

XI-1031

BUREAU HASTINGS PARK
OFFICE OF THE CUSTODIAN
JAPANESE SECTION

FILE NO.

XL 1031

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

NAME: NAKIWA Yasuichi

HOME ADDRESS: Steveston B.C.

REGISTRATION NUMBER 04969 SEX: male AGE: 22

OCCUPATION: Fisherman

(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

MARRIED? no

NAME OF WIFE OR HUSBAND: none

ADDRESS OF WIFE OR HUSBAND:

NAMES OF ANY LIVING CHILDREN: none

ADDRESS OF CHILDREN:

AGE OF CHILDREN:

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

1. LOCATION AND DESCRIPTION: none

2. BUILDINGS AND OTHER IMPROVEMENTS: none

EXHIBIT No.

987-3

DATE

27 Sept 1948

FILED BY

J. W. Hunter

3. INSURANCE (Give particulars; state where policies are) none

4. TAXES (Amount and where payable) none

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed) none

6. OCCUPANCY AND LEASES (If vacant so state) none

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: none

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: Steveston B.C. dwelling house

2. LANDLORD'S NAME AND ADDRESS: Phoenix Cannery, Steveston B.C.

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: about \$10.00 a month, rent paid to April 30, 1942.

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:

none

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

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)
none
8. BANK ACCOUNTS: none
9. LIFE INSURANCE: ----
10. INTEREST IN ANY ESTATES OR TRUSTS. none
11. SAFETY DEPOSIT BOX: none

LIABILITIES:

1. PERSONAL DEBTS: none
2. TRADE DEBTS: none

REMARKS: Will call at Office Royal Bank Building, April 24, 1942.
to give particulars about Life Insurance.

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 21st day of April 1942.

X. Logan
(Witness)

(Signature)

J. Karina

FOR DEPARTMENTAL USE

copy

INFORMATION FROM R.C.M.P.

DATE March 31, 1943

Our File No. INT 1031

Full Name NARIWA Yasuichi
(Surname in Block Letters)

Registration No. 04969

Male - Female
(Check)

Age June 15, 1919

Former Address P.O. Box 102, STEVESTON, B.C.

Evacuated Interned June 19, 1942 Naturalized - Canadian-Born - National
(Check)

Present Address c/o Great Lake Saw Mill, Fort William, Ontario (Dec. 9/46)

Married - Single
(Check)

Name of Wife --

Name of Husband --

Name of Mother (nee HAMAGUCHI) Naka Name of Father MATSUNOSUKE
(Deceased)

Names of Children under 16

Requested by J. Spratt

Registered with Custodian YES
(Yes or No)

Additional Information FISHERMAN. OWNER OF GASBOAT #2281 - N.W. 059-D

December 9, 1946.

PERSONAL PROPERTY SUMMARY

Re: Yasuichi NARIWA
Registration No. 04969

CHATELS:

See Chattel Summary.

SPECIFIED
ARTICLES:

There are no cameras, radios, motor vehicles or fire
arms revealed in the registration or the file.

VESSELS:

The file reveals the fishing vessel "Camrose M"/"Y.N." was sold through the Japanese Fishing Vessel Disposal Committee and the proceeds paid direct to Y. NARIWA on April 14, 1942.

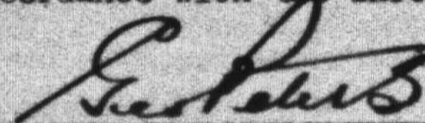
LIFE
INSURANCE:

Manufacturer's Life Insurance policy #726878 in the amount of \$1,000.00. The file reveals the particulars of the above policy received from the Manufacturer's Life Insurance Company on August 25, 1942. On August 22, 1944, Yasuichi NARIWA, through the Camp Commandant, requested an application for the cash surrender value of the above policy. The cash surrender value was forwarded to the Custodian's office on December 20, 1944, and credited to Yasuichi NARIWA's account.

The file reveals NARIWA is a beneficiary under certificate of membership no. 10082 with the Pacific Mutual Benefit Association — the owner of the membership being his father, Matsusuke NARIWA. The file reveals no benefits were received up to the present time.

No personal property other than mentioned is found on the file.

The above Summary is certified to be in
accordance with the information on file.



George Peters,
Office of the Custodian.

GP/ic

INT
File No. 1031
Copy for files 5246 and 1433

December 9, 1946.

CHATTEL SUMMARY

Re: Yasuichi NARIWA
Registration No. 04969

In his declaration of April 21, 1942, Yasuichi NARIWA declared no chattels whatsoever left in the protected area. He was interned on June 19, 1942.

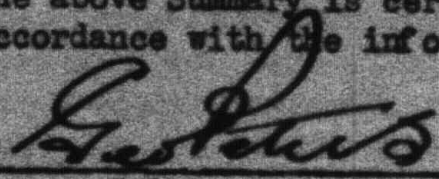
The file reveals that on June 26, 1942, the Custodian's agent removed from the Phoenix Cannery House No. 5 to the Custodian's Warehouse No. 3, chattels in the name of Y. NARIWA. There is no such name and it appears that the Custodian's office tried to identify this as the name Yasuichi NARIWA, and this list was placed on his file.

The sewing machine was auctioned by the Custodian on December 10, 1943. This was called to Yasuichi's attention and a reply was received from him on February 8, 1946, in which he states the sewing machine auctioned belonged to his sister Mrs. Hatsu MURAO who he lived with before evacuation. On her own file #5246, Mrs. Hatsu MURAO declared a sewing machine in No. 5 Phoenix Cannery, therefore, the credit derived was transferred to her account.

On checking her husband's file #1433, we find in his original declaration Yasukichi MURAO stated he left his chattels at the Imperial Cannery but in a letter received from him on November 30, 1944, he states this was a mistake that he actually left his effects at the Phoenix Cannery, Steveston, B.C. We are of the opinion, therefore, that the chattels removed under the name of Y. NARIWA were the effects of MURAO. Therefore, we have transferred the inventory list to MURAO's file #1433, also \$2.64 credit which was derived from the sale of two (2) table lamps.

Yasuichi NARIWA wrote to this office from the Internment Camp on September 29, 1942, submitting a list of nets and twine which he claimed he left in the storage rooms of the Phoenix Cannery. Nets were found in his name and sold by the Custodian. Our Net Statement of February 8, 1944, shows their disposal, the total amount being \$244.98.

The above Summary is certified to be in accordance with the information on file.


George Peters,
Office of the Custodian.

GP/1c

NARIWA, Yasuichi,
P/W A-286,
Int. File No. 1031.

February 8th, 1944.

NET STATEMENT

<u>Cust. No.</u>	<u>Description</u>	<u>Japanese Value</u>	<u>Purchase Price</u>
1668 <i>blk.</i>	① 9/40 x 9 x 40 - 150	✓ \$165.00	\$25.00 ✓
1669 <i>NS</i>	② 4/40 x 5 1/2 x 35 - 200	✓ 120.00	40.00 ✓
1670 <i>"</i>	③ 4/40 x 5 1/2 x 50 - 150	✓ 85.00	40.00 ✓
1671 <i>blk.</i>	④ 4/40 x 5 1/2 x 50 - 200	✓ 90.00	30.00 ✓
1674 <i>NS</i>	8/40 x 8 1/2 x 30 - 184	90.00	22.50 ✓
1669A	cork line		10.00
1677 <i>blk.</i>	loose corks		1.00
1675 <i>NS</i>	300 loose corks ✓		1.00
Cannery	150 fa. cork & lead line ✓		30.00

New Stock Purchased by Phoenix

12 lbs. 9/40 Barbour Twine	28.56
4 lbs. 9/40 " "	9.52
1 lb. 5/40 " "	2.55
1 lb. 6/40 " "	2.47
1 lb. 12/40 " "	2.38

TOTAL SALES.....\$244.98

REMARKS

1673 ⑦ 7 1/2 8/40 x 8 1/2 x 40 - 50
1672 ⑧ 1 4/40 x 5 1/2 x 50 - 150
1 6/50 x 7 x 50 - 185

\$ 40.00 *Phoenix*
85.00 *Phoenix*
150.00 *Phoenix*

Inventured

Nov 20/42

1673 - 1 web 8" x 90 - 55

File No. INT 1031

December 9, 1946.

LIABILITY SUMMARY

Re: Yasuichi NARIWA

Registration No. 04969

There are no claims against the above Evacuee
revealed on the file.

The above Summary is certified to be in
accordance with the information on file.



George Peters,
Office of the Custodian.

GP/lc

SUMMARY TAKEN FROM VESSELS RECORDS

Date: July 7, 1944

Name: ~~NARIWA~~, Yasuichi
NARIWA,

Reg. No. 04969 Ingernee
File: 1031

Boat File No.: JFVDC 434

Name of Vessel: "Camrose H"/"Y.N.", 29'x7'x3' (1937) Easthope 7 HP

Lic. or Reg. No.:

New Westminster 2281

Naval No.:

NW.059-D

Owner's Valuation:

\$900.00

JFVDC Valuation:

633.00 Survey #149 NW

Custodian Valuation:

None

Date of Sale:

April 13, 1942

Purchaser:

British Columbia Packers Ltd.

Signature on Sales Papers:

No copy

Selling Price:

\$575.00

Paid to JFVDC ~~xxxxxxxxxx~~

575.00

Supervision Costs:

8.25

Balance due Owner:

566.75

Paid to:

Y. Nariwa, April 14, 1942

Location of Boat at Sale:

New Westminster

Claims Against Canadian Govt.:

None

Additional Information:

J. M. Nariwa
Dec 7, 1946.

NARIWA, Yasuichi

Reg. No. 04969

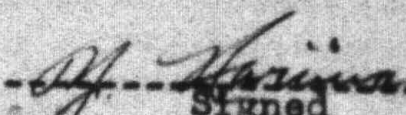
P.O. Box 102, Steveston, B.C.

SUPPLEMENTARY TO PREVIOUS
REGISTRATION

- (1) Twenty-five year endowment insurance policy #726878 dated 29th September, 1937, with the Manufacturers Life Insurance Company. The sum insured is payable to the declarant on the 29th September, 1962, or, in the event of his death, prior to this date to his sister, HATSUE MURAO. ✓
- Premium of \$36.35 paid up to 29th September, 1941
- (2) The declarant is the beneficiary under The Certificate of Membership #10082, dated, November 1, 1938, which his father, MATSUSUKE NARIWA, of Box 102, Steveston, B.C. has taken out with the Pacific Mutual Benefit Association, head office Vancouver, B.C. The maximum amount due to the declarant on the death of his father is \$2500.00. According to the declarant the annual dues, which do not exceed \$5.00, have been paid to date, but on this point he was uncertain. ✓



Witness



Signed

Dated the 28th day of April, 1942.

C
O
P
Y

THE PACIFIC MUTUAL BENEFIT ASSOCIATION

342 Pender Street W., Room 6,
Vancouver, B.C.
13th August, 1942.

K.W. Wright,
Custodian,
Department of the Secretary of State,
VANCOUVER, B.C.

Your File P/W A-286 -
MATSUSUKE NARIWA -
Pol. 10082

Dear Sir:

We are in receipt of your letter dated August 12th, regarding the above-numbered Membership, and note your instructions concerning payment of benefits.

This membership is in good standing at the present date. However, we wish to point out that the amount payable under our policy, is based on the amount collected through assessments against the members in the event of death.

At the age of 59 years, which is the age at which Mr. Nariwa joined the Association, he would be classed under the 40¢ assessment, and figuring this on a basis of 1350 members in good standing at the present time, would make his policy worth approximately \$540.00. (The maximum benefit payable would be \$1,000.00), providing we have 2,500 members in good standing - at 40¢ each).

We are enclosing a sample copy of the Certificate, and would refer you to Bylaw 8 (a) in this respect. We trust this is the information you require, and beg to remain

Yours very truly,

PACIFIC MUTUAL BENEFIT ASSOCIATION

Per: "J.E. Rice"

Sec.-Treas.

JER/W
Encl.

THE CUSTODIAN
DEPARTMENT OF THE SECRETARY OF STATE
45A CENTRAL CHAMBERS
OTTAWA, CANADA

THE CUSTODIAN
REGULATIONS RESPECTING
TRADING WITH THE ENEMY (1939)
FORM "D"

Rec'd	25.1942
File No.	
Ans.	
Referred	

Ref. No.
From the Insurance
Company
Date of Discovery 12.1942
The Manufacturers Life Ins. Co.
200 Bloor St. E.
Toronto, Ont.

To Vancouver Office

Particulars of Life Insurance Policies and Annuity Contracts on Life of an Enemy

N.B. Separate forms should be used for each policy or annuity contract for each "enemy."

Policy No. 726,878

Life Insured - Name Yasuji Maruwa
Born June 15, 1919 at Steveston, B. C.
Address Steveston, B. C. (Box 102)

Owner - If third Name
party insurance - Address

Beneficiaries - Names Matsue Maruo
Addresses
Relationship to Life Insured Sister

Record of Current Assignments
(other than to company for policy loan)
- Give names and addresses -

Date of Policy (i.e. due date of first regular premium) Sept. 29, 1937

Plan of Policy Endowment 25

Sum Assured or Amount of Annuity \$1,000.00

Premium - Amount \$36.35
How Payable Annually
Due Dates Sept. 29th

Policy Loans (automatic or otherwise) -

Approximate Cash Value, if any, including dividends, after deducting all policy indebtedness \$108.00 as at Aug. 21, 1942

Nature of Automatic Non-forfeiture Provision Automatic Premium Loan

Approximate Cancellation Date under Automatic Non-forfeiture Will carry under Automatic Premium Loan Provision until at least Oct. 29, 1947.

Special Notes: In your letter you refer to the Insured's name as being "Marlwa", whereas our records show it to be "Marlwa".

8

Internment Camp "101",
Angler, Ontario,
September 29th, 1942.

Office of the Custodian,
Ottawa, Ontario.

Sir:

Re; NARIWA, Yasuichi, P/W - 286-04969.

I hereby wish to submit to you the following additional statement
in regards to my assets;

Fishing nets.

Sockeye Net	4/40 ply	5 7/8 in.	50 meshes	150 fathoms...	85.00
" "	4/40 "	5 2/3 "	50 "	150 "	85.00
" "	4/40 "	5 7/8 "	50 "	200 "	100.00
Spring Net	9/40 "	5 3/8 "	55 "	200 "	120.00
			40 "	150 "	165.00
	(with cork and lead lines)				
Cohoe Net	6/50 ply	7 in.	50 meshes	185 fathoms...	150.00
Spring "	8/40 "	8 1/2 "	40 "	50 "	40.00
Spring "	8/40 "	8 1/2 "	30 "	185 "	90.00

Cork

300 pcs.	size 6 inches	.....	\$15.00
300 "	size 7 "	.....	15.00

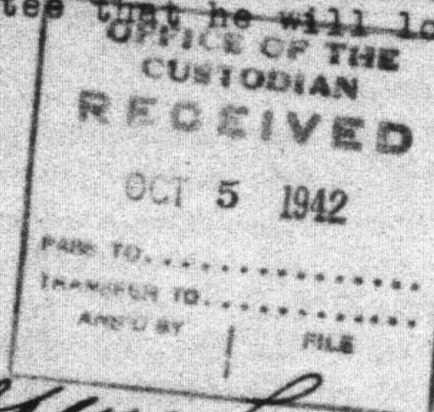
Net twines

12 lbs.	9/40 ply	.....	\$32.00
4 "	9/40 "	.....	12.00
1 "	5/40 "	.....	3.00
1 "	6/40 "	.....	3.00
1 "	12/40 "	.....	3.00

1 Bed (complete)	at Steveston, B. C.	.....	\$30.00
1 Row Boat	" "	.....	20.00

-----000-----

The above mentioned fishing nets and twines are in Storage Room at
Phoenix Cannery at Steveston B. C. On evacuation I gave the key
to the store room on assurance from the cannery manager, and he also
gave me his guarantee that he will look after my belongings.



Yours truly,

N. Nariwa

NARIWA, Yasuichi, A286.

Witness: *[Signature]*

EXHIBIT No. *987-4*
DATE *27 Apr 1948*
FILED BY *J. W. G. Munster*

The Manufacturers Life Insurance Co.

Head Office: Toronto, Canada

Branch Office: 413-20 Stock Exchange Building
Vancouver, B.C.

JAS. SHERRATT
BRANCH MANAGER

EVACUATION SECTION	
SEP 11 1944	
File No.	Int 1031 4246
Ass.	WH 3/11
Referred	Gelson

PHONE PACIFIC 8138

September 9th, 1944.

The Custodian of Enemy Property,
Japanese Evacuation Branch,
Royal Bank Building,
Vancouver, B. C.

your file Int. 1031 4246

Dear Sir:

Re: Policy #726,878
Yasuichi Neriwa

Your letter of August 29th addressed to our Head Office has been sent to us for reply.

The surrender value of this policy at the 29th of September, the next anniversary date, is \$172.51 and the premium arrears and interest against the policy at the same date amount to \$75.82 leaving a net cash value of \$96.69.

As requested we are enclosing discharge form which has been dated the 29th of September which is the anniversary date of the policy and the date to which the arrears have been figured. The insured should sign this form before a witness and then it should be returned to us with the policy for attention.

We might say that in 1942 we received information from your department that this insured was interned and at your request we filed a form "D" outlining particulars of the policy. In addition to the policy and surrender form we will require written consent from your office to make this payment.

Yours very truly,

A. S. McCloskey

A. S. McCloskey,
Branch Secretary.

ASM/RH
Encl.

ENEMY SECTION	
Rec'd	NOV 25 1946
File No.	103
Ans'd	
Referred	

McLaren St.
Fort William Ont.

The Custodian's Office,
529 Royal Bank Bldg.,
Vancouver, B.C.

EVACUATION SECTION	
Rec'd	NOV 25 1946
File No.	
Ans.	
Referred	A. Graham

Dear Sirs.

I would like to inquire concerning my possessions such as fishermen's equipments and others which are in your hands.

And if possible I would like to have the money from my Manufacturers Life Insurance to be sent over to me soon as possible.
Please send it to the address above.

Yours truly
Yasunichi Nariwa

File No. Int 1031
Ref. No. 04969

Yasuyuki MATSUDA

<u>Date</u>	<u>Particulars</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
1942 November 23	150 fath. cork & lead line	\$	\$ 30.00	
1943 May 7	Sale of fishing gear # 1668 Bot # 1670 " # 1669 Web # 1671 # 1674 Cork line # 1677 - \$1.00, 300 loose corks \$1.00		25.00 40.00 40.00 30.00 22.50 10.00 2.00	
1944 January 15	Telne		45.48	
December 20	Cash surrender value of policy		96.06	
1946 December 13	Cheque to you	341.04		
		<u>\$ 341.04</u>	<u>\$ 341.04</u>	

NTL

Accounting Department
December 24th, 1946

XI 1031

27th March, 1951.

Mr. Yasuichi MARIWA,
Regn. No. 04969,
536 Moncton Street,
Steveston, B.C.

Dear Sir:

Distribution is now being made from the assets
of the River Fish Company at the rate of \$33.98 per share.
You were the holder of 5 shares and payment to you is as
follows:

5 shares	\$169.89
Less previously advanced	<u>125.00</u>
	\$ 44.89

Custodian cheque for this amount is attached
hereto.

Please acknowledge receipt.

Yours truly,



C.H. Reed,
Office of the Custodian.

CHR:HA
Encl.

JAN - 2 1948

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.

CUSTODIAN

XI 1031

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

- (1) NAME NAKIWA, Yasuichi (RCMP) Reg. No. 04961
(Print) Surname Given Name
- (2) Pre-Evacuation Address Steveston, British Columbia
- (3) Present Address 136 Pruden Street, Fort William, Ontario
- (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 re-
ceivable) - - - - - \$ _____
(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
Phoenix Cannery Co. Steveston, B.C.
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
Nets were stored in Company Net house; twine, in store room; - Boat & Boat at home
- (c) How stored or packed at time of evacuation Nets were hung on the walls, Cork lines
were stored in boxes, boxes nailed, Corks headed through line & some
by loose, The key to said net (over) room was turned over to
manager of Phoenix Cannery Co. on June 9th 1942.

Net.	Ply inches	meshes	Length	Val
Sockeye Net.	4/40, 5 $\frac{7}{8}$	50	150 fathoms	\$ 8.
Sockeye "	4/40, 5 $\frac{7}{8}$	50	150 "	\$ 88
Sockeye "	4/40, 5 $\frac{7}{8}$	50	200 "	100
Sockeye "	4/40, 5 $\frac{3}{8}$	55	200 "	120
Spring "	9/40, 7	40	150 "	165 =
Codac Net	6/50, 7	50	185 "	150 =
Spring "	8/40, 8 $\frac{1}{2}$	40	50 "	40 =
Spring "	8/40, 8 $\frac{1}{2}$	30	185 "	90 =

Above with Cork & lead lines included

Corks (size 6 inches)	300 pieces	15 =
" (size 7 ")	300 "	15 =

12 lbs	9/40	Net Twine	30 =
4 "	9/40	" "	12 =
1 "	5/40	" "	3 =
1 "	6/40	" "	3 =
1 "	12/40	" "	3 =

1, bed & spring filled mattress	30 =
1, Row boat (skiff)	20 =

Total loss claimed	\$ 918 00
Received from Custodian	244.98
To total claim for property loss	\$ 723.02
	673.02

IN THE MATTER OF THE "INQUIRIES ACT"
PART I. REVISED STATUTES OF CANADA 1927. CHAPTER 93.

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

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

10

Fort William, Ontario,
April 27th, 1948.

IN THE MATTER OF THE CLAIM OF
YASUICHI MARIWA.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq.,

appearing for the
Dominion Government.

S.M. CHERNIACK, Esq.,

appearing for the
Claimant.

A. WATSON, Esq.,

Secretary.

D.J. HANDFORD, Esq.,

Official Interpreter.

T.P. HORROBIN, Esq.,

Official Reporter.

30

THE COMMISSIONER: Are there any amendments?

MR. CHERNIACK: Yes, my lord.

THE COMMISSIONER: You better make the amendments first.

MR. CHERNIACK: If your Lordship will look at the itemized page attached to the back of the claim form, your Lordship will note the bottom two lines, the item 1 bed and spring, and 1 rowboat. These have been withdrawn, my lord. We found that they had been left loosely lying about and the Custodian was not advised as to their location.

10

THE COMMISSIONER: That includes the rowboat as well?

MR. CHERNIACK: Yes, my lord. The one bed/spring with filled mattress, \$30.00, one rowboat \$20.00. That we are deleting, showing a claim of \$915.00. The credit, my lord, is correct, \$244.98, and the loss is therefore \$673.02. May I ask that this form be sworn now? Mr. Hunter is willing to assist us.

MR. HUNTER: Has he signed it?

MR. CHERNIACK: Yes, it is signed.

20

YASHIUCHI NARIWA, the claimant herein,
being first duly sworn, testified
through the interpreter as follows:

MR. HUNTER: Q: Is this your signature?

A: Yes.

Q: And do you swear the contents of this declaration as amended to be true, so help you God?

A: Yes.

DIRECT EXAMINATION BY MR. CHERNIACK:

30 Q: Mr. Nariwa, I show you a typewritten statement.

3
Y. Hariwa,
In Chief.

Was that prepared in accordance with your instructions?

A Yes.

Q Is that your signature? A Yes.

Q Do you swear the contents to be true to the best of your knowledge and recollection?

A Yes.

(STATEMENT MARKED: EXHIBIT NO. 1).

Q Mr. Hariwa, this statement sets out a number of
nets and then some loose corks and net twine. Where
10 were those nets left? A In the cannery
net house.

MR. CHURCHACK: I see, my Lord, there is a comment at the
foot of Exhibit 1 setting out that the claimant placed
individual tags on each net with his name, size
of twine, size of mesh, meshes, fathoms, and esti-
mated value, and that they were all left in the
cannery nethouse at the Phoenix Cannery. "I had one
room to myself". He states, "I locked the door
and gave the key to the cannery manager and I
20 reported same to the Custodian on September 29th,
1942".

Q Were all these items left in that room in the
cannery? A Yes.

Q Was there anything else in the room other than these
items? A There were a
few other things, but I am not bothering about
claiming for them.

Q Did they belong to you? A Yes.

THE COMMISSIONER: Where is the Phoenix Cannery? Is that
30 at Steveston?

4
T. Mariwa,
In Chief.

MR. CHERNIACK: Q: Is it at Steveston, the Phoenix Cannery?
A: Yes.

MR. CHERNIACK: On behalf of my learned friend, my lord, I would file the analysis as Exhibit 2.

In the analysis, my lord, there is one not referred to as declared and not found and two nets shown in the "no account, theft", etc. Could my learned friend advise me as to the date on which they received the report of these nets?

10 MR. HUNTER: I don't quite understand what my learned friend means by received a report. In this man's J.P. form he declared no personal property of any kind at all, my lord, but later by a letter of December 29th, 1942, he advised us he had these things whereupon an inventory was taken and the result is as shown on the analysis. In other words, there were two nets that were found ~~that were~~ subsequently stolen.

MR. CHERNIACK: It is that date I am referring to.

20 MR. HUNTER: There was one that was never found.

MR. CHERNIACK: I understand that. The date I am referring to is the date when the inventory was taken.

MR. HUNTER: Well, I haven't the exact date but it was subsequent to this letter and I think fairly shortly afterward. I can't give you the date because I haven't got it. I looked for it last night.

MR. CHERNIACK: There is no written report, other than the inventory.

30 MR. HUNTER: No. The only thing I could find was a

complete list showing that somebody had gone there and inventoried them and these two which they inventoried were now missing, and this one was never inventoried. It is the only thing I can find on it. Of course, that is away on. That is a memo, prepared when they go to sell them.

MR. CHERNIACK: It would appear, therefore, my lord, that as yet the Custodian hasn't located the inventory of these nets.

10 THE COMMISSIONER: You might bring out from the witness when he was evacuated, will you, Mr. Chernisek?

MR. CHERNIACK: Q: When were you evacuated? When did you leave Steveston? A: July 17th, 1942.

Q Is that when you left your home?

A No, that was when I left the immigration sheds in Vancouver.

Q And when did you leave your home?

A On the 12th of June I left Steveston.

MR. HUNTER: It is submitted, my lord, that the personal property was sold for its fair market value.

20

It is submitted that the personal property not sold but which is claimed for, the claim is excessive.

It is submitted that these nets and fishing gear and equipment were left in the custody, control or management of some person other than the Custodian, appointed by the owner of the property, and accordingly only that property which came under the custody, control or management of the Custodian is within the terms of reference.

CROSS-EXAMINATION BY MR. HUNTER:

Q Is this your signature, Mr. Nariwa?

A Yes.

Q And the information in that form is information which you gave to the person who completed it?

A A Yes.

(J.P. FORM MARKED EXHIBIT NO. 3).

Q Is this your signature on this letter, Mr. Nariwa?

A Yes.

10 Q And that is your letter, written from the Internment camp, isn't it? At Yes.

MR. HUNTER: I file that as Exhibit 4.

(LETTER MARKED EXHIBIT NO. 4).

Q Why did you not declare this property that you subsequently wrote the Custodian about in your J.P. form?

At I didn't feel that I wanted to leave my property with the Custodian at that time.

Q I see. It wasn't just an oversight, it was a deliberate omission?

At Yes, that is so.

20 MR. HUNTER: Your Lordship will notice in the claimant's subsequent letter of September 29th, 1942, filed as Exhibit 4, it says, "On evacuation I gave the key to the storeroom on assurance from the cannery manager, and he also gave me his guarantee that he will look after my belongings". In any event, my submission of agency would only be applicable to the ones not declared and not found, because the others were subsequently found. Aside from that
30 I think it is entirely a question of value, my lord.

No further questions.

MR. CHERNIACK: My Lord, in regard to this matter of agency, it is our submission that the Custodian became seized of the note as of the date of receipt of that letter and we will expect strong proof as to the inventory taken.

10 THE COMMISSIONER: As much as I can say in regard to it now, Mr. Cherniack, is that it is unfortunate that the claimant did not make his declaration of his leaving it, then there would be no question whatever about the Custodian's responsibility.

MR. CHERNIACK: That is, of course, true.

THE COMMISSIONER: He elected at that time to select his own agent.

MR. CHERNIACK: Yes, my Lord, that is not denied.

It is a question of the date when the Custodian was given the information.

THE COMMISSIONER: Yes, I follow you. That is all, thank you, Hariwa.

20

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

T. P. Horrabin

"T.P. HORRABIN"
Official Reporter.

30

FORT WILLIAM
April 27th, 1948.

DEFENCE BRIEF

Yasuichi NARIWA

File No. XI/1031

Case No. 987

PERSONAL PROPERTY CLAIMS

1. Opening Remarks:- Note the amendments at Page 2. The claims for the bed and spring and for the rowboat are withdrawn.

Note that the analysis of personal property claim as filed (Exhibit 2) bears some inaccuracies. Corrections have been made in red pencil and the Custodian numbers of the nets have been added.

Amended Claim for
Fishing Nets and
Tackle

No Appraisal
on File.

\$918.00

- (a) Nets and tackle valued
by claimant at \$643.00.

Sold For
\$244.98

Witness:- C.C. Robinson - Sold some of
this equipment.

Witness:- Nelson Bros Fisheries sold
the rest of it.

- (b) Nets valued by claimant
At \$125.00

- Not Found, Lost or Stolen.

Witness:- C.C. Robinson - took net inven-
tory.

- (c) Net valued by claimant
at \$150.00

- Declared, but not found.

Witness:- C. C. Robinson.

Mr. Hunter's submission of agency -
See Pages 5 & 6 of transcript, will
apply to this net, because it was
left under the care and control of
someone other than the Custodian
and never found by him.

SUMMARY OF DEFENCE WITNESSES

Where Required

C.C. Robinson

1(a) 1(b) 1(c)

Nelson Bros. Fisheries

1(a)

FRS/ma

Name of Claimant **NARIWA, Yasuichi**Case **987**Custodian File **II 1051**

<u>REAL PROPERTY</u>										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 % of Amount Total	Sale Price	Total Award 125% of all Sale Prices: % of Amount Total		
<u>PERSONAL PROPERTY</u>										
Motor Vehicles		Boats and Boat Gear								
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Recorded Now Missing	45% of amount in next preceding column			
<u>NETS</u>										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing		Percentage Total Award to Total Claim		Claim for Nets Sold Declared Not Found, & Recorded Now Missing	Apply % ratio to Claim	Deduct Custodian Sale Price		
						643.00 275.00	642.60	244.98	397.62	
<u>MISCELLANEOUS CHATTELS</u>										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
TOTAL RECOMMENDATION										397.62

II 1031

November 8th, 1950.

Mr. Yasuichi NARIWA,
538 Moncton Street,
Steveston, B. C.

Dear Sir:

Re: Japanese Property Claims Commission

Case No. 987

We have received from the Co-Operative Committee on Japanese Canadians, our form of Release which has been executed by yourself covering the award recommended under the above Claims Commission for the sum of ... \$397.62.

Cheque in your favour is enclosed for \$374.62 and we have paid the Co-Operative Committee .. \$ 23.00 for legal fees as authorized by you.

Yours truly,

FCS/js
1 encl.

F.G. Shears
Director