Name of Claimant EBATA, Suye
" Ishimatsu, decd

Case 1190

Custodian File 9573 & 635

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	
1450.00	72.50 35.16										107.66

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	
400.00	45.00	13.50				90.00	10.80	24.30

TOTAL RECOMMENDATION	131.96

1540

CASE NO: 1190

JAPANESE PROPERTY CLAIMS COMMISSION

Toronto, Ontario,

October 29, 1948.

IN THE MATTER OF THE CLAIM OF

(MRS.) SUYE EBATA

PROCEEDINGS AT HEARING

Original

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 M.A. MILLER, SUB-COMMISSIONER.

Toronto, Ontario,

October 29, 1948.

IN THE MATTER OF THE CLAIM OF

(MRS.) SUYE EBATA

PROCEEDINGS AT HEARING.

APPEARANCES:

K.A. CHRISTIE, ESQ., K.C.	appearing for the Dominion Government.
R. A. BEST, ESQ.,	appearing for the Claimant.

A. SMITH, ESQ.,	Secretary.
D. J. HANDFORD, ESQ.,	Official Interpreter.
J. B. McGREGOR, ESQ.	Official Reporter.

(MRS.) SUYE EBATA, the claimant herein, being first duly sworn , testified through the interpreter as follows:

DIRECT EXAMINATION BY MR. BEST:

Q. Is that your signature? A. Yes.

Q. Was that form prepared upon your instructions?

A. Yes.

Q. And do you swear the contents of it are true? A. Yes.

(REAL ESTATE OTHER THAN FARMLAND CLAIM FORM MARKED EXHIBIT NO. 1)

Q. Now, is that your signature?

A. Yes.

Q. Was that form prepared upon your instructions?

A. Yes.

Q. Do you swear the contents of it are true?

A. Yes.

Q. As the second part of Exhibit 1,, your honour, there is another form for the building at the rear.

---See Exhibit No. 1.

Q. Now, I understand that before the evacuation you lived at 161 West Sixth Avenue in Vancouver, is that right? A. Yes.

Q. And that property was registered in whose name? A. Ishimatsu Ebata.

Q. Your husband? A. Yes.

Q. And I understand that your husband died in May of 1947; is that correct? A. Yes.

Q. Perhaps I should explain in this case the widow is making the claim as personal representative

of the deceased, although I do not believe any probate of the will was taken out.

MR. CHRISTIE: I tender as Exhibit 2 the Certificate of Encumbrance.

(CERTIFICATE OF ENCUMBRANCE MARKED EXHIBIT 2)

MR. BEST: Now, this property on Sixth Avenue was apparently composed of two separate buildings, one building a store and living quarters, and then the other, a large building at the rear of the lot; is that correct? A. Yes.

Q. According to your claim form you say you don't know when your husband purchased the land; do you know when he built the building? A. No, I don't know.

Q. When were you evacuated? A. October 6th, 1942.

Q. And was anything done about renting the building by the Custodian or anyone on his behalf prior to your leaving? A. Yes.

Q. Who rented the building?

A. My husband did it.

Q. Does she know anything at all about any of the details? A. No, I don't know.

Q. Did you personally receive this report that there had been a fire in the building at the rear or was that received by your husband?

A. Yes, I heard about it.

Q. From whom? A. A son of a friend of mine who was in the Armed Forces went to Vancouver, and I heard it from him.

Q. Did he say when the fire took place?

A. No, he didn't.

Q. Is that your signature? A. Yes.

Q. And was that form prepared upon your instructions? A. Yes.

(PERSONAL CHATTELS CLAIM FORM MARKED EXHIBIT NO. 3)

MR. CHRISTIE: I tender as Exhibit 4 the Analysis of Personal Property.

(ANALYSIS OF PERSONAL PROPERTY MARKED EXHIBIT NO. 4)

MR. BEST: Now, Mrs. Ebata, you have a rather simple Personal Chattels Claim consisting of just four articles. Where was this safe left?

A. That was left in the house.

Q. What was this hat case; was that a large glass case to display hats in?

A. It was a sort of hat rack with several shelves on it where the hats were kept in the store.

Q. It was used in the store business prior to evacuation? A. Yes.

Q. I suppose the same thing applies to this plate glass show case? A. Yes.

Q. And the rolltop desk? A. Yes.

Q. I think it is purely a question of valuation as far as these chattels are concerned.

CROSS EXAMINED BY MR. CHRIATIE:

Q. I am showing you a J.P. Form dated the 31st. of March, 1942; whose signature is that?

A. I don't know.

Q. Is that her husband's signature?

A. I think it is my husband's signature.

(U. P. FORM MARKED EXHIBIT NO. 5)

Q. Is that a picture of your property at 161 West 6th Avenue? A. Yes.

(PHOTOGRAPH OF CLAIMANT'S PROPERTY MARKED EXHIBIT NO. 6)

Q. Is it correct that this building is located in an industrial area? A. I don't know whether you would say so or not.

Q. It says in the valuation here of Johnston, Reeve & Watson, that the building at the rear has been stripped of partitions and fixtures. Does she know whether that is correct, whether that is the condition of the building or not?

A. That is true of the downstairs.

Q. Now, in regard to the front building it says that the exterior walls are covered with narrow siding which is patched with pieces of tin in a number of places on the east side and which all needs re-nailing and painting. Is that correct?

A. I don't know very much about the house.

Q. Perhaps we had better leave it.

(VALUATION OF JR. REID & COMPANY, DATED FEBRUARY 28TH, 1944, and VALUATION OF JOHNSON, REEVE & WATSON, DATED 22nd. JANUARY, 1945, MARKED EXHIBIT NO. 7)

MR. CHRISTIE: There is a letter of J.R. Reid & Company, dated March 17th, 1945. The last paragraph has reference to the condition of the building.

MR. BEST: Perhaps you wouldn't mind putting in with that Mr. Sheard's letter of March 14th.

MR. CHRISTIE: I tender as part of Exhibit 7 a

letter dated March 14th, 1945, from F. G. Shears, To J. R. Reid & Company. This is filed at the request of counsel for the claimant.

---See Exhibit no. 7.

MR. CHRISTIE: I will file the appraisal of the Pemberton Realty Corporation Limited, dated June 5th, 1942, as part of Exhibit 7. I think in view of the fact that my learned friend is calling the nephew of the claimant I need not ask any more question of this witness.

DENSAKU KONDO, Sworn,

testified as follows:

EXAMINED BY MR. BEST:

Q. I understand you are a son-inlaw of the claimant's, is that correct? A. Yes, sir.

Q. You are familiar with this property which was formerly owned by your father-in-law at 161 West 6th Avenue, in Vancouver?

A. Yes, I lived there.

Q. You lived there? A. Yes.

Q. For how long? A. About three months prior to the evacuation.

Q. And first of all, do you know how old the store building and the apartment over it at the front of the property was? A. This is my approximation, but the oldest son was born in that building right after it was built and he is 35, so probably it is 36 years old.

Q. That would mean it was built about 1912?

A. Yes. Q.

Q. What was the building at the rear used for -- apparently it was a large two-storey building with sixteen rooms? A. Living quarters, apartments.

Q. Who lived in it prior to the evacuation?

A. Tenants.

Q. Do you know what rent they got from those tenants?

A. As to the business side of it I had very little knowledge. I can't give you any information as to that.

Q. What would you say about the general condition of this building at the rear at the time of evacuation; was it good or bad? A. I would say it was fair.

Q. Were there people living in it right up to the time of the evacuation? A. Yes.

Q. Was it fully occupied, or just one floor or two?

A. I think the top floor was occupied. There was talk of starting some manufacturing of candy in the bottom floor, and they took the partition off there and I think it was left in that condition.

Q. They never went ahead with the candy manufacturing business? A. Naturally the war came and that was the end of it.

Q. There were other Japanese people going to start a candy business in the building?

A. Yes.

Q. How many rooms are there in the upstairs of the store building. The claim shows six rooms, and Mrs.Reid's appraisal shows five rooms. What do you say about that, Mr. Kondo?

Q. Well, the upstairs was sort of leased to a party and I can't tell you exactly how many rooms there were.

Q. Where did you live, did you live upstairs in the front building or the rear building?

A. The rear building.

Q. Did any other family live there besides yourself? A. Yes, there was another daughter married and a coudin of mine was living there just prior to the evacuation. In fact we sort of all got to this building for temporary quarters.

Q. How many people would there be living in the building altogether? A. There was one family with two children, another couple with one -- there was upwards of about 12 people in there and children.

Q. Did you have electric light in the building?

A. Yes.

Q. The wiring was all right when you were there? A. Oh,yes.

CROSS-EXAMINATION BY MR. CHRISTIE:

Q. Do you know anything about the mortage on this building? A. No, sir, the financial end of it I very seldom heard anything about from my father-in-law.

Q. I understand the plumbing was outside, the

toilet facilities were outside the building?

A. It was part of the building. You had to go through a door into another room for toilet facilities.

Q. But it was attached to the same building?

A. It was part of the same building.

Q. Was this building painted or not?

A. It was painted grey.

Q. It is indicated the roof was in bad condition by the appraisers; what do you say as to that in both Buildings? A. I will say they weren't in the best of condition, sir.

Q. I think that is all. It is a matter of appraisal.

MR. CHRISTIE: I tender as Exhibit 8 the Notice of Assessment.

(NOTICE OF ASSESSMENT MARKED EXHIBIT NO. 8)

(OFFER TO PURCHASED DATED MARCH 10, 1945, MARKED EXHIBIT NO. 9)

(REAL PROPERTY SUMMARY, MARKED EXHIBIT NO. 10)

MR. CHRISTIE: At the request of my learned friend, counsel for the claimant, I will file as Exhibit 11 a report of Charles Barrett-Lennard.

(REPORT ABOVE REFERRED TO MARKED EXHIBIT NO. 11)

MR. CHRISTIE: I think that concludes the exhibits.

It is submitted, your honour, that the real estate was sold at its fair market value. It is submitted that the personal property sold by auction and by tender was sold at its fair market value.

(PROCEEDINGS ADJOURNED SINE DIE)

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

J. B. McGregor,
Official Reporter.

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

M. A. Miller,
Deputy Commissioner.

Case no 1190.

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.

9573
635

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

(1) NAME EBATA (Print) Surname SUYE Given Name (RCMP) Reg. No. 07819

(2) Pre-Evacuation Address 161 and 181 West 6th Avenue, Vancouver, B.C.

(3) Present Address 617 Greenwood Avenue, Toronto, Ontario.

(4) REAL ESTATE

(a) Street Address (if any) 161 and 181 West 6th Avenue, Vancouver, B.C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
C/20 and 21/33/200A

(c) Type of Real Property (cross out words which do not apply):
(i) ~~Farm~~
(ii) Residence Type of business Boarding House
(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.) Next of kin of the late Ishimatsu Ebata

(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) - $ 3600.00
(v) Amount at which Custodian sold property and credited your account - - $ 1450.00

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 2150.00

(5) PERSONAL PROPERTY

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

(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.	1 Safe $200.00 Less sold by Cust. $90.00	Estimated Value $ 110.00
2.	1 Hat Case	Estimated Value $ 200.00
3.	1 Show Case Plate Glass	Estimated Value $ 100.00
4.	1 Roll Top Desk	Estimated Value $ 100.00
5.	Household Goods	Estimated Value $ 100.00
6.		Estimated Value $
7.		Estimated Value $
8.		Estimated Value $
9.		Estimated Value $ 610.00
10.	Less Proceeds of Auction Sale	Estimated Value $ 40.25

TOTAL CLAIM FOR PROPERTY LOSS $ 569.75

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) - $ 2719.75

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

(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, Suye Ebata 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 2nd day of ~~August~~ September A.D. 1947~~8~~. F A Brown

S. Ebata

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.

IN THE MATTER OF the Property Claims of Japanese Canadians

AND IN THE MATTER OF the claim of Suye Ebata

I, SUYE EBATA at present of the City of Toronto in the County of York, Widow, make oath and say as follows: 635

1. I am the widow of the late Ishimatsu Ebata, Registration Number 06036, who died on or about the 7th day of May, 1947 at New Denver, British Columbia, leaving no will.

2. My late husband was the owner of property known as 161 and 181 West 6th Avenue, Vancouver, B. C. until the same was vested in the Custodian of Enemy Alien property and also of certain contents of the said property.

FAB 3. ~~The~~ Samuel A. Moore. Official administrator, Vancouver was appointed Administrator of the Estate of my late husband and the beneficial interest in the Estate of my said husband vested in me and my children upon the death of my said husband. However, all of the children have notified the said Administrator in writing that they claim no interest in the said Estate or property, and desire any proceeds thereof to be paid to me.

4. Shortly after my husband's death I went to the City of Montreal to reside with one of my daughters there and lived there until recently when I came to reside at 617 Greenwood Avenue in the City of Toronto with another one of my married daughters.

5. After the death of my husband I was ill and upset and unable to attend to my business affairs.

FAB 6. I never until I came to Toronto recently heard of the appointment of a Commissioner to inquire into property losses of Japanese Canadians whose properties were sold by the Custodian of Enemy Alien Property, although my husband before his decease had completed a form known as an Economic Loss Survey of British Columbia Evacuees prepared by the Japanese Canadian Committee for Democracy, 84 Gerrard Street, East, Toronto.

7. I do not speak English and did not read any newspaper in which notice of the hearings of the Commissioner were published, nor do I read the New Canadian or any other Japanese language publication.

8. Since coming to Toronto the purpose of the Claims Commission has been explained to me and it is my desire to make a claim in accordance with the terms of reference to the Commissioner and the claim completed by my late husband before his decease.

9. The reason for my delay in filing the claim was the fact that owing to my age, illness and the death of my husband, and my inability to speak or read the English language I had no knowledge in respect to the appointment of the Commission until recently.

10. Now shown to me and marked Exhibit "A" to this my affidavit is the claim form duly completed by me, and I am desirous of respectfully requesting that this claim be duly considered notwithstanding the delay in filing the same.

SWORN before me at the City of Toronto in the County of York this 2nd day of ~~August~~ September, A. D. 1948.

F. A. Brown

A Commissioner, etc.

S. Ebata

DATED AUGUST 1948.

IN THE MATTER OF the Property Claims of Japanese Canadians.

AND IN THE MATTER OF the claim of Suye Ebata

AFFIDAVIT OF
SUYE EBATA

CAMERON, WELDON & BREWIN
372 Bay Street,
Toronto, Ontario.

EBATA Suye
(Claimant's Name)

REAL ESTATE
(Other than farm)

EXHIBIT No. 1190-1
DATE OCT 29 1948
FILLED BY R.A. Bell

07819
Reg. No.

1.

Type of Premises (e.g. House, Store, etc.)	No. of Rooms	Type of Finish	Use of Premises	Size of Lot	When Purchased	Date of Purchase
Building with (a) Store at front (b) Living Quarters upstairs	 2 6	Frame	Business & Residence	33 x 122	Claimant does not know, Purchased by husband (deceased)	

Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value	Date of Sale
Residential	Property purchased separately, Building built later.	Claimant only remembers general improvements to building	$3,600	Land Building # 1 " # 2

Comments re upkeep of premises:

[redacted]

Comments re Appraiser's report not covered above:

Assessment	1945	Land	$600.00
		Improvements	2500.00
			3100.00

Appraisal by J.R. Reid February 28, 1944 $2400.00
Mr. Reid at time of evaluation decided on rental value of $40.00 per month exclusive of the building at the rear.
After the evacuation the claimant heard a report from a Japanese freind that there was a fire in the building at the rear of the property.
In a letter dated June 5, 1942 the Pemberton Realty Corporation Ltd. said that property could be probably sold for between $1400 - $1800
Real Estates values had increased considerably from 1942 to time of sale in March 1945.

SUMMARY

Original Claim Form	$3600.
Sold by Custodian	$1450.
CLAIM	$2150.

S Ebata
Signature

EBATA Suye
(Claimant's Name)

REAL ESTATE
(Other than farm)

EXHIBIT No. 1190-1
DATE OCT 29 1948
FILLED BY R. A. Dent

07819
Reg. No.

2.

Type of Premises (e.g. House, Store, etc.)	No. of Rooms	Type of Finish	Use of Premises	Size of Lot	When Purchased	Date of Purchase
Building at rear of porperty 2 Storey building	16	Frame	Rooming house	33 x 122	Claimant does not know. Purchased by husband ~~(does~~ deceased.	

Type of Locality	Cost Price	Improvements made by Claimant	Estimated Value	Date of Sale
Residential	Property purchased separately. Built brick later.	Claimant only remembers general improvements to building She remembers a new floor being put in around 1930.		

Comments re upkeep of premises:

Comments re Appraiser's report not covered above:

S Ebata
Signature

1190-2

EXHIBIT No. _____

DATE Oct.29/1948

FILED BY K.A. Christie

CERTIFICATE OF ENCUMBRANCE

LAND REGISTRY OFFICE

Vancouver, B.C.

No. minutes 10 A.M. o'clock 25th day of November 1942

I HEREBY CERTIFY that the following is the state of the title to

City of Vancouver

Subdivision "C"

Lots 20 and 21

Block 33

District Lot 200 A.

Group 1, New Westminster District

Plan 1753.

Registered Owner: Ishimatsu Ebata

Vested in the Custodian filing 35266, Volume 8, Folio 472, No.81567 E.Indef.

Registered charges: 38-251-62638 F.28/5/12. 2.41 Ishimatsu Ebata to Patrick William Campbell, William Stowell Haldane, James Burns Kidston and Peter Rintoul. Mortgage for $1900 due 15/4/16. Int. 8%.

97985 H. 24/1/34. 2.54 Sir William Stowell Haldane and Hugh Brown (In trust filings 23151 and 23237). (In trust filings 23151 and 23237). Assignment of 62638 F. (Inter alia). 2464 M. 20/7/36. 2.49. Sir William Stowell Haldane and Christopher Richardson McVittie. (In trust filings 23237 and 25607). Assignment of 62638 F. (Inter alia.) C. of C.16067

Applications for Registration: None

Receiving Order of authorised Assignment under the "Bankruptcy Act": None

Assignment for benefit of Creditors: None

Judgments: None

Mechanics' Liens: None

To: Custodian's Office (Sgd.) W.C. BROWN Registrar

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

4th March 1949. _____

EBATA Suye
(Claimant's Name)

PERSONAL CHATTELS

EXHIBIT No. 1190-V
DATE OCT 29 1948
FILLED BY R A Best
~~K A Bhresbie~~

07819
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
1 Safe	1930 (approximafe)	New	$500.	Good8	$200.
1 Hat Case	1930	"	$300.	"	$200.
1 Show Case Plate Glass	1930	"	$200.	"	$100.
1 Roll Pop Desk	1930	"	$150.	"	$100.

The Claimant is claiming on the chattels listed above valued at $600.

Claimant is abandoning $100 claim for household goods since it is acknowledged they did not come within the Custodian's jurisdiction.

Description of Storage of Goods:

The Chattels were left with the custodian

General Statement as to Chattels not Described above:

Additional Comments, if any:

SUMMARY

Estimated value	$600.
Sold by Custodian	135.
	$465.

S Ebata
Signature

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. (9572 / 635) EXHIBIT No. _____

NAME Suye EBATA (Mrs. Ishimatsu) Ishimatsu EBATA, Deceased.

REG. No. (07819 / 06036)

DATE	INVENTORY	DETAILS OF CLAIM		SALES: AUCTION	SALES: TENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND
DECLARATION March 31/42	TAKEN BY C. Barrett-Lennard						
EVACUATION Oct. 15/42	DATE April 17/42						
Household furniture	1 Kitchen stove	1 Safe	200 00		90 00		
of 5 rooms approx.	3 cabinets	1 Hat case	200 00	18 00			
$665. Store fixtures	1 gramaphone & Records	1 Show Case Plate Glass	100 00	15 00			
include 1 safe,	3 Drawers, cabinet	1 Roll Top Desk	100 00	12 00			
2 show cases,	2 clocks	Household Goods	100 00				
1 counter	3 heater stoves	(ABANDONED) $	700.00	45 00	90 00		
1 office desk	2 tables						
1 ice box	20 chairs						
1 bicycle	all crockery and						
total value $675	chinaware	Also sold at Auction					
All at 161 W. 6th	3 set bed, matress						
Ave., Vancouver, B.C.	and spring	Counter		1 50			
	kitchen pots and pans	Books		1 00			
	1 washing machine	Trunk		50			
	1 box carpenter tools	Total		3 00			
	2 oil paintings						
	1 mirror						

Recap:

Goods valued by Claimant at	$200.00	sold by Tender, etc. for	$90.00
" " " " "	400.00	sold at Auction for -----	45.00
" " " " "	100.00	did not come into possession of Custodian.	
" not claimed for were sold at Auction		for ----------	3.00
	$700.00		$138.00

E No. (9573 / 635)
G. No. (07819 / 06036)

EXHIBIT No. _____

I

EXHIBIT No. 1190-4
DATE OCT 29 1948
FILLED BY K. A. Christie

CASE No. _____
VENUE Toronto, Ontario.

SALES: UCTION	SALES: TENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANY TIME	ABANDONED	NOT ACCOUNTED FOR THEFT &C	UNSOLD	REMARKS
	90 00							Re Safe: See Memo Oct. 13, 1942. Taylor Safe Co. offered Mr. Ebata $50.00; refused. Mr. Ebata left safe with Custodian to be sold at his discretion.
18 00								Household Goods did not come into possession of Custodian.
15 00								
12 00								
45 00	90 00							
1 50								Note: In a letter dated September 11th, 1942 Pemberton Realty Corporation advised us that Ebata informed them he had the storage removed out of the rear building and was going to endeavor to sell everything he could before he was evacuated, and would then get in touch with Pembertons as to the disposition of any residue there might be. On September 14th, 1942 and again on September 30th we wrote to Ebata asking him to give us a list of the goods he wished to have stored when they evacuated, a list of the items they desired to take with them, and a list of the remaining items they wished to have discarded, or their authorization for us to dispose of any items which might not be found on any of the above-mentioned lists. No reply was received to our letters, and it is therefore assumed that this Evacuee either disposed of the household goods before he left Vancouver or took them with him.
1 00								
50								
3 00								
c. for $90.00								
r ----- 45.00								
possession of Custodian.								
------ 3.00								
$138.00								

On October 2nd, 1942 the following articles were moved from 161 West 6th AVENUe to Custodian Central Storage at 992 Powell Street, - Display Case, Desk, Counter, Safe, Glass Showcase. Ebata was advised accordingly on January 18, 1943, and signed the letter as being correct, which reads as follows: "We assume that you have no other personal property remaining in the restricted area of British Columbia requiring protection. If this is correct, please sign and return the attached copy of this letter to us in the enclosed envelope."

Mr. Ebata was not evacuated until Oct. 15, 1942, although he signed his "J.P." form on March 31, 1942.

FORM "JP"

FILE No. 635

314 Powell Street

OFFICE OF THE CUSTODIAN

JAPANESE SECTION

To be completed by persons of the Japanese race having property in any protected area. The proper administration of this property requires such persons to give full particulars as requested in this form.

PERSONAL INFORMATION

EXHIBIT No 1190 - 5

DATE

FILED BY Oct 29 1948

K.A. Christie

NAME: EBATA Ishimatsu

HOME ADDRESS: 161 W. 6th Ave., Vancouver, B. C.

REGISTRATION NUMBER 06036 SEX: (M) AGE: 66

OCCUPATION: Storekeeper

(If any business or businesses carried on, state where, under what name and whether carried on by yourself or in partnership with anyone; if partnership, give partner's name.)

EMPLOYER: Self ~~s~~ Confectionary Store at 161 W. 6th Ave. Vancouver, B. C.

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Suye

ADDRESS OF WIFE OR HUSBAND: 161 W. 6th Ave., Vancouver, B. C.

NAMES OF ANY LIVING CHILDREN: None

ADDRESS OF CHILDREN: None

AGE OF CHILDREN: None

STATEMENT OF ALL REAL PROPERTY (Each parcel must be mentioned and particulars given)

1. LOCATION AND DESCRIPTION: 161 W. 6th Ave., Vancouver, B. C.

Legal Description: Lot C/20 & 21 Blk 33, D.L. 200A

Assessed value $595.

2. BUILDINGS AND OTHER IMPROVEMENTS: Rear of Lot - 12 room frame dwelling. Front of lot - 2 story frame building containing store and 5 rooms.

Assessed value $3000.00.

3. INSURANCE (Give particulars; state where policies are) $2000 fire with Caledonian Insurance Co., Edinburgh. Premium due June 4th 1942. Policies in possession ~~of Agent Edwards. McNair & Russell 620 Pacific Bldg, Vancouver, B.C.~~

4. TAXES (Amount and where payable) Arrears to Dec 31, 1941 amount to $184.85 $108 yearly at City Hall, Vancouver, B. C.

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed) Mortgage and interest in arrears $1333.50 to Edwards, McNair & Russell 620 Pacific Bldg, Vancouver, B.C.

6. OCCUPANCY AND LEASES (If vacant so state) Self.

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: With Edwards McNair & Russell 620 Pacific Building, Vancouver, B.C.

8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: None

9. IF FARM LAND STATE CROPS SOWN None

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: 161 W 6th Ave., Vancouver, B.C.

2. LANDLORD'S NAME AND ADDRESS: Self

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: None

4. STATE WHEREABOUTS OF LEASE: None

5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid) None

6. IF FARM LAND, PARTICULARS OF CROPS SOWN: None

STATEMENT OF PERSONAL PROPERTY OWNED:

1. GIVE BRIEF DESCRIPTION AND STATE LOCATION OF FURNITURE, FIXTURES, EQUIPMENT AND MACHINERY, STOCK IN TRADE AND PERSONAL EFFECTS:

Household furniture of 5 rooms approx. $665. Store fixtures include 1 safe, 2 show cases, 1 counter, 1 office desk, 1 ice box, 1 bicycle, total value $675. All at 161 W. 6th Ave., Vancouver, B. C.

2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS None

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY None

& Russell

er, B.C.

None

E, FIXTURES,
EFFECTS:

ce box.

uver, B. C.

None

EREST IN, OR

FORM "JP"

FILE No.

4. INSURANCE CARRIED ON ABOVE PROPERTY: None

5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF OTHERS: None

6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom) None

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts)
$50 Victory Bond maturity 1951 on person.

8. BANK ACCOUNTS: None

9. LIFE INSURANCE: None

10. INTEREST IN ANY ESTATES OR TRUSTS: None

11. SAFETY DEPOSIT BOX: None

LIABILITIES:

1. PERSONAL DEBTS: None

2. TRADE DEBTS: None

I, the undersigned, hereby voluntarily turn over to the Custodian all my property in the protected area as set out above, excepting fishing vessels, deposits of money, shares of stock, debentures, bonds or other securities, if any.

I certify that the above information is true and complete and fully discloses all my property of every description in any protected area in British Columbia and sets forth all my liabilities direct and indirect.

Dated this 31st day of March 1943.2

(Signature) "I. Ebata"

"D. K Smith"
Witness

FOR DEPARTMENTAL USE I hereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy.
Date: March 3, 1949.

EXHIBIT No. 1190-b
DATE OCT 29 1948
FILLED BY
K D Christie

EBATA, Ishimatsu
161 W. 6th Ave., Vancouver, B. C.
Evac. File 635

Picture Taken April 29, 1943

EXHIBIT No. 1190-7

DATE Oct.29/1948

FILED BY K.A. Christie

J.R. REID & CO.

515 Granville Street,
Vancouver, Canada.

February 28th, 1944.

347 161 W. 6th Avenue

This lot appears to be about 36 ft. in frontage on which is erected a two storey wooden building, approximately 30 x 40 ft. in size, with no basement.

The lower storey was formerly a store, but it now occupied as an apartment having one large room, with toilet and sink in the rear.

A separate entrance from the street leads to upstairs which consists of five rooms also with sink and toilet.

The building is not plastered but finished in 1 x 4 V-joint and there are no baths.

There is a building of approximately the same size on the rear of this property which has evidently been condemned as it is not occupied in any way.

VALUATION $2,400.00

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

4th March 1949. _____

EXHIBIT No. 1190-7
DATE Oct.29/1948.
FILED BY
K.A. Christie

JOHNSON REEVE & WATSON
Estate Agents

Bank of Nova Scotia Building,
602 West Hastings Street,
Vancouver, B.C.

22nd January 1945.

The Custodian's Office,
506 Royal Bank Building,
Vancouver, B.C.

File No.635
Attention of Mr.F.G. Shears

Dear Sir,

Re: Catalogue No.347
181 West 6th Avenue, Vancouver
(formerly 161)
Lot C of Lots 20 and 21 Block 33 D.L.200 A.

I have inspected this property and beg to report as follows:

The neighbourhood is suitable for industrial dwellings and may have a somewhat remote prospect of use for industrial buildings. The surrounding dwellings are all old. There is one industrial building of more recent construction at the South West corner of Manitoba Street at the east end of the block on the South side.

The dimensions of the land are 33 feet by 122 feet and the lot slopes downward from the street to the lane.

There are two buildings on the lot, but the one at the rear, a two storey frame building about 28 ft. by 54 ft. has been partly stripped of partitions and fixtures and is so dilapidated that it has practically no value.

The building on the front of the lot is approximately 30 ft. by 36 ft. with open verandah and stairs at the back with a w.c. on each landing. It is a wood frame building of 2 storeys with a low ceiling, basement space under, with no floor. There is a low concrete foundation but the building has subsided several inches at the back. There is probably some rot in the posts. I understand that the roof was repaired about 2 years ago. The exterior walls are covered with narrow siding which is patched with pieces of tin in a number of places on the east side and which all needs re-nailing and painting. The stairs at the back are in bad condition. The wood planking between the sidewalk and the building and the wood walk along the east side are in bad condition. The building is old and badly depreciated.

The ground floor was formerly a shop with a front of light glass in small panes. This has been divided by rough wood partitions into four rooms and a kitchen, the latter being extremely dirty. The sub-tenant occupying this put up some of the partitions and papered them. The only plumbing other than the outside w.c. is a very old sink.

The upper floor and staircase are lined with unpainted v-joint and there are 5 rooms and 1 sink. This is occupied by your tenant, Mr. P.A. Alfred, who has been there about 2 years, and has papered two of the rooms.

The electric wiring is old and defective and, if any extensive repairs were undertaken in the building, would probably be condemned.

I am informed that the rent you receive for the whole building is $20 per month. The ground floor has been recently sub-let and the sub-tenant states that she pays $15 per month and had to clean the premises herself. The rent you obtain may therefore be too low while the present shortage of housing continues. However, when building of houses is resumed, it may be found difficult to obtain any tenants at all for these premises, unless a considerable expenditure in repairs is undertaken. A shop is hardly likely to be a success in this neighbourhood.

The taxes for last year were $92.99. Water rates average $21.25 for 12 months. The surplus income after providing for cost of collection and repairs is not enough to create any investment value and will in any case not provide for all the repairs needed. Even if the rent could be increased the same comment would apply.

The property is assessed by the City at $3,00 ($2,500 for buildings and $600 for land). This is out of all reason and perhaps the buildings have not been inspected for some time. It almost has the appearance of a penalty assessment, because the buildings in front is an eyesore and a detriment to the neighbourhood, while the one at the back should be removed.

I am of the opinion that the property in its present condition allowing for depreciation, neglected maintenance and for the cost of demolition of the rear building is not more than $1200; also that if you cannot obtain more than $1,000 it would be advisable to accept the lower amount.

Yours faithfully,

(Sgd.) D.W. REEVE

DWR

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

4th March 1949. _____

1190-7

EXHIBIT No.

Oct.29/1948

DATE

FILED BY K.A. Christie

J.R. Reid & Co.

515 Granville Street,
Vancouver, Canada.

March 17, 1945.

Mr.F.G. Shears,
Office of the Custodian,
506 Royal Bank Building,
Hastings and Granville,
Vancouver, B.C.

Dear Sir,

Re: Catalogue No.347

We have yours of the 14th instant and replying would say that at the time of our valuation of this property we decided on arental value of at least $40.00 a month exclusive of the building at the rear.

On inspecting the property again yesterday we find that there is a rental of only $20.00 a month which evidently cannot be increased.

The building has deteriorated to a certain extent since our valuation and it is our opinion that in view of the low rental and the deterioration on the propertu, that you would be well advised to get rid of it, as in all probability the tenants will require a years notice after the 1st of April and we think it would be extremely difficult to obtain an offer after that date under existing ~~eir~~ conditions.

Yours truly,

(Sgd.) J.R. REID

J.R. Reid & Co.

EXHIBIT No. 1190 - 7

DATE Oct 29 1948

FILED BY

K.A. Christie

14th March, 1945

J. R. Reid Esq.,
515 Granville Street,
Vancouver, B. C.

Dear Sir:

Re: Catalogue No.347
161 West 6th Ave.
(now known as 181 West 6th Avenue).

On February 28th, 1944, you valued the above property in the sum of $2,400;00.

This property was listed in our catalogue but only one offer was received. It was recently advertised and we only received one tender which was from the same person who previously expressed some interest in this property.

The amount which is being offered is $1,450.00 and we would be obliged if you would express your opinion in regard to considering this offer in view of your previous valuation.

Yours truly,

F.G.Shears,
Director.

FGS/PMH.

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

March 2nd 1949

OFFICE OF THE CUSTODIAN
JAPANESE SECTION
RECEIVED
Jun 6 1942

EXHIBIT No. 1190 - 7
DATE Oct 29 1948
FILED BY
K. A. Christie

PEMBERTON REALTY CORPORATION LIMITED

418 Howe Street
Vancouver Canada.

June 5, 1942.

Department of the Secretary of State,
Office of the Custodian,
506 - Royal Bank Building,
Vancouver, B. C.

Re - Ishimatsu EBATA - File No. 635

C/20-21/33/200A - 161 W. 6th Ave

Gentlemen:-

Further to your letter of June 1st. We have inspected the above property and feel that if there was a buyer wanting it, he would probably be willing to pay from $1400.00 to $1800.00.

This property is in a very bad state of repair and we feel that the owner would be well advised to give a quit claim to the mortgagee. To go out and offer it for sale on the market, we doubt if enough could be obtained to pay the indebtedness even if the mortgagee would reduce the claim.

We noticed that this property is pretty well filled with storage, particularly the rear section. This storage is not very secure in a building of this type.

Yours very truly,

PEMBERTON REALTY CORPORATION LIMITED,

"J.G.Walker"

Rental Department, Manager.

JGW:BH

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

March 34th 1949

EXHIBIT No. 1190-8
DATE OCT 29 1948
FILED BY
K A Brisbee

CITY OF VANCOUVER ASSESSMENT ROLL, 1945

AT 12M

Roll No.	Description of Parcel	Value of Improvements	Land Value
C2520	LOT. C/20&21 BLK. 33 D.L. 200A	2500	600

TAKE NOTICE that the above described property is assessed for the amount as specified for the year 1945 under the Statute. If you deem yourself overcharged or otherwise improperly assessed, you or your agent may notify the City Clerk in writing, stating the grounds of complaint at least **Fourteen Clear Days** previous to the first sitting of the Court of Revision, which will be held at the City Hall, Vancouver, B.C., on **JANUARY 25th, 1945**, at the hour of 10 a.m., and your complaint shall be tried in conformity with the provisions of the Statute by the Court of Revision of the City of Vancouver.

Notice of Appeal must be in the hands of The City Clerk not later than **JANUARY 10th, 1945.**

A. T. DALTON
Assessment Commissioner.

MC CARRON & HAWBOLT
Real Estate & Insurance

350 West Pender Street,
Vancouver, B. C.

EXHIBIT No. 1190 - 9
DATE Oct 29 1948
FILED BY K.A.Christie

March 10th, 1945.

The Custodian,
506 Royal Bank Bldg,
Vancouver, B. C.

Dear Sir;

Re: Catalogue #347
181 West 6th Av.

On behalf of our client Florence H. File, We submit tender of $1450.00 for the above mentioned property.

We enclose certified check in the amount of $145.00, being 10% of the offer.

Yours truly,

McCarron & Hawbolt.

"J.F.McCarron"

J.F.McCarron

Encl.

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

March 4th 1949

EXHIBIT No. 1190 - 10

DATE Oct 29 1948

FILED BY K. A. Christie.

REAL PROPERTY SUMMARY

JAPANESE NAME: Ishimatsu EBATA - - Reg No. 06036

CATALOGUE NO: 347 Advertised 20th February 1945

PROPERTY ADDRESS: 161 West 6th Ave., Vancouver, B. C.

LEGAL DESCRIPTION: 1. City of Vancouver, Subdivision "C" Lots 20 and 21, Block 33, District Lot 200A, Group 1, New Westminster District Plan 1753.

TITLE: In the name of Ishimatsu EBATA.

ENCUMBRANCES: 2. 38-251-62638F 28/5/12. 2.41. Ishimatsu Ebata t Patrick William Campbell, William Stowell Haldane, James Burns Kidston, and Peter Rintoul. Mortgage for $1900. Due 15/4/16. Int 8%. 97985 H. 24/1/34. 2.54 Sir William Stowell Haldane, and Hugh Brown. (In Trust filings 23151, and 23237). (In trust filings 23151, and 23237). Assignment of 62638 F. (Inter Alia). 2464 M. 20/7/36. 2.49 Sir William Stowell Haldane, and Christopher Richardson McVittie. (In. trust filings 23237, and 25607). Assignment of 62638 F. (Interalia). C of C 16067.

3. 23151 - This is a Deed of Assumption and Trust of Registers and records of Scotland, Books of Council and Session. Extract registered Deed of Assumption by Sir William SHOWELL HALDANE, sole surviving trustee of the British Columbia Mortgage Trust, in favour of Hugh BROWN Dated October 13th, 1933, Registered October 20th, 1933.

23237 - Document - Declaration of Trust, Patrick William CAMPBELL, William Showell HALDANE, James Burns KIDSTON, Peter RINTOUL. Dated March 31st, 1911, registered May 12th, 1911.

4. Filing #25607 Deed of Assumption by Sir William Stowell Haldane (sole surviving Trustee) of the British Columbia Mortgage Trust in favour of Christopher Richardson McVittie dated May 5th, 1936. Registered May 5th, 1936 Geoffrey Lloyd Edwards of 620 Pacific Building, Vancouver, B.C. (of Edwards, McNair and Russell) Agents Solicitors McRae Duncan and Clyne. July 6th, 1936, per P.R.Duncan.

Vesting 35266 - 24th November 1942.

ASSESSED VALUE: 1943 -

land	$595.00	
Improvements	3000.00	Total $3595.00 Taxes $109.11

CLASSIFICATION: Commercial and residential property. There are two buildings on this property, one at the front having been used as a retail store with rooms above, with V joint partitions. In the rear is another building, two stories about 60 feet long, divided into rooms by V joint partitions , Sills are in bad shape and and shingles rotten.

HISTORY OF ADMINISTRATION: Up to the time of evacuation, 15th October 1942, Ebata occupied the front building and part of the rear. At that time the Custodian.

instructed Pemberton Realty Corporation to rent the front building if possible at $20.00 per month and to board up the windows of the rear building. Pembertons rented the front building on a monthly basis to E.A. ELFORD as from the 21st January 1943 at $20.00 per month and ELFORD occupied the premises until sold, the total rental being $580.00. The rear building was rented to Ben BAU from the 15th December 1942 at $20.00 per month but the tenant did not take possession and forfeited the $20.00. The total revenue from the premises during the control by the Custodian was $600.00. A small fire occurred on the premises on the 5th August 1943 and $150.00 was collected from the Caledonian Insurance Co. on the 10th November 1943, and this amount was paid over to the mortgagees. Cause of this fire was undertermined. The mortgagees agents in Vancouver were Edwards. McNair and Russell. The unpaid balance on principal on the the mortgage was $900.00 with interest to the 15th March 1945, of $617.50. After deducting the $150.00 above there remained a balance of principal and interest of $1367.50. The mortgagees offered to accept $900.00 in full of this claim and the amount was paid on the 5th April 1945 and a Discharge of the Mortgage received and registered on the 19th April 1945.

SOLD — To Florence Harriet File on the 22nd April 1945 for $1450.00 and C of T number 122466 received and receipt acknowledged on the 28th May 1945. Two valuations of $1200.00 and $1450.00 had been made, and the sale approved by the Advisory Committee on March 22n, 1945.

FUNDS: — Released to the credit of Ishimatsu EBATA, sale price $1450.00, plus rental revenue $600.00, total $2050.00; less commission on rentals $30.00, insurance $31.30, repairs $228.90, sundries $94.00, Certificate of encumbrance $1.00, taxes $378.02, valuation fees $15.00, advertising $16.66, commission $73.50, registration fee $10.65, closing adjustments $26.15, mortgage $900.00, total $1805.18. Net amount released $244.82.

OLD C OF T NO. 81567-E: — In the Land Registry Office.

The above summary is certified to be in accordance with the information on file and on record by accounting department.

DATED September 10th, 1946

"Ian Macpherson"

IM: ML

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

March 4th 1949

_____

EXHIBIT No. 1190 - 11

DATE Oct 28 1948

FILED BY

K.A.Christie

Report of CHARLES BARRETT-LENNARD, Chartered Accountant, 502 Randall Building, Vancouver, B.C, on the affairs of ISHIMATSU EBATA, No. 06036, April 17th, 1942.

OFFICE OF THE CUSTODIAN
JAPANESE SECTION
RECEIVED
Apr 21 1942

---oOo---

Attention Mr C.L.Drewry

The Office of the Custodian,
Royal Bank Building,
Vancouver, B. C.

Dear Sir:

Re Ishimatsu Ebata - No. 06036

1. Location and Nature of Property
161 West 6th Avenue, Vancouver, B. C. There is a store on the front of this lot, with living quarters at the rear and above the store. There is also a large building at the rear of the store.

2. Ownership
Ishimatsu Ebata is considered to be the sole owner, but I have not checked the title or legal description of the property other than records held by the Agents for Mortgagors, Messrs Edwards, McNair and Russell.

3. Description of Land and Buildings.

The store building is a cheap frame construction, not plastered, quite old and rather delapidated, comprising a store and five rooms. There is no basement. The Building at rear is quite large, of twelve rooms. It is of frame construction, very old, the walls are not plastered, and it is in a bad state of disrepair. This building has no furnace or basement, the lower floor is damp and is uninhabitable, and it is doubtful if the upper storey can be rented in its present condition. There is only one toilet in the building. During the depression the building was vacant most of the time.

4. Inventory.
Stock in trade in the store has all been sold by Mr Ebata. I have checked the store furniture with that shown on form "JP" and found everything as listed. I have in my files a fuller description of each item. The household furniture is as per Schedule "A" attached hereto. I have also checked this furniture and found it to be as listed.

5. Insurance. Fire Insurance in force - $1,000.00 on store building and $1,000.00 on the building on rear of lot. One policy of $1,000.00 expires June 4th 1942, and the other expires February 17th 1943. I believe this total insurance is more than the buildings are worth.

6. Liabilities.

Mortgage on property	$900.00
Interest accrued on Mortgage	423.50
	1,323.50
Consolidated arrears of City Taxes	184.75
Total Liabilities	$1,508.25

I have confirmed the liability on the mortgage by telephone with Edwards. McNair & Russell, who inform me they have mailed a proof

of debt form to the Office of the Custodian. It will be noticed this sum is $10.00 less than reported on Form "JP".

7. Recommendations.
This property is going to present aproblem to the Custodian, as many of the Japanese properties will. A building has a value if it can be used. If it cannot be used and made to earn sufficient revenue to cover taxes, interest on mortgage and repairs, it may be worth less than nothing, and become a liability. This property verges on this category.

I have described the condition of the buildings in paragraph 3. Messrs Edwards, McNair and Russell, Agents for the mortgagors, doubt that the property can be sold for sufficient to cover the charges against it of $1,508.25, as set out in paragraph 6.

To make the rear building fit for renting, it would be necessary to expend a considerable sum. After this expenditure, it would still be a makeshift. The only likely tenants for the rear building, after alterations, would be Japanese, and they will all be evacuated.

Suggested Proposal No. 1. Sell the property and be relieved of a serious responsibility. The assessed value is $3,000.00 or over. This however, is not its true value. It may sell for from $1,400.00 to $1,800.00. I am informed the mortgagor would likely accept less than $1,000.00 for the amount due of $1,323.50. This would possibly leave a balance of a few hundred dollars for I.Ebata. It would be advisable, however, to obtain his approval of this sale. The fact that the Agents for mortgagor are prepared to recommend to their principals a reduction in their account in case of sale, is proof they do not feel safe with this security.

Suggested Proposal No. 2. Board up the doors and windows of rear building, and endeavour to rent store and front building for $20.00 per month. If a tenant could be found, this would cover carrying charges, interest and taxes, providing it was occupied continuously. If vacant all windows should be securely boarded, otherwise, boys in the district will break most of them.

Further General Remarks. If proposal No.2 is followed, it would be advisable to leave the property in the hands of a real Estate firm, and preferably one in the immediate vicinity, as no other firm could afford the time to run out to show prospective tenants over the building whenever they called, for the small fee usually charged on such a small rental.

At present Mr Ebata, wife and family occupy the front building. Several married daughters, who have come in from outside points occupy the upper storey of the rear building. I would recommend these people be left there until evacuated.

Mr Ebata has no solution to the problem of how to make the property revenue producing. He is in favor of boarding up the windows if property is vacant.

Reported by
"C Barrett-Lennard"
CHARTERED ACCOUNTANT.

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

March 4th 1949

_____

REID, ALLEN, HUNTER & CAMPBELL
BARRISTERS & SOLICITORS

THOMAS REID JOHN B. ALLEN
JOHN W. G. HUNTER ALAN R. CAMPBELL

38 KING STREET WEST
TELEPHONE ELGIN 3141

TORONTO 1

Room 506,
Royal Bank Building,
Vancouver, B.C.

14th September 1948.

Hon.Mr.Justice H.I. Bird,
The Court House,
Vancouver, B.C.

Dear Sir,

Re: Suye Ebata

I return herewith letter from Cameron, Weldon & Brewin dated 11th September 1948 together with claim form and Affidavit explaining late filing. If the facts as stated in the Affidavit were correct I should have no objection to the late filing. However, I frankly do not believe that the facts stated in the Affidavit are correct in view of the fact that Mrs.Ebata's son, Sutio, has conducted all correspondence on her behalf and that she has been living with him in Montreal. It is my understanding that he is also with her now she has moved to Toronto.

Mr.Ebata's letters are written in good English and I find it extremely difficult to believe that he would not have full knowledge of the formation and sitting of the Commission. I also find it difficult to believe that, having this knowledge, he would not have advised his mother accordingly.

I realise that what I have stated is inference as opposed to a sworn Affidavit and it may be that your Lordship may have no alternative but to accept the swom Affidavit. However, I do not believe that, on the evidence on the Custodian's file the facts as set out in the Affidavit are probable.

I should appreciate it if you would be kind enough to advise me of your ruling in this matter so that I may advise the Custodian whether he must prepare a claims file.

Yours very truly,

John W. G. Hunter.

JWGH/BP
Enc.

Set down for hearing by Toronto Int. Commission

CAMERON.WELDON & BREWIN
BARRISTERS & SOLICITORS

A.J.P. CAMERON, K.C. ROY WELDON
F. A. BREWIN

CABLE "RUERMAS" TORONTO
TELEPHONE ADEL.4391

STERLING TOWER
TORONTO 1, CANADA

September 11, 1948.

Mr. A. Watson,
Secretary,
Japanese Property Claims Commission,
Court House,
Vancouver, B.C.

Dear Sir:

We enclose herewith a claim which is filed late, together with an affidavit as to the reasons for the lateness.

We would be much obliged if you would bring this case to the attention of the Honourable Mr. Justice Bird and advise us whether the application for a hearing of the claim notwithstanding the delay in filing, will be favourably entertained.

We presume that if it is the case will be put on the list of cases to be heard by the Sub-Commission in Toronto.

Yours very truly,

CAMERON, WELDON & BREWIN

per: F. A. Brewin
per HC.

FAB:HC
Encl.

FORM FOR CO-OPERATIVE COMMITTEE

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

This form containing the same material as the form to be sent to the Custodian's office is to be sent to either your National Japanese Canadian Citizens Association provincial chapter organization or the regional Co-operating Committee as listed.

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

(1) NAME EBATA SUYE (RCMP) Reg. No. 07819
(Print) Surname Given Name

(2) Pre-Evacuation Address 161 and 181 West 6th Avenue, Vancouver, B.C.

(3) Present Address 617 Greenwood Avenue, Toronto, Ontario.

(4) REAL ESTATE

(a) Street Address (if any) 161 and 181 West 6th Avenue, Vancouver B.C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
C/20 and 21/33/200A.

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

(i) ~~Farm~~
(ii) Residence Type of business Boarding House.
(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. Next of kin of the late Ishimatsu Ebata

(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) - $ 3600.00
(v) Amount at which Custodian sold property and credited your account - - $ 1450.00

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 2150.00

(5) PERSONAL PROPERTY

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

(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 ones care.

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

1.	1 Safe $200.00 less sold by Cust. $90.00	Estimated Value $ 110.00
2.	1 Hat Case	Estimated Value $ 200.00
3.	1 Show Case Plate Glass	Estimated Value $ 100.00
4.	1 Roll Top Desk	Estimated Value $ 100.00
5.	Household Goods	Estimated Value $ 100.00
6.		Estimated Value $
7.		Estimated Value $
8.		Estimated Value $
9.		Estimated Value $ 610.00
10.	Less proceeds of Auction Sale	Estimated Value $ 40.25

TOTAL CLAIM FOR PROPERTY LOSS $ 569.75

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) - $2719.75

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

(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)
COUNTY of YORK)
TO WIT:)

I, Suye Ebata 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 2nd day of September A.D. 1948.

S. EBATA

F. A. BREWIN

A Commissioner &c.

IN THE MATTER OF the Property Claims of Japanese Canadians

AND IN THE MATTER OF the claim of Suye Ebata

I, SUYE EBATA at present of the City of Toronto in the County of York, Widow, make oath and say as follows:

1. I am the widow of the late Ishimatsu Ebata, Registration Number 06036, who died on or about the 7th day of May, 1947 at New Denver, British Columbia, leaving no will.

2. My late husband was the owner of property known as 161 and 181 West 6th Avenue, Vancouver B.C. until the same was vested in the Custodian of Enemy Alien property and also of certain contents of the said property.

3. Samuel A. Moore, Official Administrator, Vancouver was appointed Administrator of the Estate of my late husband and the beneficial interest in the Estate of my said husband vested in me and my children upon the death of my said husband. However, all of the children have notified the said Administrator in writing that they claim no interest in the said Estate or property, and desire any proceeds thereof to be paid to me.

4. Shortly after my husband's death I went to the City of Montreal to reside with one of my daughters there and lived there until recently when I came to reside at 617 Greenwood Avenue in the City of Toronto with another one of my married daughters.

5. After the death of my husband I was ill and upset and unable to attend to my business affairs.

6. I never heard until I came to Toronto recently of the appointment of a Commissioner to inquire into property losses of Japanese Canadians whose properties were sold by the Custodian of Enemy Alien Property, although my husband before his decease had completed a form known as an Economic Loss Survey of British Columbia Evacuees prepared by the Japanese Canadian Committee for Democracy, 84 Gerrard Street East, Toronto.

7. I do not speak English and did not read any newspaper in which notice of the hearings of the Commissioner were published, nor do I read the New Canadian or any other Japanese language publication.

8. Since coming to Toronto the purpose of the Claims Commission has been explained to me and it is my desire to make a claim in accordance with the terms of reference to the Commissioner and the claim completed by my late husband before his decease.

9. The reason for my delay in filing the claim was the fact that owing to my age, illness and the death of my husband, and my inability to speak or read the English language I had no knowledge in respect to the appointment of the Commission until recently.

10. Now shown to me and marked Exhibit "A" to this my affidavit is the claim form duly completed by me, and I am desirous of respectfully requesting that this claim be duly considered notwithstanding the delay in filing the same.

SWORN before me at the City)
of Toronto in the County)
of York, this 2nd day of) S. EBATA
September, A.D.1948.)

F.A.BREWIN

A Commissioner, etc.

DATED AUGUST 1948

IN THE MATTER OF the
Property Claims of
Japanese Canadians

AND IN THE MATTER OF
the claim of Suye Ebata

AFFIDAVIT OF
SUYE EBATA

CAMERON, WELDON & BREWIN
372 Bay Street,
Toronto, Ontario.

CHENEAGUE