

1109

BUREAU HASTINGS PARK
OFFICE OF THE CUSTODIAN
JAPANESE SECTION

FILE NO. 1109

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: HAYASHI, Kinosuke
HOME ADDRESS: Phoenix Cannery, Steveston, B. C.
REGISTRATION NUMBER 02530 SEX: male AGE: 50
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: Phoenix Cannery, Steveston, B. C.
MARRIED? Yes
NAME OF WIFE OR HUSBAND: Yasue 6250
ADDRESS OF WIFE OR HUSBAND: Phoenix Cannery, Steveston, B.C.
NAMES OF ANY LIVING CHILDREN: Mitsuko, (F), Koichi (M) Kazuto (F)

ADDRESS OF CHILDREN: Phoenix Cannery, Steveston, B. C.
AGE OF CHILDREN: 10, 6 and 4 years old.

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

1. LOCATION AND DESCRIPTION: None
2. BUILDINGS AND OTHER IMPROVEMENTS: None
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: Cabin, Phoenix Cannery, Steveston, B.C.
2. LANDLORD'S NAME AND ADDRESS: Phoenix Cannery, Steveston, B.C.
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: Table, Stove, Sewing Machine Value about \$150.00, bed and trunk, all left in the Company Cabin, at Steveston, 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

4. INSURANCE CARRIED ON ABOVE PROPERTY: NONE5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF
OTHERS: NONE6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom)
NONE7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts)
NONE8. BANK ACCOUNTS: NONE9. LIFE INSURANCE: NONE10. INTEREST IN ANY ESTATES OR TRUSTS: NONE11. SAFETY DEPOSIT BOX: NONE**LIABILITIES:**1. PERSONAL DEBTS: NONE2. TRADE DEBTS: NONEREMARKS: NONE

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 3rd day of April 1942.

(Signature)

K H WrightM Wright

Witness

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

DATE Aug. 5/43

File No. 1109

Full Name HAYASHI, Kinsuke
(Surname in Block Letters)

Registration No. 02530

V
Male - Female
(Check)

Age Dec. 17/1890

Former Address Phoenix Cannery, Steveston, B.C.

Date Evacuated April 24/42

V
Naturalized - Canadian-Born - National
(Check)

Present Address Greenwood, B.C.

V
Married - Single
(Check)

Name of Wife Yasue #03921

Name of Husband _____

Name of Mother Deceased

Name of Father Takanatsu (De'd)

Names of Children under 16 Mitsuko(F) 13/2/32

Koichi(M) 21/12/34

Kazuko(F) 25/9/38

Requested by Violet Scott

Registered with Custodian Yes
(Yes or No)

Additional Information Fisherman

PERSONAL PROPERTY SUMMARY

File No. 1109

Sept. 6, 1946.

RE: Kinosuke HAYASHI, Reg. No. 02530

This file reveals the above owned no real property in any protected area of B.C., and carried no Fire Insurance.

CHATTELS: The above, who made his declaration to the Custodian on April 3/42 and was evacuated on April 24/42, declared goods as set forth on Chattel Schedule on file, at House #8, Phoenix Cannery. The goods in this house were inventoried by Custodian agent, Mr. C. C. Robinson, on June 24/42, as per List #39 on file, and moved to central storage. Some goods as noted on Schedule, were abandoned as being of no value. The goods declared by Yasue HAYASHI, wife of the above, File 5250, are also on Inventory List #39 and are included on Schedule. Goods as shown on the Schedule were sold at auction for the net sum of \$7.21, and this sum was credited to the account of the above with this office. On Oct. 27/42 Yasue HAYASHI sent us a Custodian Release requesting shipment of the sewing machine declared by the above. A sewing machine was shipped to the above at Greenwood in Dec. 1942. He wrote on Jan. 17/43 stating that this machine was not his and gave us the serial number of his own machine. The machine bearing this number was located and shipped in Feb. 43 and the one shipped in error as handed over to the Supervisor at Tashme as stated in his letter of Feb. 27/43.

The file reveals no specified articles owned by the above.

MONEYS RECEIVABLE: In July, 1945, the account of the above was credited with the sum of \$5.76, being a refund of security deposit for light from the B.C.E.R.

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

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

Sept. 6/46
RBM:LBM

R.B. Mackenzie
R.B. Mackenzie

CHattel Schedule

File No. 1109

Sept. 6, 1946.

RE: Kinoshuke HAYASHI, Reg. No. 02530

DECLARED BY HAYASHI
on April 3/42 at House
#8, Phoenix Cannery

INVENTORIED BY Custodian
agent, G.G. Robinson, on
June 24/42 at House #8,
Phoenix Cannery

SOLD

OTHER
DISPOSITION

Table
stove
sewing machine

1 home made table 2.50
1 kitchen stove 35
1 sewing machine

abandoned
abandoned
shipped
Feb., 1943
not found
not found
destroyed

Trunk
Bed

1 old single mattress

DECLARED by Mrs.
Kinoshuke HAYASHI
on April 23/42 at
House #8, Phoenix
Cannery

2 beds and mattresses
4 tables
3 chairs
Japanese dolls
1 cupboard
Kitchen utensils

2 beds and springs 20
3 chairs 4.50

abandoned
not found
abandoned
not found
not found
missing
abandoned
missing
missing
missing
missing
abandoned
missing
abandoned,
except some
photographs
now stored

1 carton kitchenware
1 coal hod
11 cartons sundry goods
1 box sundry goods
1 tin crockery
1 2 gal. can
1 carton wool
1 baby go cart
1 carton rags

2 cross cut saws 14/1/44
1 pr. saw handles 14/1/44
1 sprinkling can 14/1/44
1 buck saw 14/1/44
1 hand saw 14/1/44
1 cant hook 14/1/44
1 hoe 14/1/44
1 wash tub 14/1/44

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

Sept. 6/46
RBM:LEW

R.B. Mackenzie
R.B. Mackenzie

File No. 1109

Sept. 6, 1946.

RE: Kinomuke HAYASHI, Reg. No. 02530

All trunks and personal belongings in storage at Steveston were opened and inspected in October, 1945. Goods of no value were discarded; clothing of no saleable value were turned over to U.N.R.R.A.; saleable articles were auctioned and any personal photographs or goods of a personal nature are stored ready for shipment at the request of the Japanese at the Buddhist Temple at Steveston.

HAYASHI, K. Lot 372

1 carton - opened

Discarded - 1 broken doll
cotton batting
rags

Personal - photographs

1 carton - opened

Discarded - Japanese novels

143 Mackenzie

LIABILITY SUMMARY

File No. 1109

Sept. 6, 1946.

RE: Kinosuke HAYASHI, Reg. No. 02530

This file reveals no claims against the above person.

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

Sept. 6/46
RBM:LEH

R. B. Mackenzie
R. B. Mackenzie

NAME HAYASHI, Kinsuke

REGISTRATION NO. 02530

FILE NO. 1109

The following chattels were sold by public
auction at Steverson, D. C. on January 14, 1944.

✓ 1 Washtub & sprinkling can	\$ 1.10
✓ Hoe	.50
✓ Cant Book	2.00
✓ Cross Cut Saw	.75
✓ Cross Cut Saw	2.50
✓ Hand Saw	1.50
✓ Buck Saw	1.25

Total:		\$ 9.60
Less Expenses:	(Auctioneer's Fee .96	
	(Advertising .38	\$ 2.39
	(Movings 1.01	
Net Proceeds Credited:		\$ 7.21

Members of Custodian Staff Present. Mr. C.C. Robinson

Extracted from Auctioneering list No. Steverson 3

Remarks.

1109
CASE NO. 285

JAPANESE PROPERTY CLAIMS COMMISSION

Grand Forks, B.C.

May 25, 1948

IN THE MATTER OF THE CLAIM OF

KINOSUKE HAYASHI

PROCEEDINGS AT HEARING

IN THE MATTER OF THE WINDUITS ACT,
PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(HIS HONOUR, JUDGE ERIC P. DAWSON, SUB-COMMISSIONER)

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Grand Forks, B.C.
May 25, 1948

IN THE MATTER OF THE CLAIM OF
KIMOSUKE HAYASHI

PROCEEDINGS AT HEARING

20 APPEARANCES:

HAROLD W. McINNES, Esq.,

appearing for the
Dominion Government.

A.E. COBUS, Esq.,

appearing for the
Claimant.

L.A. DODD, Esq.,

Secretary to Grand
Forks Sub-Commission.

MRS. I.C. SMITH,

Official Interpreter

G. HAMBLETON, Esq.,

Official Reporter.

30

Y. Hayashi
In Chief

MR. COBUS: The claim of Hayashi, Kinosuke, your honour. I am calling the widow of the claimant, Kinosuke.

THE COMMISSIONER: All right.

MR. COBUS: The claim number will be 265.

THE COMMISSIONER: Very well, I will make a note of that.

10

YASUE HAYASHI, a witness called on behalf of the Claimant herein, being first duly sworn, testified through the official interpreter as follows:

MR. COBUS: May it please your honour, I understand that the present witness is the wife of the claimant, not the widow.

20

I would ask leave to amend the claim, your honour, by deleting the claim shown under (4) (e) noted as household chattels, \$250.00; that now appears on the reverse side of the claim, under the itemized description of personal property, as household chattels in the amount of \$220.10. The two items already there, a net and twine, are being abandoned so that the chattel claim is \$220.10, credit to the Custodian, \$9.60, leaving a net claim of \$210.50.

THE COMMISSIONER: Possibly I had better mark these amendments on the claim form.

30

MR. McINNES: You said you were amending by abandoning the net claim. I presume that means the twine as well?

MR. COBUS: The net and the twine, that is correct.
In other words, the claim is for household chattels in the amount of \$220.10.

DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, you are the wife of Kinosuke Hayashi, is that correct? A: Yes.

Q: You have knowledge of the matters for which this claim is being made, have you? A: Yes, she has.

10

Q: Now, witness, I produce to you a statement concerning the personal chattels for which the claim is being made. Did you instruct Mr. Leckie to prepare this statement for you and is that your signature? A: Yes.

Q: And are the statements contained therein true to the best of your knowledge and recollection?

A: Yes.

Q: I produce to you an inventory of household chattels. Was that list prepared for you?

20

A: Yes.

Q: And the figures that you show in the last column under the heading "estimated value," those are your estimates of a fair market value for each of the items on the list? A: Yes.

Q: And the remainder of the information contained on the inventory, is it correct to the best of your knowledge and recollection?

A: Yes.

30 THE COMMISSIONER: You are filing these as exhibits,

are you, Mr. Cobus?

MR. COBUS: Not the claim form, your honour.

THE COMMISSIONER: All right.

MR. COBUS: I would ask to file the statement concerning personal chattels and the inventory as one exhibit, your honour.

MR. McINNIS: That exhibit, what do you call that, just so that I will know.

10 MR. COBUS: The personal chattels statement and inventory is one exhibit.

MR. McINNIS: That will be Exhibit No. 1.

MR. COBUS: Exhibit No. 1.

(STATEMENT AND INVENTORY MARKED EXHIBIT NO. 1)

MR. COBUS: Referring to the statement, your honour, the statement refers to the list attached to the statement as indicating the chattels for which the claim is being made, and indicates that the goods were left in No. 8 house, Phoenix Cannery, Steveston, B.C.

20 THE COMMISSIONER: Could I have that statement, just to follow it, Mr. Dodd, please. (Handed to the Commissioner)

Yes, Mr. Cobus.

MR. COBUS: The only comment made in the claim is that depreciation has been allowed on articles claimed and the witness states that she has full knowledge as to the chattels and is representing her husband as to this claim.

30 THE COMMISSIONER: Well, these goods were left in No. 8 house, were they? Were they there at the time

they came into the possession of the Custodian,
all these chattels?

MR. COBUS: I gather that the J.P. form, your honour,
would indicate that they were noted thereon as
having been left in No. 8 house, Phoenix Cannery,
Steveston.

THE COMMISSIONER: Yes. That was the residence of the
claimant at the time, I presume.

MR. COBUS: Q: Witness, was No. 8 house, Phoenix
Cannery, Steveston, your residence at Steveston?

A: Yes.

MR. COBUS: Your witness.

CROSS EXAMINATION BY MR. McINNIS:

Q: You have no separate claim other than that filed,
as the widow --

MR. COBUS: No, wife. I am sorry, I indicated widow.

THE COMMISSIONER: Of Kinosuke Hayashi.

MR. McINNIS: Q: -- as the wife of Kinosuke Hayashi?

20 THE INTERPRETER: Would you repeat the question,
please?

MR. McINNIS: Will you read the question?

(Question read)

A: No.

Q: In the inventory filed as part of your personal
chattels claim, you show at the bottom of such
inventory a large number of items which you say
you bought in 1941 from a Japanese store. What
store was that?

A: From Mr.

30 Nishimura in Vancouver.

Q: Do you know his address?

THE INTERPRETER: I beg your pardon?

MR. McINNES: Q: Do you know his address?

A: I don't know his address now, where he is.

Q: Were you ever in his store? A: He used to come for orders and she bought it that way and she didn't know his address at all.

Q: This Japanese merchant brought the stuff around to your house, is that correct?

10 A: I didn't buy them all at once, but bought them a little at a time when he brought them to the house.

Q: Over what period? A: During two months I bought them.

MR. McINNES: That is all.

20 It is submitted, your honour, that the goods or personal chattels which were sold were sold for their fair market value, and it is further submitted that those goods of which there is no account which were not sold, the claimant is claiming an exorbitant amount for them.

THE COMMISSIONER: You are not going into the defence that they were left with some other person; they were simply left on the premises, according to the statement.

MR. McINNES: So far as I can see, yes.

THE COMMISSIONER: You wouldn't have anything in your J.P. form as to their having been left in any other person's possession?

30 MR. McINNES: There is no suggestion that I can see in

this file that they were left with anyone else.

THE COMMISSIONER: Very well.

MR. McINNES: They were turned over to the watchman at the cannery.

THE COMMISSIONER: Yes. Very well, Mrs. Hayashi. You might tell her the matter will be dealt with later.

(Interpreter to witness)

Do you wish to re-examine the witness?

10 MR. COBUS: I simply would like to clear up the last remark on the record, that they were turned over to the watchman. I would rather have that read as being located in the care, perhaps, of the watchman, but it was not an indication that the goods were in the custody of the watchman, because --

THE COMMISSIONER: Well, you may examine on that and clear that point up.

MR. COBUS: Yes, your honour.

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RE-DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, when you left your home in Steveston, the goods were left in your home under no one's care, or under the care of no one in particular, is that correct? A: I left them at No. 8 Steveston but not with anyone in particular.

MR. McINNES: Well, now, your honour, my friend has brought that up, and I have here the J.P. form of this lady herself and it states in it that

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"The above articles (for which she herself is claiming) will be left in charge of the watchman, Phoenix Cannery, Steveston, B.C., and the key will be turned over to the Phoenix Cannery, Steveston, B.C., when declarant is evacuated."

MR. COBUS: Your honour, in the J.P. form, as I understand, to which reference is being made, if my learned friend will read the red printing on page 3 --

10 THE COMMISSIONER: Was that signed by her or by her husband?

MR. COBUS: Your honour, perhaps my friend would file the J.P. form, prove it, identify it, and indicate the red printed statement, and I think it will clear the matter up without anything further.

THE COMMISSIONER: Very well.

MR. COBUS: The J.P. form in this particular instance happens to be one of those in which the declarant distinctly places the goods and chattels in the custody of the Custodian.

20

THE COMMISSIONER: That is what we are getting at, yes.

MR. COBUS: I file, therefore, the J.P. form of this witness, that is, Yasue Hayashi.

THE COMMISSIONER: This is signed by her, is it? That is her own form, not her husband's.

Q MR. COBUS: Q: Is that your signature?

A: Yes.

THE COMMISSIONER: That will be Exhibit No. 2, then,
30 Mr. Dodd.

THE SECRETARY: Yes, your honour.

MR. COBUS: I have nothing more, your honour.

THE COMMISSIONER: Is that all, Mr. McInnes?

MR. McINNES: Yes, your honour.

THE COMMISSIONER: All right, Mrs. Hayashi, that is
all for the time being.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

10

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

Gordon Hambleton

G. Hambleton,
Official Reporter.

I hereby certify that the foregoing trans-
cript purports to be an accurate record of
the evidence adduced before me.

E.P. Dawson,
Sub-Commissioner.

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DEFENCE BRIEF

GRAND FORKS
25 May 1948

Kinosuke HAYASHI

File No. 1109

Case No. 265

PERSONAL PROPERTY CLAIM

1.

(All claims shown are Gross)

Household Goods
Claim reduced to

\$220.10 (Trans. Page 2)

Claims for Nets and Twine abandoned.

Claimant stated that his goods were left in No. 8 house Phoenix Cannery but not left in care of anyone in particular.

(a) Goods value	\$ 1.50	Sold by Auction	\$1.10 ✓
(b) " "	82.00	Abandoned.	
(c) " "	136.60	Recorded now missing.	
<u>invoiced total</u>			<u>\$220.10</u>

1.50 for 1.10 ✓
69.50 extended
148.10 receipts necessary
Correct total 219.10

Some goods sold by auction were not claimed for and clothing of no saleable value was turned over to U.N.R.A.

It is submitted that the goods which were sold were sold for their fair market value, and those goods of which there is no account which were not sold, the claim is exorbitant.

Defence Summary

Witness

Thompson & Co.

C. C. Robinson

R. B. MacKedie

Where required

1 (a) Auctioneers

1 (a) Staff

1 (b) Staff

BMP/mw

1109

October 2nd, 1950

Mr. Kinosuke HAYASHI,
P. O. Box 456,
Greenwood, B. C.

Dear Sir:

Re: Japanese Property Claims Commission
Case No. 265

We have received from the Co-Operative Committee on Japanese Canadians, Release executed by yourself covering the award recommended under the above Commission, for the sum of \$123.96.

Cheque for \$121.41 is enclosed herein, and the sum of \$2.55 has been paid to the Co-Operative Committee on Japanese Canadians for legal fees as authorized.

Yours truly,

F. G. Shears
Director

FGS:BK
Encl.

Name of Claimant **HAYASHI, Kinesuke**

Case

265Custodian File **1109**

<u>REAL PROPERTY</u>										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village		Total Award Price	
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 & Not Found & 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	
<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			
1.50	1.10	.33	73.33%	168.60	123.63					
123.96										
TOTAL RECOMMENDATION										123.96