yes; that is right, sir.

10 Q. And you gave him the right to use it, himself?

A. That is right, sir.

Q. And also the right to sell it? A. Yes.

Q. At what price?

A. Between \$90 to \$150.

Q. Between \$90 and \$150? A. Yes.

THE COMMISSIONER: Would you like to re-examine, Mr.
Best?

MR. BEST: Yes, my lord.

20 Q. When you allowed Cooper to take the machine did
you notify the Custodian's officer who had been
talking to you about the disposal of your goods?
Did you tell the Custodian's officer that rather
than hand the machine to him you were asking
Cooper to look after it?

A. I wanted the Custodian to look after it but the
conditions was we were too busy to go up to the
office because we were called by the officials
to the Manning Pool, the camp.

Q. Now, when you say ---

30 THE COMMISSIONER: Let us get his answer first.

E. Kamitakahara
Re-Exam.

MR. BEST: I am sorry, my lord.

THE WITNESS: I did not have enough time to discuss it
with the Custodian.

Q. You did not have enough time.

Then, when did you first discuss the disposal
of the pressing machine with any person from the
Custodian's office?

A. No, not about the pressing machine but as a whole.

10 Q. Yes? A. I discussed about the key
and I promised him to give key to him but one
time when I was called over by the Mounted Police
to the Hastings Park -- as a matter of fact, I
was in Hastings Park for a few days, leaving
everything behind ---

Q. And you were allowed to go home from Hastings Park?

A. Yes, to wind up and sell, auction.

THE COMMISSIONER: I think we have that pretty well
established now.

MR. BEST: Yes.

20 Q. Do you know, yourself, the date on which the
machine was sold?

A. Yes. I have it in that document.

Q. There is a letter here from Mr. Green addressed
to yourself, February 10, 1943. The machine had
obviously been sold before that?

A. Yes.

Q. But you do not know how long before then?

A. No.

MR. BEST: All right, thank you.

30 THE COMMISSIONER: Anything further, Mr. Hunter?

Discussion

MR. HUNTER: My lord, I forgot to give you the appraised value of the radio.

The radio was appraised for \$15 and, of course, was sold for \$25 by public auction on July 12, 1944.

THE COMMISSIONER: Who made the appraisal?

MR. HUNTER: I only have the memorandum that it was appraised. Those were kept on separate files.

THE COMMISSIONER: Appraised at \$15 and sold in 1944 on what date?

10 MR. HUNTER: July 12, 1944, the middle of 1944, for \$25.

It was a deForrest Crosley radio, Serial No. 8510352.

THE COMMISSIONER: In 1944 there was a ceiling for radios?

MR. HUNTER: Yes. I have not that information available, my lord, but there was a ceiling.

At that time, of course, the radio was about nine years old.

THE COMMISSIONER: That is all, thank you, Mr. Kamitakahara.

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(PROCEEDINGS ADJOURNED SINE DINE)

I hereby certify the foregoing to be a true and accurate transcript of the proceedings herein.

A. G. Veitch

"A. G. VEITCH"
Official Reporter

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CASE NO. 1329 I

JAPANESE PROPERTY CLAIMS COMMISSION

Toronto, Ontario,
December 2, 1948.

IN THE MATTER OF THE CLAIM OF

EIZO KAMITAKAHARA

PROCEEDINGS AT HEARING

Original.

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IN THE MATTER OF THE "INQUIRIES ACT"

PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

HIS HONOUR, JUDGE J. A. MCGIBBON, SUB-COMMISSIONER

Toronto, Ontario,
December 2, 1948.

IN THE MATTER OF THE CLAIM OF

EIZO KAMITAKAHARA

PROCEEDINGS AT HEARING.

APPEARANCES:

K. A. CHRISTIE, ESQ., K.C., appearing for the
Dominion Govern-
ment.

F. A. BREWIN, K.C., appearing for the
Claimant.

A. SMITH, ESQ., Secretary

A. G. VEITCH, ESQ., Official Reporter.



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MR. BEST: We believe this case was disposed
of at the Spring Sittings, your honour.

THE SUB-COMMISSIONER: Very well.

I hereby certify the foregoing to be a
true and accurate transcript of the
proceedings herein.

A. G. Veitch,
A. G. Veitch,
Official Reporter.

I, John A. McGibbon, Deputy Commissioner,
appointed to hear a Commission to investigate
claims of Japanese Canadians for property
loss, do certify the foregoing is a true
copy of the evidence heard on the within
claim.

John A. McGibbon,
John A. McGibbon,
Deputy Commissioner.

base 1003

JAN 14 1948

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

2542

Toronto

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

(1) NAME KAMITAKAHARA, EIZO (RCMP) Reg. No. 0/567

(2) Pre-Evacuation Address 2525 OAK ST, VANCOUVER, B.C.

(3) Present Address 125 SHERBOURNE, TORONTO, ONT

(4) REAL ESTATE

(a) Street Address (if any) 2525 OAK ST, VANCOUVER, B.C.

(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 CLEANER & DRESSMAKING
(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.) LEASEHOLD

(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) \$ 2,000
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) \$ 2,000
(v) Amount at which Custodian sold property and credited your account \$ 375.70
(f) Loss (This figure is arrived at by deducting item (v) from item (iv)) \$ 1,624.30

(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.)
(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")

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

- | | | | |
|-----|-------|--------------------|-------|
| 1. | _____ | Estimated Value \$ | _____ |
| 2. | _____ | Estimated Value \$ | _____ |
| 3. | _____ | Estimated Value \$ | _____ |
| 4. | _____ | Estimated Value \$ | _____ |
| 5. | _____ | Estimated Value \$ | _____ |
| 6. | _____ | Estimated Value \$ | _____ |
| 7. | _____ | Estimated Value \$ | _____ |
| 8. | _____ | Estimated Value \$ | _____ |
| 9. | _____ | Estimated Value \$ | _____ |
| 10. | _____ | Estimated Value \$ | _____ |

TOTAL CLAIM FOR PROPERTY LOSS \$ _____

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) - - - - - \$ 1,624.30

- (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 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)
 COUNTY of YORK)
 TO WIT:)

I, EIZO KAMITAKAHARA of Toronto in the City of York,

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 Toronto)
 in the County of York)
 this 10th day of January)
 A.D. 1947)

Eizo Kamitakahara
 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.

Took over from Mrs. J. Preston on payment of \$975.

With an additional steam pressing machine and more equipments and furnitures I brought in with me, the total value was estimated at \$2000.

On the 12th day of September, 1942 - 2 days before I moved in to the Hasting Park Manning Pool, by the advise of the custodian, I sold all these goods and personal chattels at exceptionally low price, i.e. \$75, to the Love & Co., excepts the following ones:-

A cooking stove - value estimated at	\$ 50
2 sewing machines	140

The custodian sold the steam pressing machine	\$90
" " " " radio	20.70
From Love & Co. received	75

Total Loss - $2000 - (50 + 140 + 90 + 20.75 + 75) =$
\$ 1,624.30

not declared

DEC 13 1947

125 Sherbourne St.,
Toronto, Ont.,
Dec 11, 1947.

Mr. Justice Bird, the Commissioner,
506 Royal Bank Bldg. Hastings & Granville,
Vancouver, B.C.

2542

Re: KAMITAKAHARA, EIZO, reg no. 01567.

ACKNOWLEDGED

Dear Sir:-

J.W.

Toronto

I wish you would kindly consider my case stated hereunder in accordance with the property loss claims that is now investigation is undergoing.

Pre-Evacuation Address - 2525 Oak St., Vancouver, B.C.

Present Address 125 Sherbourne St., Toronto, Ont.

Real Estate 2525 Oak St., Vancouver, B.C.

Type of Business, Cleaner & Dressmaking
Lease held.

I took over this shop from Molly M. Preston on payment of \$975 (dollars) through Mr. Stuart H. Gilmour Notary Public, 410 Seymour St. on her 3/36 for which I still have kept an indenture for future reference. With the furniture which I brought in with me when I moved into this shop and the additional pressing machine I put in later the total value was estimated at

\$ 2000 (dollars - Total value)

C.W. & Brewster

(2)

The Custodian sold the pressing machine & the radio for \$110.70 - A property loss claim for these is already being sent to you separately.

On the 12th day of September 1942 - 2 days before I moved into the Hastings Park Manning Pool, by the advise of the Custodian, I sold all equipment and personal chattels to the Love & Co. Seymour St., Vancouver, B.C. at an exceptionally low price ; i.e. \$75 (dollars) excepts the following articles :-

A cooking stove - value estimated at \$50
Two sewing machines - value estimated at \$140

Therefore the total loss will be as follows :-

$$2000 - (50 + 140 + 110.70 + 75) = \$1624.30$$

Eizo Kamitakahara, claimant

P.S. please let me have some information as to my status.

CANADA

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

PHONE PACIFIC 6131

PLEASE REFER TO

FILE NO. 2542

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

May 7, 1947.

Mr. Eizo KAMITAKAHARA,
Reg. No. 01567,
125 Sherborne St.,
Toronto, Ontario.

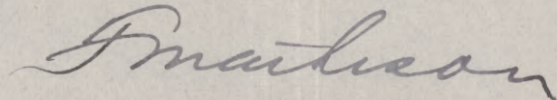
Dear Sir:

Your radio has been sold for the net sum of \$20.70 which amount consists the total credit balance of your account in this office.

To enable us to send you this sum kindly forward the receipt given to you by the R. C. M. P. when you surrendered your radio. Should you be unable to find this receipt, please sign and date the attached declaration and return it to this office.

We attach herewith a stamped self-addressed envelope for your convenience in replying.

Yours truly,



F. Matheson,
Office of the Custodian.

CG

Enclosures (2)

Please return this copy to E. Kamitakahara
125 Sherbourne St.
Toronto, Ont.

KAMITAKAHARA EIZO
(Claimant's Name)

PERSONAL PROPERTY
(Business)

01567
Reg. No.

Type of BUSINESS	Location	Gross Turnover 1941	Average Mark Up	Net Income 1941	Estimated Value of Goodwill
CLEANING AND PRESSING	2525 Oak St., Vancouver	\$2000.00	50%	\$1000.00	\$2000.00

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 Fix- tures at date of purchase	Value of Goodwill at date of purchase:
31/Oct.1926	\$975.00 including furniture	----	\$375.00	\$600.00

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:

Steam machine sold by Pacific Maid Dress Co., for \$90.0000 instead of value \$325.00 and proceeds turned over to Custodian, Other equipment taken with us or sold.

Additional comments, if any:

This claim is for the loss of a business built up by my wife and myself since 1932. We did not sell the business as a going concern but the Custodian told us to dispose of our chattels.

EXHIBIT No. 1003-1
DATE 4 May 1948
FILED BY
m Best

Eizo Kamitakahara
Signature

KAMITAKEHARA EIZO
(Claimant's Name)

PERSONAL CHATTELS

01567
Reg. No.

<u>Description of Major Items (and particularly of goods lost, stolen or destroyed)</u>	<u>Approximate Date Purchase</u>	<u>New or Used When Purchased</u>	<u>Price Paid</u>	<u>Condition when Evacuated</u>	<u>Estimated value at Date of Evacuation</u>
1 Crossley Radio	Oct. 1936	Used 2 years	Included in larger Purchase	Good	\$75.00

Description of Storage of Goods:

EXHIBIT No. 1003-2
DATE 4 May 1948
FILED BY R. a. Best.

General Statement as to Chattels not Described above:

Radio sold by Custodian for \$25.00 - claim \$50.00

Additional Comments, if any:

Eizo Kamitakehara
Signature

Folio _____

Statement

July 5 1939

M. 山崎 栄 商店

In Acc't with _____

Terms _____

Received \$4000.
 for Press Machine
 Okeyaki
 for Mr. Nanyama

EXHIBIT No. 1003-3
 DATE 4 May 1948
 FILED BY R. a. Bent

DEC - 2 1947

base no 1329 I

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

Sw

2542
Toronto

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

(1) NAME Kamitakahara Eizo (RCMP) Reg. No. 01567
(Print) Surname Given Name

(2) Pre-Evacuation Address 2525 Oak Street, Vancouver, B.C.

(3) Present Address 125 Sherbourne Street, Toronto, Ontario.

(4) REAL ESTATE

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

Best

(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
2525 Oak Street, Vancouver, B.C.

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

(c) How stored or packed at time of evacuation
Locked in room

(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 no one's care

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

1.	One Radio	Value- \$75.00	Estimated Value \$
2.	Sold by Custodian	- \$20.70	Estimated Value \$ 54.30
3.	One Press Machine	- Value - \$325.00	Estimated Value \$
4.	Sold by Custodian	- \$90.00	Estimated Value \$ 235.00
5.			Estimated Value \$
6.			Estimated Value \$
7.			Estimated Value \$
8.			Estimated Value \$
9.			Estimated Value \$
10.			Estimated Value \$

TOTAL CLAIM FOR PROPERTY LOSS \$ 289.30

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) - - - - - \$ 289.30

(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 No

Toronto

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)
County of York)
TO WIT:)

I, Eizo Kamitakahara of the City of Toronto in the Province of Ontario

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 Toronto)
in the County of York)
this 24th day of November)
A.D. 1947.)

Eizo Kamitakahara
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.

November 24, 1947.

Eizo Kamitakahara

Took over from Mrs. J. Preston on payment of \$975.00

With an additional steam pressing machine and more equipment and furniture I brought in with me. The total value was estimated at \$2000.00

On the 12th day of September, 1942, 2 days before I moved into the Hasting Park Manning Pool, by the advice of the Custodian, I sold all these goods and personal chattels at exceptionally low price - i.e. \$75.00 to the Love and Company, except the following ones:-

A cooking stove - value estimated	\$ 50.00
2 sewing machines	140.00
The Custodian sold the steam pressing machine	90.00
The Custodian sold the radio	20.70
From Love and Company received	75.00

Total Loss: \$2000.00 (50 and 140 and 90 and 20.70 and 75 amounts to \$1,624.30)