

2084

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

NAME: Ushii, KahoHOME ADDRESS: Claxton Cannery, Claxton, B. C.REGISTRATION NUMBER 10979SEX: maleAGE: 49OCCUPATION: 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: B. C. Packers Ltd. Claxton Cannery, Claxton, B. C.MARRIED? YesNAME OF WIFE OR HUSBAND: HiraoADDRESS OF WIFE OR HUSBAND: Claxton Cannery, Claxton, B. C.NAMES OF ANY LIVING CHILDREN: Hiroshi (M) Tsuneko (F)EXHIBIT NO. 801-5DATE October 15 1948FILED BY J. R. A. RiceADDRESS OF CHILDREN: Claxton Cannery, Claxton, B. C.AGE OF CHILDREN: 15 years 3 years

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

1. LOCATION AND DESCRIPTION:

2. BUILDINGS AND OTHER IMPROVEMENTS:

3. INSURANCE (Give particulars; state where policies are)

4. TAXES (Amount and where payable)

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed)

6. OCCUPANCY AND LEASES (If vacant so state)

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: Five-roomed company house at Claxton Cannery, B. C.

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

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: Rent free

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:

22 pcs. all numbered of household goods, furniture, tools and groceries stored in bunk house at Claxton Cannery, Claxton, B. C.
one goose and one spring net in Claxton Cannery's net house, Claxton, 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: 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)

B. C. Packers, Skeena River, B. C. owes me \$200 MM being my equity in one
29' 7h.p. motor boat named "Fortune U" don't know registration number

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts)

None

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

REMARKS:

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 24th day of March 1942.

(Signature)

Kohler

Witness

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

DATE Sept. 23/43

Our File No. 2084

Full Name USUI, Kohei
(Surname in Block Letters)

Registration No. 10979

^V
Male - Female
(Check)

Age Feb. 21/1893

Former Address Claxton Cannery, Claxton, B.C.
and Port Essington, B.C.

Date Evacuated April 1942 ^V
Naturalized - Canadian-Born - National
(Check)

Present Address Sandon, B.C.

Iron Springs, Alta
1/10/43

^V
Married - Single
(Check)

Name of Wife ^{nee} (OSEKI) Hirae #10981

Name of Husband _____

Name of Mother Deceased

Name of Father Deceased

Names of Children under 16 Hiroshi(M) 8/11/26

Tsuneko(F) 17/3/39

Requested by E.C.T.

Registered with Custodian
(Yes or No)

Additional Information Fisherman. Gasboat "Fortune V"

29/69/6

LIABILITY SUMMARY

File No. 2084

Feb. 22/47

RE: Kohai USUI, Reg. No. 10979

The following claims were filed against Kohai USUI:

Mrs. Shino KAMEDA	\$48.70
M. FURUYA COMPANY	30.00

USUI admitted both these claims. He has only a balance of \$26.49 with this office. We have therefore paid these claims on a pro rata basis of 33.65 %. Cheques in the sum of \$16.39 and \$10.10 have been sent to the respective creditors. M. Furuya Co., through P.B. Moss and Sons have accepted the cheque for \$10.10 in full settlement of their claim, but Mrs. KAMEDA has not accepted the cheque for \$16.39 in full settlement of her claim.

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

Feb. 22/47

LEM:


L. McKinnon

File No. 2084.

CLAIMS DEPARTMENT

January 12th, 1944.

Kohai USUI - Registration No. 10979

CREDITORS:

1. Shimo KAMEDA \$48.70 *admitted*
2. M. Furuya Co. 30.00 *Admitted*

advised with address of Debtor

Cash pay

No account as at Jan. 12/44

Note. ^{/DE} no claims on wife's file # 339 1/16/44

*No further action
by Claims*

27-1-44

5

12-1-44 A

NAME USUI, Kichai

REGISTRATION NO. 10979

FILE NO. 2084

The following chattels were sold by public
 auction at Prince Rupert, B.C.

on July 28, 30, 1945.

Incense decorations	1.10
Incense decorations	1.35
Japanese doll	0.90
Incense decorations	0.15
Ornament	0.40
Fisherman's apron	0.40
Fish net needles & twine	0.20
Jap figurines in box	0.50
Ornaments	0.10
Ornaments	0.15
Patent medicines 2 bottles	0.25
Ash tray, cig. box	0.30
Ornament	0.10
Filing case	0.25
Toys	0.50
Small cushion, ink	0.05
Wooden box	0.50
Cleaver	0.55
Bread box	0.40
Glass bowl & plate	0.25
Plates	0.60
Bowls	1.10
Box of oddments	0.25
Platier	0.25
Axe & sledge hammer	1.75
Axe & ladder hooks	0.50
Fan	0.25
Towel & curtain rods	0.30
Total to be carried forward:	

~~Net proceeds:~~

~~Net proceeds:~~

~~Net proceeds:~~

~~Net proceeds:~~

~~Net proceeds:~~

13.40

NAME USUI, Kohel

REGISTRATION NO. 10979

FILE NO. 2084

The following chattels were sold by public
 auction at Prince Rupert, B.C. on July 28, 30, 1945.

	Brought forward:	13.40
Box of electric odds & ends		0.50
Double socket		0.20
Extension cord		0.30
Cable & ends		0.10
Shelf brackets		0.35
Picture		0.25
Sideboard		6.00 - 2
Dresser		5.00 - 7
Blanket		1.75
Apron		0.25
Chest of drawers		5.90 - 1
Flannellette sheet		0.65
Material		1.00
Material		0.10
Pillow case		0.10
Cushions small		0.40
Towel		0.05
Scarf		0.20
Boys pants		0.60
Ribbons		0.10
Material remnant		0.10
Flannellette		0.10
Curtains		0.25
Materials		0.30
Materials		0.10
Overall		0.75
Material remnants		0.85
to be carried forward:		
Total		39.25

Less Expenses:

Net Proceeds Credited:

Members of Custodian Staff Present.

Extracted from Auctioneering List No.

Remarks.

NAME HMST, Kohat

REGISTRATION NO. 10979

FILE NO. 2084

The following chattels were sold by public
auction at Prince Rupert, B.C. on July 28, 30, 1945

	Brought forward:	
Wicker suit case		\$ 39.25
Baby swing		0.80
Lamps		0.75
Material remnant		0.25
		0.10

Total		\$ 41.15
Less Expenses	(Auctioneer's Fee: \$4.12	
	Advertising: 1.49	\$ 14.66
	Moving: 9.05	
Net Proceeds Credited:		\$ 26.49

Members of Custodian Staff Present. Mrs. Arnold (Agent)
Extracted from Auctioneering List No. Prince Rupert 4.
Remarks.

CLAIM

File No. 2084

DATE

March 24, 1942

CREDITOR

Shimo KAMEDA

DEBTOR

K. Usai
Claxton, B. C.

AMOUNT OWING

\$48.70

AGENT

Nil

ORIGINAL FILE

1582

December 21, 1942

M. A. D.

U. S.

October 21, 1946.

PERSONAL PROPERTY SUMMARY

Re: Kohei USUI, Reg. No. 10779.

The above signed a declaration to the Custodian on March 24, 1942 and was evacuated in April 1942.

CHATELS: He declared 20 pieces of household goods, furniture, tools and groceries, all numbered and stored in the Bunk House at Claxton Cannery. 10 pieces were requested on May 16, 1942. ~~The file does not disclose when shipment was made, but, in the absence of any further request we presume shipment to have been made.~~ The remaining goods were sold in Auction Sale Prince Rupert 4, for the net sum of \$26.49. They were clearly marked with K. USUI's name and registration number.

NETS: He declared a Cohoe net and a Spring net in the Claxton Cannery Net House. B. C. Packers Ltd. purchased the nets for \$35.00 and \$10.00 respectively. A charge of \$1.75 was made for insurance and the balance \$43.25 was handed to the Custodian who in turn handed it to Kohei USUI, in April 1942.

FISHING

VESSELS: He declared a \$200.00 equity owing to him from the B. C. Packers on the Motor boat "Fortune VI". On February 14, 1942 K. USUI signed a release of Liability in favour of the B. C. Packers stating that he had no further claim in connection with the boat.

This file discloses no other property of any kind.

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

C. Girard

October 21, 1946.

CG.

SUMMARY TAKEN FROM VESSELS RECORDS

Date: December 1, 1944

Name: Kohei USUI

Reg. No. 10979

File: 2084

Boat File No.: JFVDC "Released Vessels"

Name of Vessel: "Fortune U" 29'x6'10"x3'6"(1941) Easthope 7 HP (1941)

Lic. or Reg. No.: Prince Rupert 1537

Naval No.: None

Owner's Valuation: \$1,200.00

JFVDC Valuation: None

Custodian Valuation: None

Date of Sale:

This vessel was released to British Columbia Packers Ltd., from whom Kohei USUI was buying the vessel under a Conditional Sale Agreement.

Purchaser:

Signature on Sales Papers:

Selling Price:

Kohei USUI signed a Release of Liability on February 14, 1942.

Paid to JFVDC or Custodian:

See 1/1/43 - Letter from BC Packers Ltd.

Supervision Costs:

Balance due Owner:

Paid to:

Location of Boat ~~XXXXXX~~ While in Custody: Prince Rupert

Claims Against Canadian Govt.: None

Additional Information:

*J. W. MacLean
Oct 21/46*

To: British Columbia Packers Limited,
Vancouver, B.C.

In consideration of your releasing me from
all further liability under a Conditional Sale Agreement,
dated February 14th, 1942. in respect of the
following goods:

One only Gasboat hull and engine, named "Fortune U.",
Length 29', Breadth 6' 10", Depth 3' 4", powered
with a 7/9 H.P. Easthope Marine Engine #RA3945

~~and your payment to me of \$XXXXXXXXXXXXXXXXXXXX (the receipt)~~

~~whereof I hereby acknowledged~~ I Hereby release to you
absolutely all my right, title and interest in the said
goods and agree that I have no further rights in or
under the said Conditional Sale Agreement or in or to
any monies paid by me thereunder.

DATED this 14th, day of February, 1942.

K. Usui

WITNESS:

D. Main

RELEASE OF LIABILITY CONFIRMED:

BRITISH COLUMBIA PACKERS LIMITED,

Per A. E. Lawson

Copy Only

MEMORANDUM

Re: USUI, Kohel. Reg. No. 10979. File 2084

Mr. Usui, in his JP, March 24/42 declared 22 pos. all numbered, of household goods, furniture, tools and groceries stored at Claxton Cannery bunkhouse. He does not give detailed information of the goods concerned.

Mr. D. A. Smith, Custodian representative visited Claxton Cannery in April, 1942 and inventoried 20 items said to belong to Mr. Usui, as follows:

1 Singer Sewing Machine	5 Chairs	5 Boxes
1 Bedroom Suite (4 ps.)	1 8-ft. Saw	4 Crates
1 Roll Lino		2 Trunks.
1 Bed Roll		

A shipment of 10 boxes of goods was made to Mr. Usui on June 1/42. We have no record of the contents of the boxes shipped.

Mr. Usui has claimed for 12 items; Presumably the 22 items declared, less the 10 shipped to him.

The goods from Claxton Cannery were moved to Prince Rupert in August, 1945, and everything saleable was sold at auction. See letter of July 2/48 from Mrs. H.E. Arnold, Custodian agent at Prince Rupert, concerning the condition of the goods from Claxton.

Smithson

/TM

EXHIBIT No. 801-4
DATE October 15/48
FILED BY C. G. A. Rice

2084

January 27th, 1944.

Mr. Kohel UGUL,
Registration No. 10979,
Sandon, D.C.

Dear Sir:

re: Claims

We thank you for your early reply to our letter of the 12th inst. regarding the Kameda and Furuya Co. claims. It is noted that they are correct but that you cannot settle these accounts just now. You intimate that you might have employment in the near future, and we assume that you may make payments at that time to apply on these accounts.

We shall report what you say to these creditors and shall give them your address in case they should wish to write to you. It may be that you and they can come to some arrangement as to payment.

In the meantime we shall take no further action.

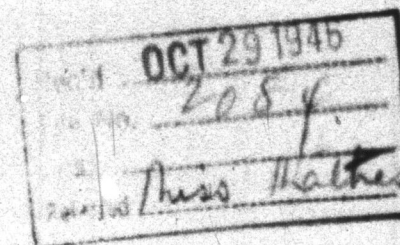
Yours truly,

BRD:DE

B. R. Dusenbury,
Claims Department.

P. S. Ross & Sons

CHARTERED ACCOUNTANTS

MONTREAL TORONTO WINNIPEG
CALGARY VANCOUVER411 Royal Bank Building
Vancouver, B.C.
October 29th, 1946Our File 295-136Office of the Custodian,
506 Royal Bank Building,
Vancouver, B.C.Attention: Miss F. Matheson

Dear Sir:

re: M. Furuya Co. vs Kohei Usui, Claxton
Cannery Claim - \$30.00

Referring to yours of the 22nd instant re the above, we wish to advise that we are agreeable to accepting a payment of \$10.10 in full settlement of the company's claim against this man of \$30.00.

Yours faithfully,

2084/

October 22, 1946.

Messrs. F. S. Ross & Sons,
Royal Bank Building,
Vancouver, B. C.

Dear Sirs: Re: M. Furuya Co. vs. Kohai USUI, Claxton Cannery
 Claim - \$30.00

On January 27, 1944, we informed you that Mr. Kohai USUI had acknowledged his indebtedness to you, but that he had stated he was unable to pay.

Since that time, all assets of Mr. USUI under the control of the Custodian have been liquidated, but the funds standing to his credit with this office as a result of this liquidation are not sufficient to pay his liabilities in full.

It is proposed to make settlement of these liabilities on a pro rata basis of 33.65 per cent. In your case, this would mean a payment of \$10.10. Would you kindly let us know at an early date if you are willing to accept \$10.10 in full settlement of your claim of \$30.00?

Yours truly,

F. Matheson,
Office of the Custodian.

/FM

2084
1582

February 22, 1947.

Mr. Kohel USUI,
Reg. No. 10979,
IRON SPRINGS, Alta.

Dear Sir:

In your letter of January 25, 1944, you agreed that the following claims were correct:

Mrs. Shino KANE DA
M. Furuya Company

\$46.70
30.00

At that time you advised you were not in a position to pay these accounts and you had no funds with the Custodian, so we could not pay them for you. Since that date however saleable chattels left by you at the Claxton Cannery have been disposed of at auction for the net sum of \$26.49 and this sum credited to your account.

On October 26, 1944 we advised your creditors that we could pay their claims on a pro rata basis of 33.65%. M. Furuya Company have agreed to accept this amount, \$10.10, in full settlement of their claim against you and a cheque for this amount has been sent to them. Mrs. Shino KANE DA does not wish to accept the sum of \$16.39 as full settlement of her account, so we have just applied it as part payment of her account. We have suggested that she get in touch with you direct regarding payment of the balance.

These payments have exhausted your credit balance with the Custodian. As no property of any kind belonging to you now remains under the control of the Custodian, we are closing your account and your file.

Yours truly,

F. Matheson
Office of the Custodian

LMH:

2084

June 19, 1948

Mrs. N. E. Arnold,
H. G. Helgeson, Ltd.,
P. O. Box 593,
Prince Rupert, B. C.

Dear Mrs. Arnold:

Re: USUI, Kohai, Reg.No.10979, formerly of
Claxton Cannery

On April 22, 1942, you wrote us that the manager of Claxton Cannery had promised to list the goods stored at the cannery and let you have a list. We do not appear to have received a copy of the list. Would you kindly let us have a copy if such a list was made?

On August 6, 1945, you reported that the goods brought in from Claxton Cannery had been sorted and an inventory had been made. We do not appear to have received a copy of that inventory. Would you please let us have a copy?

In your letter of August 6, 1945, you report that everything from Claxton had been sold except for several beds, which had been labelled and that you would inform us later of the results of sale, if any. We cannot trace the beds as having been offered for sale at Prince Rupert auction of August 4, 1945. Could you give us any information regarding these beds?

Mr. Kohai USUI declared in his JP declaration, 22 pieces all numbered of household goods, furniture, tools and groceries stored at Claxton Cannery. On May 16, 1942, he asked for 10 pieces of effects, specifying the goods required by numbers and giving no details of what these goods were. On June 1, 1942, 10 Boxes of goods were shipped to him from Claxton. Our records do not show the contents of the boxes.

Mr. USUI has filed claim for property loss of \$327.00 in respect to personal property. We enclose a list of the items making up this claim, and a list of the items inventoried by Mr. D.A. Smith, of this office, when he visited Claxton Cannery in April, 1942. We also show the items sold at Prince Rupert auction #4 for this man.

If you have any information that will assist us in regard to the claim of Mr. Usui, we would appreciate your supplying this information.

Yours truly,

F. Matheson,
Office of the Custodian.

/F M
Enclosure

N. E. ARNOLD, MGR.
NOTARY PUBLIC

REGISTERED OFFICE: HELGERSON BLOCK,
216 SIXTH STREET

We Sell Real Estate.
We Write Fire and Marine Insurance.
We have Apartments, Houses, Stores,
and Offices for Rent and Want
More.
We Deal in Mortgage Loans.
We Sell Timber Limits.
We do Conveyancing.

H. G. Helgerson, Limited
Real Estate Brokers

SPECIALISTS IN CENTRAL AND SEMI-BUSINESS PROPERTY

P.O. BOX 593.

PRINCE RUPERT, B.C.

"A GUARANTEE OF
VALUE RECEIVED"

Office of the Custodian,
505 Royal Bank Building,
VANCOUVER, B. C.

Attention: F. Matheson

Dear Sir: -

801-3.
EXHIBIT NO. 801-~~4~~
DATE October 15 1948
FILED BY *Gracie*

July 2, 1948.

EVACUATION SECTION	
R.C.N.	JUL 5 1948
FILE NO.	2084
<i>Matheson</i>	

Re: USUI, Kohei, Reg. No. 10979 formerly of
Claxton Cannery

Sometime in the spring of 1945 I visited Claxton Cannery and arranged for the shipment of all Japanese owned goods to Prince Rupert for sale. The goods were mostly packed in boxes, except for beds and mattresses and had been stored in a shed built over a wharf. This was damp and the mattresses deteriorated so badly that they were thrown out and not shipped.

We do not have any copy of inventory. The goods were brought here, opened under my supervision and arranged for sale by auction. As far as was humanly possible each individual's possessions were kept apart and the auctioneer sold off the whole collection. In some cases articles were unsaleable and had to be left and the auctioneer passed on to the next collection. As each article was sold I listed it myself on the auction sheet and these sheets were sent on to you and no other records were kept by me.

The beds were old iron frames and we could get no bids whatsoever and later sent them to the city dump. ✓

I note that Mr. Usui is claiming for higher prices than were obtained at the sale. The sale was conducted in an orderly and honest manner. It was duly advertised, the auctioneer was a regular tradesman in the city and the goods were put up in the proper manner and sold to the highest bidder.

I was personally present at all sales and took down details of each transaction noting the article and price obtained. Many of the goods were much worn, old and I feel that they fetched the best price obtainable.

I do not think I can give you any more information. In some cases food had been packed with goods, and its subsequent rotting made such a mess of the other contents that some had to be thrown out. Whether this was the case

-2-

Office of the Custodian.

Attention of F. Matheson

with this man's goods I cannot at this late date remember.

Yours very truly,

H. G. HELGERSON LTD.,

H E Arnold.

Manager.

NEA/be

2084

Continued

Defence Brief

LETHBRIDGE
15 Oct. 48

Kohel U S U I

File No. 2084

Case No. 801

PERSONAL PROPERTY CLAIMS

1. Chattel Claim

\$261.00

(a) Goods valued by claimant @ 170.00 Sold at auction for 41.15.

Witnesses: J.H. Mair, Auctioneer
N.E. Arnold, attended sale.

(b) Goods valued at 68.50 Lost, destroyed or stolen.

Witness: N. E. Arnold

Inventoried by D.A. Smith April 1942
but not sold.

(c) Goods valued at 10.00 undeclared and not found.

Witness: D. A. Smith.

(d) Goods valued at 12.50 Abandoned.

Witness: N. E. Arnold.

(b) & (d) See Ex. 3 - Letter from
N. E. Arnold, manager of H.G. Helgerson
Ltd., Prince Rupert (subject to proof)
regarding condition of claimant's
effects.

Submission: That the chattels sold by the Custodian were
sold for their fair market value. That if the
Custodian is responsible for any part of the
claim that the claim is exorbitant.

RWN/mw

Name of Claimant **USUI, Kakei**
 Custodian File **2034**

Case **801**

REAL PROPERTY										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village			
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Amount Total	Sale Price	Total Award 125% of all Sale Prices % of Amount Total		
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	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
170.00	41.15	12.34	46%	78.50	36.11			48.45		
TOTAL RECOMMENDATION										48.45

1
CASE NO. 801.

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

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(HIS HONOUR JUDGE R. M. EDMANSON, SUB-COMMISSIONER)

10

Lethbridge, Alberta,
October 15th, 1948.

IN THE MATTER OF THE CLAIM OF

KOHEI USUI.

PROCEEDINGS AT HEARING.

20

APPEARANCES:

G.E.A. RICE, Esq., K.C.,

appearing for the
Dominion Government.

A.G. VIRTUE, Esq., K.C.,

appearing for the
Claimant.

MISS LILLIE THOMAS,

Secretary.

MRS. LUCIE HANDFORD,

Official Interpreter.

S.R. HOWARD, Esq.,

Official Reporter.

30

2
K. Usui,
In Chief.

THE SECRETARY: Case No. 801, Kohai Usui.

KOHEI USUI, the claimant herein,
being first duly sworn, testified
through the Interpreter as follows:

DIRECT EXAMINATION BY MR. VIRTUE:

Q Before you were evacuated you lived up on the Skeena
River? A: Yes.

Q When you left there you left some personal property
behind? A: Yes.

10 Q You have seen that list (indicating)?

A Yes.

Q And is that a true list of the property you
left behind? A: Yes, there is no
mistake.

Q Pardon? A: There is no mistake.

Q And the values you have put on this property, were
they fair values? A: Yes.

Q \$261.00? A: Yes.

Q Is that your signature? A: Yes.

20 MR. VIRTUE: I will put that in as an exhibit.

(SUMMARY MARKED EXHIBIT NO. 1).

MR. VIRTUE: Q: Whereabouts did you leave this property?

A In the large building in the cannery.

Q In what is called the Claxton Cannery? Is that it?

A Yes.

Q You originally in your proof of claim which you
filed last November, you valued your property at
\$327.00? A: Yes.

Q But when you filed or made up your summary of
evidence in that you reduced it to \$261.00?

5
K. Usui,
In Chief.

A Yes.

Q And all you got from the Custodian was \$26.47?

A Yes.

Q And you are claiming for the difference?

A Yes.

Q All right, thank you.

10 MR. RICE: I am submitting, your Honour, that the chattels sold by the Custodian were sold for their fair market value. I am submitting that if the Custodian is responsible for any part of the claim that the claim is exorbitant for the same.

I tender as exhibits in the claim the following documents: Analysis of personal property claim.

(ANALYSIS MARKED EXHIBIT NO. 2).

MR. RICE: I wish to tender a report of H. E. Arnold, Manager of H. G. Helgeson, Limited, written from Prince Rupert, B. C., on July 2nd, 1948 to the Custodian at Vancouver referring to this claimant's...

MR. VIRTUE: ...Well, that will go in for information, sir.

20 THE SUB-COMMISSIONER: Pardon?

MR. VIRTUE: That will go in for information; if they want to call him they will have to call him.

MR. RICE: Yes. I can just tender the letter without reading it.

(LETTER MARKED EXHIBIT NO. 3).

MR. RICE: A memorandum respecting the claimant's chattels.

(MEMORANDUM MARKED EXHIBIT NO. 4).

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K. Usui,
Cross Exam.

CROSS EXAMINATION BY MR. RICE:

Q I show you a J.P. form, dated the 24th of March, 1942; will you look at that document and tell me if you completed and signed the same?

A Yes.

MR. RICE: I will tender the claimant's J.P. form.

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

MR. RICE: Q I show you a release or a copy of a release, signed on the 16th of May, 1942, where you released the Custodian from any claim you might have respecting property in boxes or cartons Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 20. Do you recall completing a release?

A: Yes, I received them.

Q You received them?

A: Yes.

Q The Cahoe net and Spring net, I don't think it is in the exhibit in this claim, you received those two; I take it?

A: I sold them before I left.

Q Yes. I will tender the release respecting the ten cartons. I think there must be a mistake here. It counts up to nine, and it states ten pieces.

MR. VIRTUE: At any rate, none of these goods that are now in the release are being claimed for.

MR. RICE: I tender two documents together, the shipping bill of the goods and the release which the claimant says that he received.

(DOCUMENTS MARKED EXHIBIT NO. 6).

MR. RICE: Q You are claiming for a box of books that cost you \$40.00?

A: Yes.

K. Usui,
Cross Exam.

Q When did you acquire them or purchase them?

A I am afraid I can't remember clearly because they weren't all bought at the same time.

Q And do you know what kind of books they were?

A They were mostly Japanese books.

Q Mostly Japanese books? A: Yes.

Q And you claim for a box of utensils that you paid \$30.00 for; when did you acquire those?

A I am afraid I can't remember what they were because I never itemized them.

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Q Well, a crosscut saw that you paid \$11.00 in 1940, and you used it two years, and wouldn't it have some depreciation?

A: They were never used.

Q Pardon?

A: They were never used.

Q It was never used. Wouldn't it rust a bit?

A No, it shouldn't have rusted because I took care to guard against that.

Q You kept a crosscut saw in the house for two years and you never used it, and just took care that it didn't get rusty? A: I covered the saw with lard and then put a guard over the teeth, the edge, so that it shouldn't have become rusty.

Q What did you buy it for if you didn't use it?

A I bought it to go out my own firewood.

Q And you never cut any firewood the last two years you were there?

A: I had an old saw

that I was using for that purpose.

Q All right.

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THE SUB-COMMISSIONER: All right, that is all, thanks.

K. Voul,
Discussion.

MR. VIRTUE: In the analysis of personal property claim, sir, I call attention to the fact that there are four items totalling in value \$88.00, which are marked "No account, theft, etc."

THE SUB-COMMISSIONER: Yes. Is that all, Mr. Rice?

MR. RICE: Yes, sir.

THE SUB-COMMISSIONER: Well, that ends it. This is the last case.

(Witness aside)

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(PROCEEDINGS ADJURNED SINE DIE)

I hereby certify that the foregoing transcript is a true and accurate record of the proceedings herein.

S.R. Howard
"S.R. HOWARD" Official Reporter.

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

SUB-COMMISSIONER.

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