Name of Claimant MORIMOTO, Shigeru Case 1402

Custodian File 3192

REAL PROPERTY											Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)			V.L.A. Mission Village			
Sale Price	5% thereof & 12.50	Sale Price	10% there-of	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices		Sale Price	Total Award 125% of all Sale Prices:		
						% of Total	Amount		% of Total	Amount	

PERSONAL PROPERTY								
Motor Vehicles		Boats and Boat Gear						
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Not Found & Recorded Now Missing	45% of amount in next preceding column	
		225.	55.37			146.00	65.70	121.07

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	
			598.00 75.00	471.	449.75	21.35

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	

TOTAL RECOMMENDATION	142.42

The Commission

CASE NO. 1402

IN THE MATTER OF THE "INQUIRIES ACT"

PART 1, REVISED STATUTES OF CANADA, 1927, CHAPTER 99.

JAPANESE PROPERTY CLAIMS COMMISSION.

B E F O R E

(THE HONOURABLE MR. JUSTICE H. IL BIRD, COMMISSIONER.)

10 Vancouver, B.C.,

November 7th, 1949.

IN THE MATTER OF THE CLAIM OF

S. MORIMOTO

APPEARANCES:

D. T. B. BRAIDWOOD, Esq., J. C. CAMPBELL, Esq., appearing for the Dominion Government.

20 R. J. McMASTER, Esq., appearing for the Claimant.

MISS WHITE, Secretary.

MRS. E. BLYGH, Official Reporter.

MR. McMASTER: The Morimoto case is the one you gave leave to file a claim in. I wonder if the case could be assigned the next number on the list.

THE SECRETARY: 1402.

30 MR. McMASTER: I will ask to file the claim form which

has been declared by the Claimant and also the statement and signature attested, setting forth the details of the claim, as Exhibit 1. I have given my learned friend a copy of it and I understand he is agreeable and it will not be necessary to call any witnesses in this case.

MR. BRAIDWOOD: No, that is in line with the usual procedure in these later cases that we have been following, and I understand this matter will come up in the course of discussion and the Crown is not objecting to the failure of the Claimant to appear before your lordship.

THE COMMISSIONER: What it comes down to, then, is that we accept the claim form, which is made under oath, and the document, Exhibit 1, which is also declared and sworn before a Commissioner as proof for what it is, worth.

MR. BRAIDWOOD: That is right, my lord.

THE COMMISSIONER: Well, perhaps Mr. McMaster had better open the discussion.

MR. McMASTER: My lord, I would suggest we deal with this case in the same manner we have done with the other individual cases, and refer it to counsel for discussion in working out the details of the application and the general award.

THE COMMISSIONER: Then you can come back to me with a recommendation, if you reach it.

MR. McMASTER: Yes, my lord.

MR. BRAIDWOOD: I would like to file an analysis that I have prepared as the next exhibit.

THE COMMISSIONER: That will be Exhibit 2.

(ANALYSIS MARKED EXHIBIT NO. 1402-2.)

THE COMMISSIONER: This is the Custodian's analysis, prepared from his records.

MR. McMASTER: Yes, my lord.

THE COMMISSIONER: And that is all you want in this claim in the meantime, is it?

MR. McMASTER: Yes.

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I hereby certify the foregoing to be a true and accurate report of the said proceedings.

Deputy Official Stenographer

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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 MORIMOTO, Shigeru (RCMP) Reg. No. 02051
(Print) Surname Given Name

(2) Pre-Evacuation Address Vancouver Cannery, Eburne, B. C.

(3) Present Address Solsqua, B. C.

(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 Fishing
(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 Vancouver Cannery
Net House (nets) - Boat and equipment - Navy

(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") Custodian's care

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

1. _____ Estimated Value $_____
2. See attached schedule Estimated Value $_____
3. _____ Estimated Value $_____
4. _____ Estimated Value $_____
5. _____ Estimated Value $_____
6. _____ Estimated Value $_____
7. _____ Estimated Value $_____
8. _____ Estimated Value $_____
9. _____ Estimated Value $_____
10. _____ Estimated Value $_____

TOTAL CLAIM FOR PROPERTY LOSS $_____

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

(f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e) - $ 846.25

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

(b) Do you require the services of an interpreter at the hearing? Yes or 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)
of)
TO WIT:)

I, Shigeru Morimoto of the Town
of Solsqua in the Province of British Columbia

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 Solsqua)
in the Province of British)
this 17th day of October Columbia)
A.D. 1949. J. Abin J.P.) A Commissioner &c.

S. Morimoto

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

Re: Shigeru Morimoto

(e)	Boat and equipment:	$800.00	
	Received from Custodian:	195.00	
	Claim for loss:.....		$605.00
	Seven nets claimed:	$691.00	
	Custodian sale price:	449.75	
	Claim for loss:.....		$241.25
	Total claim for property loss:.....		$846.25

MORIMOTO, Shigeru
(Claimant's Name)

PERSONAL PROPERTY
(Fishing Vessels, gear and equipment)

02051
Reg. No.

NETS:

Type	Size	Mesh	Estimated Value at Evacuation	Custodian Sold:
5/50 x 5 3/8 x 50 x 300			$125.00	$50.00
5/50 x 5 3/8 x 50 x 100				$25.00
5/60 x 5 1/8 x 50 x 100			75.00	$10.00
5/60 x 5 1/8 x 50 x 300				
5/60 x 5 1/2 x 25 x 300			35.00	5.00
5/60 x 5 1/2 x 25 x 100				2.00
			$235.00	$92.00

Fathoms	Age at Evacuation	Estimated Value at Evacuation:	Original Value	Custodian Sold:
5/60 x 5 3/4 x 50 x300		50.00		
5/50 x 6 1/2 x 25 x300		25.00		
5/50 x 5 3/8 x 50 x 6		5.00		3.75
5/40 x 7 x 60 x400		125.00		125.00
5/40 x 6 1/2 x 50 x400		225.00		225.00
TANK		8.00		4.00
2 sacks cork		3.00		
row boat		15.00		
		456.00		357.75

Nets Claimed: $691.00
Custodian sale price 449.75
CLAIM:..... $241.25

VESSELS SOLD BY CUSTODIAN

NAME	Reg. No.	Type	Date Purchased	New or Used	Price Paid	Maintenance Work	Condition When Evacuated	With whom Left	Estimated Value of Boat and Gear
Fishing Boat	N W 3142	Length 30'	Breadth 7'	Depth 3'	Engine Palmer 7 H.P.		No. 2708130		$800.00
								Received from Custodian:	195.00
									$605.00

Improvements to Vessel since date of purchase:

	Type	Date	Cost

OTHER GEAR:

Description	Following Equipment on Boat when delivered to Navy	Date Purchased Cost Price new in 1941
Storage battery		$5.00
Anchor new		8.00
6 in. compass		8.00
Searchlight		15.00
Roller		10.00
Drum		120.00
Oars		3.00
Net guard		8.00

	Cost price new in 1941
Pike pole	$2.00
On the boat stove	8.00
Gray fish winch	80.00
Generator	15.00
Transmission, rear end clutch 2 pulley and drum cost me:	120.00
10" Crescent Wrench	
Pipe Wrench Screw driver, hammer	
2 coils, 2 sets batteries, 50 fathom rope	

EXHIBIT No. 1402-1
DATE Nov. 2/49
FILED BY Mr. McMaster

Arrangements made for storage when evacuated:

S. Morimoto

Additional Comments, if any:

SWORN BEFORE ME at the Village of Salmon Arm, in the Province of British Columbia, this 17th day of October A. D. 1949.

A. A. Sing J.P.
A COMMISSIONER FOR TAKING AFFIDAVITS, ETC.

S. Morimoto
Signature

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No. 3191 EXHIBIT No.

NAME Shigeru MORIMOTO

REG. No. 02051

DATE — DECLARATION Apr.13/42 — EVACUATION Apr.21/42

INVENTORY — TAKEN BY — DATE

DETAILS OF CLAIM			SALES: AUCTION	SALES: TENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND
None						
Reported ltr. Nov.22/42,						
left at Vancouver Cannery:	Cust.#					
King fisher net $5\frac{3}{8}$x5/50x50x400 - 125.	A 1850	5/50x$5\frac{3}{8}$x50x300 fa.	125.00		50.00	
	B 1857 (2 piece wk)	5/50x$5\frac{3}{8}$x50x100 "			25.00	
	B	5/60x$5\frac{1}{8}$x50x100 "	75.00			
	A 1851	5/60x$5\frac{1}{8}$x50x300 "			10.00	
Barbour Net $5\frac{1}{2}$x5/60x25x400 - 35.00	A 1855	5/60x$5\frac{1}{2}$x25x300 "	35.00		5.00	
	B 1856	5/60x$5\frac{1}{2}$x25x100 "			2.00	
" " $5\frac{3}{4}$x5/60x50x300 - 50.00		5/60x$5\frac{3}{4}$x50x300 "	50.00			
" " $6\frac{1}{2}$x5/50x25x300 - 25.00		5/50x$6\frac{1}{2}$x25x300 "	25.00			
	1978	$1\frac{1}{2}$#New Net 5/50x$5\frac{3}{8}$x50x6 fa.	5.00		3.75	
" " 7x5/40x60x400 -125.00		5/40x7x60x400 fa.	125.00		125.00	
" " $6\frac{1}{2}$x5/40x50x400 -225.00		5/40x$6\frac{1}{2}$x50x400 "	225.00		225.00	
10 foot row boat	1814	row boat	15.00			
Barbour net $5\frac{3}{4}$x5/60x50x400 - 75.00						
Reported by mother:						
1 oil tank	1854	Tank	8.00		4.00	
2 sacks corks		2 sacks cork	3.00			
2 gas tanks			691.00		449.75	
Reported letter Nov.9/42:		Fishing Boat & Equipments & Parts:	800.00		225.00	
Fishing boat: Reg#3142NW B.C.		Reg.#NW3142, Length 30',				
Naval No. NW080C		Breadth 7' Depth 3',				
		Engine Palmer 7HP #2708130				
		Equipment & Parts of Gas Boat which Lieut A.G. Hardford Naval Service had taken from my net house:				
		Storage Battery $5.00				
		Anchor new 8.00				
		6 in. Compass 8.00				
		Searchlight 15.00				
		Roller 10.00				
		Drum 120.00				
		Oars 3.00				
		Net Guard 8.00				
		Pike Pole 2.00				
		On the Boat				
		Stove 8.00				
		Gray Fish Winch 80.00				
		Generator 15.00				
		Transmission, rear & clutch 2 pulley & drum cost me 120.00				
		10" cresent wrench pipe wrench screw driver hammer 2 coils 2 sets batteries 50 fathom rope	402.00	-----	Outside Terms of Reference.	
		Total Claim	1893.00		674.00	

RECAP OF CLAIM:

Boat valued by

Nets & Gear " "

" " " "

" " " "

Error in Claim -----

No. 3191 EXHIBIT No. _____ CASE No. _____

No. 02051 VENUE _____

SALES ON	SALES TENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NOT ACCOUNTED FOR THEFT &c	UNSOLD	REMARKS
	50.00							C.P.Leckie - valuation $60.00
------	25.00							
	10.00							Valuation - $25.00
	5.00							" - $15.00
	2.00							
					50.00			no value - see C.P.Leckie's valuation.
					25.00			" " "
	3.75							
	125.00							
	225.00							
						15.00		C.C.Robinson Witness - G/167 Net inventories
	4.00							
						3.00		
	449.75				75.00	18.00		
	225.00							Valuation - O.W.Phillipson,Mar./42 - $275. Valuation by John Gould - $250.00.(Feb./43) Sale to Nelson Bros. by the Custodian.

EXHIBIT No. 1402-2.
DATE Nov. 7/49
FILED BY
Mr Brandwood.

----- Outside Terms of Reference.

674.00	75.00	18.00

RECAP OF CLAIM:

	Boat	valued	by	claimant	at	$800.00	Sold by tender,etc.	$225.00
Nets & Gear	"	"		"	"	598.00	" "	449.75
" "	"	"		"	"	75.00	Abandoned	$674.75
" "	"	"		"	"	18.00	Not accounted for, etc.	
Error in Claim	----------					402.00		
						$1893.00		

J. Spratt

CLAIM OF S. MORIMOTO

No claim form.
No documents.

DISCUSSION Sept.12/49.

Mr.McMASTER : With regard to Morimoto. I have also located him and have received a letter from him in which he explains he sent a copy of his claim to the Greenwood Committee of the J.C.C.A. but for some reason the original did not come on to the Commissioner, nor the copy to the Custodian. He advises me he now sends a copy of the list to the Custodian, although Mr.Braidwood was not able to find it.

MR.BRAIDWOOD: I am still looking for it. It is not a sworn copy in any event.

MR.McMASTER: I understand that my learned friend is not objecting to the claim being filed, and I see that the only copy of the claim form I have is not signed, and I think I should have that attended to.

June 22nd 1949

MR.McMASTER: Asks to have stood over. "I haven't completed my instructions in the matter."

THE COMMISSIONER: They will have to be heard, will they?

MR.BRAIDWOOD: I don't think so, my lord. I think we will be able to agree to file the evidence with regard to them.