

Name of Claimant NOBUOKA, Harry Ryotaro

Case 1152

Custodian File X1 253

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% thereof	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	
PERSONAL PROPERTY										SPECIAL	63.00
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				
750	187.50										187.50
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	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price				
TOTAL RECOMMENDATION										250.50	



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CASE NO: 1152

JAPANESE PROPERTY CLAIMS COMMISSION

Toronto, Ontario,
October 12, 1948.

IN THE MATTER OF THE CLAIM OF

HARRY RYOTARO NOBUOKA

PROCEEDINGS AT HEARING

Original.



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

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 21, 1948.

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14 IN THE MATTER OF THE CLAIM OF

15 HARRY RYOTARO NOBUOKA

16
17 PROCEEDINGS AT HEARING.

18
19 APPEARANCES:

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

22 F. A. BREWIN, ESQ. appearing for the
23 Claimant.

24
25 A. SMITH, ESQ.

Secretary.

26 D. J. HANDFORD, ESQ.

Official Interpreter.

27 J. B. MCGREGOR, ESQ.

Official Reporter.



H.R. Nobuoka,
In chf.

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HARRY RYOTARO NOBUOKA, the claimant herein,
being first duly sworn,
testified as follows:

DIRECT EXAMINATION BY MR. BREWIN:

Q. Your claim is in respect to a car?

A. Yes, that is right.

Q. I am showing you a document called "Personal
Chattels"; is that your signature? A. Yes.

Q. Are the statements made therein true?

A. That is right.

(PERSONAL CHATTELS CLAIM FORM MARKED EXHIBIT 1).

Q. I notice from this document you bought the
Buick sedan in 1940, for \$1400? A. That is right.

Q. Have you any of the documents? A. No.

Q. Who did you buy the car from?

A. A car dealer.

Q. Where at? A. Georgia Street in Vancouver,
I don't remember their name.

Q. Is he a dealer in Buicks or just a general
car dealer? A. I don't remember exactly.

Q. On Georgia Street? A. Yes.

Q. What date? A. I can't remember that.

Q. Some time in 1940? A. Yes, the early
part of 1940.

Q. And you paid \$1400. for it? A. Yes.

Q. What was its condition at that time? What
was its condition at the time of the evacuation?

A. A.1.

Q. Had you had any further expenses in
connection with the car since you bought it?



H. R. Nobuoka,
In chf.

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2 A. I had been spending all the time, I kept
3 the car in first class condition.

4 Q. Did you add any new equipment?

5 A. Oh yes, a heater was added.

6 Q. Then I notice that when you were evacuated
7 you left the car as required, with the R.C.M.P.?

8 A. I wasn't evacuated, I was apprehended and
9 put in an interment camp. I left it in my garage.

10 Q. And you informed the Mounted Police, did you?

11 A. Yes.

12 Q. Is there anything else you can say about
13 the value of the car at the time it was sold?

14 A. Well, I think it was too cheap. I know it
15 was too cheap. At that time I was in the interment
16 camp and the Custodian didn't even inform me he
17 had sold the car. I heard from my son and I wrote
18 my son from the internment camp and asked him to go
19 to the Custodian, and the Custodian did not give him
20 the price because it was not his business.

21 Q. I see you say if the car had been sold it
22 should have been at least \$1000. in value?

23 A. That is right; I wrote from the internment
24 camp. I had to get permission from the Commandant
25 to write that letter too.

26 CROSS-EXAMINATION BY MR. CHRISTIE:

27 Q. I am tendering, your honour, as Exhibit 2,
28 a Report of the Royal Canadian Mounted Police.

29 (REPORT OF R.C.M.P. MARKED EXHIBIT NO. 2)



H.R. Nobuoka,
In chf. cr.ex.

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2 Q. You were advised while you were in the
internment camp that your car had been sold?

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4 A. No, I wasn't, but I requested the Custodian
5 to let me know what price they sold it at. I got the
6 information from the Custodian at last.

7 Q. I produce here a letter dated June 23rd,
8 1942, is that your signature? A. That is right.

9 Q. I will read this letter:

10 "I was told by Captain Dobell, the adjutant
11 in this camp that by car of Buick Sedan, 1939
12 model was sold by you at the price of \$750.00
13 in cash. I am appreciating very much for your
14 efforts in disposing this car, but at the same
15 time this deal was not made under the consent
16 of the owner and the other thing I am considering
17 that I should be entitled for more money for
18 that class car of A I condition. I am still
19 thinking this car was sold at less than prevail-
20 ing price at the time and it should have been at
least \$1,000.00 in value.

21 Will you please be kind enough to give me a
22 full explanation as to this matter and oblige."

23 Q. You signed that? A. Yes.

24 Q. I am tendering that as Exhibit 3, and I
25 think I can put the reply in. This is the copy of
26 the reply addressed to the Camp Commandant:

27 "I received a letter from the internee, dated
28 June 23rd, in which he referred to the sale
29 of his Buick Sedan for \$750.00. The internee
30



H. R. Nobuoka,
cr. ex.

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2 "stated that he thought the car should have been
3 sold for \$1000.00, but the figure of \$750.00 is
4 the value set on the car by a responsible
5 appraiser.

6 The internee possibly has overlooked the
7 fact that the used car market at the present is
8 anything but strong."

9 Q. That is signed by "Edgar T. Read."

10 Was the contents of this letter brought to your
11 attention by anyone in the Camp? A. I can't quite
12 remember. I don't think I got that. I had a protest
13 anyway.

14 (TWO LETTERS ABOVE MARKED EXHIBIT NO. 3)

15 MR. CHRISTIE: It is not evidence and I only
16 submit them as a matter of pleadings, and Mr. McPherson
17 will no doubt be brought up in Vancouver.

18 I think there are no further questions -- it
19 is a matter of appraisal.

20 I would tender as Exhibit 4 a letter dated
21 February 26th, 1941, addressed to The Custodian of
22 Enemy Property, and is signed by Tom Hurst. It states:

23 "I am enclosing you a certified cheque for
24 \$75.00 as 10% of the price of \$750.00 I am
25 willing to pay for Buick special sedan, license
26 number 73-049. This is a 1939 model. This
27 model is for sale in Vancouver from \$900.00 to
28 \$1100.00 dollars, and at this price you have
29 a chance to try the car out and you get a six
30 months guarantee and a 1942 license. As the



H. R. Nobuoka,
Cr. ex.

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"battery of this car was destroyed by frost, the successful bidder will have to buy a new battery as well as a license and take a change on the mechanical condition of the car. Under these circumstances I feel this is as high as I can go and be fair to myself and the owner."

(LETTER ABOVE REFERRED TO MARKED EXHIBIT NO.4)

The car was subsequently sold to Mr. Hurst.

MR. BREWIN: I wonder if my friend has a copy of the statement of account to show whether the cost of putting in a new battery or anything of that sort was charged against the claimant?

THE SUB-COMMISSIONER: In the R.C.M.P. Report it states:

"It was found that the battery cable terminals on the car had been eaten thru by acid and it was necessary to replace them, also the battery was found to have been frozen and burst, a service battery was obtained and the car was removed to the Madill Garage at 660 Howe St., Vancouver. The above mentioned service charges were not paid and are charged against the car."

MR. BREWIN: That is what brought the thing to my mind. Although they make that statement it is not quite clear whether on the claimant's account he was in fact charged with these repairs.

MR. CHRISTIE: The only thing I have is a bill from the Madill Garage and it shows a charge of \$15. That is all I have.



H. R. Nobuoka,
cr. ex.

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MR. BREWIN: Perhaps I might ask the claimant a question about that. Did the Custodian credit your account with the full amount of \$750? A. Yes.

Q. Do you know if the charges for putting in a battery were in it? A. No, there has been no charges against it so far anyway.

MR. CHRISTIE: Then I file this bill of the Madill Garage Company, dated February 28th, 1942. The total amount seems to be \$15.

(GARAGE ACCOUNT MARKED EXHIBIT NO. 5).

MR. CHRISTIE: Your honour, it is submitted this car was sold at its fair market value.

(PROCEEDINGS ADJOURNED SINE DIE)

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

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,
Deputy Commissioner.

JAN - 7 1948

base no 1152

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

XI 253

[Signature]

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

Toronto

(1) NAME Nobuoka Harry Ryotaro (RCMP) Reg. No. 02178
(Print) Surname Given Name

(2) Pre-Evacuation Address 2625 East Pender Street, Vancouver, B.C.

Resh

(3) Present Address 22 Coady Avenue, Toronto

(4) REAL ESTATE

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

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

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

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

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

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

- (i) Land - - - - - \$ _____
- (ii) Buildings - - - - - \$ _____
- (iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - \$ _____
- (iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - \$ _____
- (v) Amount at which Custodian sold property and credited your account - - - \$ _____
- (f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ _____

(5) PERSONAL PROPERTY

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

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

(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.	One Buick Sedan (1939)	Value: \$1100.00	Estimated Value \$	
2.	Sold for	750.00	Estimated Value \$	350.00
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 \$ 350.00

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) - - - - - \$ 350.00

(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 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.

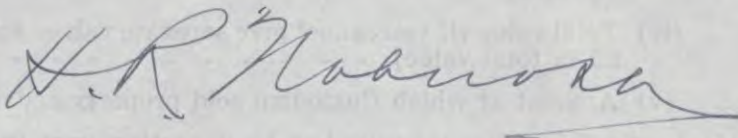
DOMINION OF CANADA)
 County of York)
 TO WIT:)

I, Harry Ryotaro Nobuoka of Toronto of the City 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 2nd day of January)
 A.D. 1947 8.)



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.

NOBUOKA, HARRY RYOTARO

(Claimant's Name)

PERSONAL CHATTELS

EXHIBIT No. 11 J 2 - 1
DATE OCT 21 1948
FILLED BY
J. A. Hewins

02178

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>
one Buick Sedan 1939	1940	slightly used (500 miles on speedometer)	\$1,400.00	A-1	\$1,100.00

It should be noted that Mr. Tom Hurst, the buyer of the car, stated in his letter of Feb. 26, 1941 to the Custodian that "this model is for sale in Vancouver from \$900.00 - \$1,100.00". He offered \$750.00 on the grounds that he would have to buy a battery and a license. However, the battery would have cost only \$12.00 and the license \$25.00. Yet his offer was accepted by the Custodian. He thus paid \$787.00 for a car he admitted to be worth between \$900.00 - \$1,100.00.

Description of Storage of Goods:

At time of internment claimant left car in his own garage and it was taken over by the Royal Canadian Mounted Police.

General Statement as to Chattels not Described above:

On June 23, 1942, the claimant wrote a letter to the Custodian re the sale of his car in which he took exception to the low price for which the car had been sold and stated that "it should have been at least \$1,000.00 in value".

Additional Comments, if any:

Summary

Estimated Value	\$1,100.00
Amount at which sold by Custodian	\$ <u>750.00</u>
	\$ 350.00

H. R. Nobusaka
Signature

Division File No. 41E-269-952

ROYAL CANADIAN MOUNTED POLICE

DIVISION SUB-DIVISION DETACHMENT
"E" VANCOUVER C.I.B. INTELLIGENCE SECTION.

PROVINCE DATE
B.C. DEC. 30th. 1941.

File References Re: Ryotaro NOBUOKA, Alien Enemy (Jap)
Vancouver, B.C.

SECRET

29-12-41
1. Acting on the instructions of the Custodian of Alien Enemy Property (Jap), the writer accompanied by Cst. J.E.Mead took possession of the Subjects automobile at his home at 2625 East Pender St. Vancouver, B.C. It was found that the battery cable terminals on the car had been eaten thru by acid and it was necessary to replace them, also the battery was found to have been frozen and burst, a service battery was obtained and the car was removed to the Madill Garage at 660 Howe St. Vancouver.
2. The above mentioned service charges were not paid and are charged against the car. //
3. The car is a 1939 Buick Sedan, B.C.Lic.73-049. Garage receipt for the above car is attached hereto.

Headquarters
Sub-Division
Detachment
P.C.R. SGD Cst.
15-12-41 (H.F.Price) Reg.No.12780.

A.R.V.No.

Diary Date
Set for.....

File Numbers, Heading and Marginal Reference are to be Properly Filled in.

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

January 12, 1949.

W. H. Price
m.a.l.

Prisoner of War Business Letter

EXHIBIT No. Oct. 21/48
 DATE.....
 FILED BY K.A.Christie

From No. P-1237
 Name Harry Ryotaro Nobuoka,
 Camp Petawawa Internment Camp
 Petawawa, Ontario.
 Date June 23, 1942

To: The Custodian's Office
 501 Royal Bank Building,
 Vancouver, B. C.

Dear Sir:

re:- Harry Ryotaro Nobuoka,

I was told by Captain Dobell, the adjutant in this camp that my CAR of BUICK SEDAN, 1939 model was sold by you at the price of \$750.00 in cash. I am appreciating very much for your efforts in disposing this CAR, but at the same time this deal was not made under the consent of the owner and the other thing I am considering that I should be entitled for more money for that class CAR of A I condition. I am still thinking this CAR was sold at less than prevailing price at the time and it should have been at least \$1,000.00 in value.

Will you please be kind enough to give me a full explanation as to this matter and oblige.

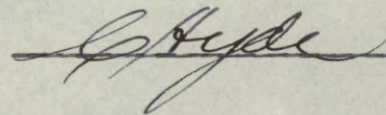
Yours very truly,

"H. R. Nobuoka"

Distribution	By Camp Commandant	By Comm'r of Internment Operations
ORIGINAL	To.....C.I.O.	To Custodian
DUPLICATE	✓ To.....C.I.O.	To "
TRIPLICATE	To C.I.O.	Filed
QUADRUPLICATE	Filed	Retained by Camp Commandant
REMARKS	"Forwarded R. H. Woering Capt." for Commandant of Internment Camp No..33	REMARKS Forwarded to Vancouver 25th June, 1942. "E.H.J.Barker" Captain, EHJB-8 for Commissioner of Internment Operations.

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

January 12, 1949.



ml

253
Legal Section.

501 Royal Bank Bldg.,
Vancouver, B.C.
July 2nd, 1942.

Camp Commandant,
Internment Camp #33,
Petawawa, Ont.

Dear Sir:

Re: P/W P-1237, NOBUOKA, Harry, R.

I received a letter from the internee, dated June 23rd, in which he referred to the sale of his Buick Sedan for \$750.00. The internee stated that he thought the car should have been sold for \$1,000.00, but the figure of \$750.00 is the value set on the car by a responsible appraiser.

The internee possibly has overlooked the fact that the Used Car market at the present time is anything but strong.

Yours faithfully,

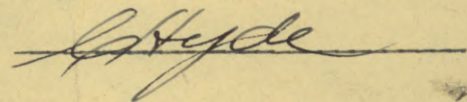
Edgar T. Read.

(For G. W. McPherson)
Authorized Deputy of the Secretary
of State and/or Custodian.

ETR/VJ

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

January 12, 1949.★


mw.

"XI-253"

EXHIBIT No. 1152 - 4
DATE Oct. 21/48
FILED BY K.A.Christie

"847 West Pender, Vancouver"
1512
~~15112~~ Acadia Road,
Vancouver B.C.
Feb. 26th, 1941.

The Custodian, of Enemy Property,
1404 Royal Bank Bldg.,
Vancouver, B. C.

Dear Sir:-

I am enclosing you a certified cheque for 75.00 as 10% of the price of \$750.00 I am willing to pay for Buick special sedan license number 73-049. This is a 1939 model. This model is for sale in Vancouver from 900.00 to 1100.00 dollars, and at this price you have a chance to try the car out and you get a six months guarantee and a 1942 license. As the battery on this car was destroyed by frost, the successful bidder will have to buy a new battery as well as a license and take a chance on the mechanical condition of the car. Under these circumstances I felt this is as high as I can go and be fair to myself and the owner.

Yours sincerely,

"Tom Hurst"

Tom Hurst.
Al.0294L.

*Sup of Prov Police
Vancouver*

253

I hereby certify the foregoing words to be a true copy of the original whereof they purport to be a copy.
Jan. 12/49 *C. Hyde* m.w.

EXHIBIT No. ~~Oct. 21/48~~DATE.....
FILED BY K.A.Christie24-HOUR SERVICEVANCOUVER, B. C. Feb. 28th. 1942Custodian of Alein Property
1404-Royal Bank Bldg.

MADILL GARAGE CO.

660 Howe Street (Opposite Hotel Georgia)

<hr/>			
	Gals. Gasoline - - - - -	5	00
Storage	Dec. 30 th. to Jan 31st.		
	Jan. 31st to Feb 28th. 1. mo.	5	00
<hr/>			
Storage	Battery Cable	1	50
	Start car & Bieng to Garage	3	50
		<hr/>	
		15	00

"File No. 253 Sold to Mr. Hurst"

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

January 12, 1949.

GENOVA BOND