

Name of Claimant

NAKATSU, Kichinosuke

Case 1150

Custodian File

X1 1029

<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	Total Award 80% of all Sale Prices % of Total	Sale Price	Total Award 125% of all Sale Prices: % of Total		
<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			
		259.20	63.79		29.50					93.29
<u>NETS</u>										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing			Percentage Total Award to Total Claim		Claim for Nets Sold Declared Not Found, & Recorded Now Missing		Apply % ratio to Claim	Deduct Custodian Sale Price
<u>MISCELLANEOUS CHATTELS</u>										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
TOTAL RECOMMENDATION										93.29



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CASE NO: 1150.

JAPANESE PROPERTY CLAIMS COMMISSION

Toronto, Ontario,
October 20, 1948.

IN THE MATTER OF THE CLAIM OF

KICHINOSUKI NAKATSU

PROCEEDINGS AT HEARING

Original.



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

3
4 JAPANESE PROPERTY CLAIMS COMMISSION

5
6 B E F O R E

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

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9
10 Toronto, Ontario,

11 OCTOBER 20, 1948.

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14 IN THE MATTER OF THE CLAIM OF

15 KICHINOSUKI NAKATSU

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17 PROCEEDINGS AT HEARING

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20 APPEARANCES:

21 K.A. CHRISTIE, ESQ., K.C., appearing for the
22 Dominion Government,

23 R.A. BEST, ESQ., appearing for the
24 Claimant.

25 A. SMITH, ESQ.,

Secretary,

26 G.N.R. UPTON, ESQ.,

Official Interpreter,

27 J.B. MCGREGOR, ESQ.,

Official Reporter.



K. Nakatsu,
Dir.ex.

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KICHINOSUKI NAKATSU, the claimant herein,
being first duly sworn,
testified through the
interpreter as follows:

DIRECT EXAMINATION BY MR.BEST:

Q. Is that your signature (Indicating)?

A. Yes.

Q. Was that form prepared on your instructions?

A. Yes.

Q. And is the information contained therein

correct? A. Yes.

(PARTICULARS OF PERSONAL PROPERTY, FISHING
VESSELS, MARKED EXHIBIT No.1)

Q. I understand before the evacuation you
worked in a fishing business at Steveston? B.C.?

A. Yes, sir.

Q. You owned the boat called the "K.N. 743"?

A. Yes.

Q. And it is for that boat you are claiming?

A. Yes.

Q. I wonder if you would tell us just what
type of boat that is?

A. A gillnet boat.

Q. What was the length?

A. Thirty-two feet.

Q. And the beam?

A. Five feet, two inches.

Q. Now, according to your claim you bought
this boat in 1940 for \$500.?

A. Yes.



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2 Q. And you say that you paid \$90., in 1941
3 to do some hulking and a further \$25. to repair the
4 engine in 1940?

5 A. 1940 or 1941.

6 Q. These couldn't have been very expensive
7 repairs to the engine if it just cost you \$25.

8 A. Yes.

9 Q. You say they were?

10 A. Yes.

11 Q. Can you tell us briefly what was done to
12 the engine?

13 A. The clutch was repaired and the engine was
14 raised slightly as it was out of plumb.

15 Q. I am showing you a bill of sale from
16 Shigaro Kashino to yourself dated the 29th of April
17 1940 and it is for a boat, serial number F71159
18 and shows a purchase price of \$500. Is that the bill
19 of sale for your boat at the time you purchased it?

20 A. Yes.

21 (BILL OF SALE MARKED EXHIBIT NO.2a)

22 MR. CHRISTIE: I tender as Exhibit 3 an apprai-
23 sal made by the J.F.V.D.C.

24 (APPRAISAL OF J.F.V.D.C. MARKED EXHIBIT NO.3)

25 MR. BEST: That is the serial number of the
26 motor on that bill of sale, is it?

27 A. Yes, F71159 is the number of the motor.

28 Q. Now, you have said on your claim that the
29 Anglo-British Canning Company at Cape Hope offered
30 you \$450. for this boat in 1942. Was that a written



K. Natkatsu,
In chf.

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or just verbal? A. I received that by letter but I wasn't anxious to sell at the time.

Q. Have you got the letter? A. No.

Q. What type of engine did this boat have?

A. It was 8 h.p.

Q. What exactly was involved in this \$90. hulking job done in 1941? A. Parts of the bottom of the boat had become rotten and it was to renew and cork the whole bottom of the boat.

Q. How old was the boat when you bought it in 1940, do you know? A. No, I don't.

Q. Apparently it was a Bridgeport engine?

A. Yes.

CROSS-EXAMINATION BY MR. CHRISTIE:

Q. Your honour, in this case there doesn't appear to be a J.P. Form, as the claimant was interned on June 20th, 1942.

Q. Do you know how old this vessel was when you bought it? A. No, I don't.

Q. And did you use it continually from the time you bought it until you were evacuated?

A. I used it during the season.

Q. That is all, thank you.

(ANALYSIS OF PERSONAL PROPERTY CLAIM,
MARKED EXHIBIT NO. 4)

(PERSONAL PROPERTY SUMMARY, MARKED EXHIBIT 5)

MR. CHRISTIE: Your honour, it is submitted that this personal property was sold at its fair market value. That is the defence.

(PROCEEDINGS ADJOURNED SINE DIE)



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

J. B. McGregor
J. B. McGregor,
Official Reporter.

I, J. 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.

J. A. McGibbon
J. A. McGibbon,
Deputy-Commissioner.

DEC 29 1947

base no 1150

IN THE MATTER OF a Commission to Investigate Claims of Japanese Canadians for Property Losses.

TO: The Commissioner,
Office of the Custodian,
Royal Bank Bldg.,
Vancouver, B.C.

ACKNOWLEDGED

[Signature]

x 1079

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

Toronto

(1) NAME NAKATSU KICHINOSUKE (RCMP) Reg. No. 04421
(Print) Surname Given Name

(2) Pre-Evacuation Address STEVESTON B.C.

Best

(3) Present Address 419 DUNDAS ST. WEST TORONTO ONT.

(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 _____
Taken over by Custodian at new Westminster, B.C.

(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")

In no one's care.

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

1.	<u>1 Motor Fishing Boat</u>	Estimated Value \$	
2.	<u>28'4" length - 28'4" breadth - 7'1"</u>	Estimated Value \$	
3.	<u>Bridgeport Motor - 8-10 H.P. #F71159</u>	Estimated Value \$	
4.	<u>Value \$500.00</u>	Estimated Value \$	
5.	<u>Custodian sold it for \$200.00</u>	Estimated Value \$	<u>300.00</u>
6.		Estimated Value \$	
7.		Estimated Value \$	
8.		Estimated Value \$	
9.		Estimated Value \$	
10.		Estimated Value \$	

TOTAL CLAIM FOR PROPERTY LOSS \$ 300.00

N.B.—If you cannot list all the items here prepare a separate list with values set out opposite each item and attach it to the form. The item "personal property" includes shares, bonds, mortgages, loans, notes and all other forms of property not included in real estate.

(f) Total claim including real and personal property (this figure can be arrived at by adding items 4 (f) and 5 (e) - - - - - \$ _____

(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

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, Kichinosuke Nakatsu of the City
of Toronto in the County 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 12th day of December)
A.D. 1947.)

Ra Best A Commissioner &c.

K. Nakatsu

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.

(Claimant's Name)

(Fishing Vessels, gear and equipment)

DATE OCT 20 1940

Reg. No.

FILLED BY R A Best

NETS:

<u>Type</u>	<u>Size</u>	<u>Mesh</u>	<u>Fathoms</u>	<u>Age at Evacuation</u>	<u>Original Value</u>	<u>Estimated value at Evacuation</u>
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VESSELS SOLD BY CUSTODIAN

<u>NAME</u>	<u>Reg. No.</u>	<u>Type</u>	<u>Date Purchased</u>	<u>New or Used</u>	<u>Price Paid</u>	<u>Maintenance Work</u>	<u>Condition When Evacuated</u>	<u>With whom Left</u>	<u>Estimated Value</u>
K.N. 743	NW 2980	gillnet	1940	used	\$500		good	with navy at Steveston	\$500.00

Improvements to Vessel since date of purchase:

<u>Type</u>	<u>Date</u>	<u>Cost</u>
hulking	1941	90.00
repair to front deck	1941	
repair to engine	1940	25.00

OTHER GEAR:

<u>Description</u>	<u>Date Purchased</u>	<u>New or Used</u>	<u>Price Paid</u>	<u>Condition when Evacuated</u>	<u>Estimated value at date of evacuation</u>
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Arrangements made for storage when evacuated:

Summary:
 Estimated value \$500.00
 Sold by Custodian 288.00
 Claim 212.00

Additional Comments, if any:

1. Claimant feels evaluation of vessel was too low.
2. Condition of boat given as "good" in appraisal
3. Anglo-British Canning Company at Good Hope Cannery, Rivers Inlet offered \$450.00 for the vessel in early 1942.

Claimant acknowledge that gross selling price was \$288 rather than \$500 as shown on original claim and claim is revised to that extent.

K. Nakatsu
 Signature

(If boat, motor, or other equipment)

Description of property
 Location
 Condition
 Date of purchase
 Value

Description of property
 Location
 Condition
 Date of purchase
 Value

1150

Name of owner
 Address

Name of owner
 Address



BEEF-EAST BOND

HOMER SWITH

1. This is a full evaluation of vessel for tax purposes.
2. Number of boat given as shown in appraisal.
3. Boat is in good condition and is being used for pleasure.
4. Boat is being used for pleasure and is not being used for business purposes.

EXHIBIT No. 1150-2
DATE OCT 20 1948
FILLED BY R. D. [unclear]

BILL OF SALE

40
29/80

KNOW ALL MEN BY THESE PRESENTS THAT SHIGERU KISHINO,

Fisherman,

of Steveston, in the Province of _____, British Columbia, hereinafter referred to as the Party of the First Part, for and in consideration of the sum of

Five Hundred Dollars, (\$500.00)-----, lawful money of Canada,

and other valuable consideration, paid by KICHINOSUKE NAKATSU,

Fisherman,

of Steveston, in the Province of British Columbia,

hereinafter referred to as the Party of the Second Part, the receipt of which is hereby acknowledged, does by these presents grant, bargain, sell, and convey unto the said Party of the Second Part, and his or its executors, administrators, successors and assigns, the goods and chattels particularly described as follows: One fishing boat 28 feet 4 inches long, 7 feet 1 inches

beam, 3 feet 2 inches deep, named " _____ "

powered with a 8-10 H.P. Bridgeport engine,

Serial Number F.71159, licenced at the Port of New Westminster

British Columbia, under the number 1839

TO HAVE AND TO HOLD the same unto the said Party of the Second Part and his or its executors, administrators, successors and assigns, forever absolutely free and clear of all claims or liens whatever.

IN WITNESS WHEREOF, the said Party of the First Part has caused these presents to be subscribed by himself or itself this 29th day of April, A.D. 1940

WITNESS:

Thomas C. King

78 Georgia Street,
Accountant.

Shigeru Kishino

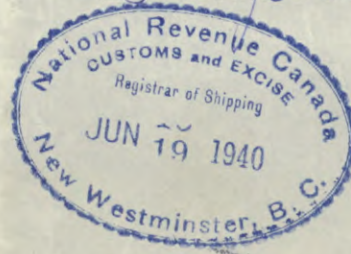


EXHIBIT No. 1150 - J
DATE OCT 20 1948
FILLED BY K D B Austin

Extract of Appraisal Made by O. W. Phillipson for JFVDC

K. N. NW. 097 M

Condition Good

Damage Nil

Boat New Value - - - -

Engine Bridgeport

Value - 1942 - \$250.00

Suggested Negotiating Price - \$288.

Estimated 12 years old

Engine - Spare parts hard to obtain - very few used in B.C.

TENDER &c	REAL PROP.	FOUND	ANY TIME	ABANDONED	THEFT &c	UNSOLED	FILLED BY	REMARKS
							<u>K A b Christie</u>	Vessel was appraised by O.W. Phillipson for the J.F.V.D.C. to be worth \$250. Suggested Negotiating Price to be set at \$288.00
288.00								This vessel was sold August 28/42 by the Custodian for \$288.00 less 10% commission (\$28.80) so the Bill of Sale and receipt are in the amount of \$259.20. Supervision charges on this vessel were \$40.37 leaving Net proceeds from sale of \$218.83.
								<i>B Macaskill</i>

EXHIBIT No. 1150 - 5
DATE Oct. 20 1948
FILED BY K. A. Christie

PERSONAL PROPERTY MEMORANDUM

File No. 1029 (Int)

Kichinosuke NAKATSU

P/W A-284

Specified Articles: Vessel "K.N. 743", licensed in the name of Kichinosuke NAKATSU, was sold to Nelson Brothers Fisheries Limited on August 28, 1942, for the net amount of \$223.15, which funds were credited to the account of this Japanese with the Custodian.

Life Insurance: According to information supplied to this office by NAKATSU, he held a \$1,000.00 life insurance policy with the Sun Life Assurance Company. Form "D" on file discloses that Policy No. 2,320,898, on the life of this Japanese, is a fifteen-year endowment plan taken out on October 10, 1941. On December 27, 1945, NAKATSU requested the Custodian to obtain the cash surrender value of this Policy and this office took initial steps in this regard. The policy, however, which is said to be in the hands of the insured's mother, Mrs. Hatsu NAKATSU, has not as yet been delivered to this office for forwarding to the Insurance Company, and the matter of cash surrender value in this connection is still in abeyance. The Sun Life Assurance Company advised, under date of January 10, 1946, that this Policy had a cash surrender value of approximately \$120.00.

Numerous remittances have been made to this Japanese while interned at Angler, Ontario, and the balance of his account with the Custodian, namely \$93.83, was forwarded to him in Ontario on August 7, 1946.

No property interests, other than those mentioned above, are found on this file.

Certified to be in accordance with the information obtained at this date.

"J. Fay"

August 8, 1946

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

Jan. 15, 1949

L. Mc Cleghon

GENOA BOND