

3486

COPY

FORM "J"

BUREAU HASTINGS PARK

File No. "3486"

OFFICE OF THE CUSTODIAN  
Japanese Section

To be completed by persons of the Japanese race having no property in any protected area.

NAME: EBATA Toshiaki

HOME ADDRESS: 475 Bridgeport Rd. Eburne, B.C. R.R.#2 Registration No. 00479

SEX: Male AGE: 27 MARRIED? No

OCCUPATION AND EMPLOYER: Millhand & Farmer, B.C. Fir & Cedar Co., Vancouver, B.C.

NAME OF WIFE OR HUSBAND: None ADDRESS: None

NAMES OF LIVING CHILDREN: None ADDRESS: None

ADDRESS:

ADDRESS:

I certify that the above information is true and complete and state that I have no property of any kind whatsoever in any protected area in British Columbia.

Dated this 11th day of April 1942

(Signature) "T. Ebata"

WITNESS: P. Allin

LIST OF LIABILITIES:

None

HOW DO YOU PROPOSE TO PAY THESE OFF?

FOR DEPARTMENTAL USE

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INFORMATION FROM R.C.M.P.

Date 14-4-43.

Our File No. 3 486

Full Name

EBATA - Ioshiaki  
(Surname in Block Letters)

Registration No. 00479

Male - Female  
(check)

Age

Oct. 23-14

Former Address

475 Bridgeport Road, RR#2 E Huron P.E.

Date Evacuated

1-6-42

Naturalized - Canadian-Born - National  
(check)

Present Address

Ontario Farm Service Camp,  
Essex, Ontario.

Married - Single  
(check)

now: Mrs. Houston, James Street Hamilton  
Ont.

Name of Wife

Name of Husband

Name of Mother

(nee)  
MORI - Shio  
01676.

Name of Father

Genya - 01680

Names of Children under 16

Requested by

Ans

Registered with Custodian

(Yes or No)

Additional Information

Lumbering

3486

July 30, 1943.

Mr. Toshiaki Ebata,  
Japanese Registration No. 00479,  
c/o Mrs. Houston,  
James Street,  
Hamilton, Ontario.

Dear Sir:

Enclosed please find cheque for  
\$4.45, representing settlement in full of  
refund of 15 wage deductions for the first  
six months of 1941 which we have received  
on your behalf from the Provincial Collector,  
Vancouver, B. C.

Yours truly,

P. Duast,  
Administration Department.

PD:BT

Encl. 1

IN THE OFFICE OF THE "COMMISSIONER"  
JAMES L. BENTLEY, DIRECTOR OF REVENUE, DISTRICT OF COLUMBIA

JAPANESE PROPERTY CLAIMS COMMISSION

REPORT

FOR THE MONTH OF JUNE, 1945

Tokyo, Japan,  
October 10, 1944.

IN THE OFFICE OF THE CLERK OF  
THE DISTRICT COURT

DISTRICT OF COLUMBIA

APPROVED:

J. L. BENTLEY, JR., D.C.,

Director for the  
District of Columbia

J. L. BENTLEY, JR.,

Director for the  
District

A. BENTLEY, JR.,

Secretary

C. E. BENTLEY, JR.,

Official Interpreter

A. BENTLEY, JR.,

Official Reporter

EXHIBIT THREE (2021), the original records,  
being first copy copies,  
testified as follows:

SWORN EXAMINATION BY MR. HART:

Q. Mr. Harte, I understand that you lived at  
Eburne, British Columbia, before the examination?

A. Yes, sir.

Q. Is that your signature (indicating)?

A. Yes, sir.

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

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

(PARTICULARS OF PERSONAL CHATTELS, MARKED  
EXHIBIT NO. 1)

MR. CHRISTIE: I tender as Exhibit 3 the  
Analysis of Personal Property claim.

(ANALYSIS OF PERSONAL PROPERTY CLAIM,  
MARKED EXHIBIT NO. 2)

MR. HART: Q. Did you live with your father  
or did you live in another house at Eburne?

A. I lived with my father.

Q. By the way, were you a married man at that  
time? A. No, sir.

Q. According to your claim apparently these  
goods of yours were left in the basement of your  
father's house at 415 Bridgeport Road?

A. No, 475.

Q. No, 475? A. Yes.

Q. I am sorry. That is an error. It should  
be 475 Bridgeport Road, Eburne?

A. Yes.

Q. Were they stored with your father's goods  
or were they in a separate place?

A. I am not sure about where my father stored  
all his goods because I left before my father did.

Q. You left before your father?

A. Yes.

Q. When did you leave? A. June 1942.

Q. June first, 1942? A. 1942.

Q. And you have claimed \$8750 for a 21-quart  
scale, were you in the baking business?

A. Yes, sir.

Q. That was your profession or your business?

A. Not exactly. I have done various other  
work, too.

Q. Did I take it you bought this to use in  
a business you were operating?

A. Yes, sir.

Q. And this was purchased in 1939, and did you  
use it constantly between the time you purchased it  
and when you were arrested?

A. Between 1939 and 1942.

Q. What name was it, a registered?

A. Yes, sir.

Q. Where did you buy it?

A. I think I bought it from a person called  
Peterson, privately.

Q. And with respect to this bakery scale,  
did you buy that from Peterson, too?

A. That was new, bought new.





1 Q. You valued it at \$20, here, I see.  
2 Do you remember what you paid for it?

3 A. That is what I paid for it, \$20.

4 Q. I see. Well, did you list these items as  
5 a job, form similar to the ones you which all recog-  
6 ned persons claim that you were unemployed?

7 A. In Vancouver, you mean?

8 Q. Yes? A. No, sir, I have not filed any.

9 Q. You have told us you left your work around  
10 June first, 1951. Did you go straight to Vancouver  
11 at that time, when you were unemployed?

12 A. No, sir.

13 Q. And, were you in Hastings Park for a while?

14 A. No, sir. I just went there for my physical  
15 examination and left. That was about seven miles  
16 from where I lived.

17 Q. And were you not asked to file one of  
18 those I.P. Forms while you were at Hastings Park?  
19 Do you remember that?

20 A. No. I was not asked. I was handed the  
21 papers. I just signed it.

22 Q. I see. Well then, what did you first  
23 notify the Controller that you had left those goods  
24 in your father's basement?

25 A. I was sent to home, for about a week, then  
26 from Vancouver and I worked on the farm for seven  
27 or eight months and I got into Hamilton and I worked  
28 at the steel plant and then I went in the garage.

29 Q. According to your claim form here you said

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you made to the Collector about August 1948 concerning these goods? A. Yes.

Q. And apparently the Customs wrote back and said that the goods had been mislabeled?

A. Either mislabeled or missing. I am not very sure. I was in England when I wrote them.

Q. Has your father made a claim before the Collector? A. No, sir.

Q. Has he not made any claim at all?

A. No, sir, nothing.

Q. Do you know whether any of these goods you are claiming for him were on a J.D. Form signed by your father? A. No, sir.

Q. Or any other member of your family?

A. No, sir. I was back in America about the winter of 1948, December 1948 and I asked my father but he said he has not made a claim in respect of any goods at all.

Q. Thus, you do not know anything more about these goods since you got word from the Customs that they had been mislabeled or were missing?

A. No. I do not know anything about it.

Q. Your parents were still in the house at the time you left, or you did not know what particular goods were taken?

A. They had to leave the house up about a week after I left.

Q. You do not know anything about what precautions were taken to protect anything which was

Q. In the house then? A. No, I do not.

Q. All right, thank you.

EXHIBITATION BY MR. CHRISTIE

Q. I am producing here a card dated April 11, 1942. Is that your signature?

A. Yes, sir.

Q. April 11, 1942? A. Yes.

Q. Yes? A. Yes.

Q. That is your signature?

A. Yes.

Q. Can you read English?

A. Yes, sir.

Q. Would you read that sentence there?

A. "To be completed by persons of the Japanese race having no property in any protected area."

Q. Did you read this thing through when you signed it? A. Yes, sir.

MR. CHRISTIE: I am filing this as Exhibit A. I think we will call it "J. Card," dated April 11, 1942.

(J. CARD, APRIL 11, 1942, MERRID NUMBER NO. 3)

Q. It is signed "J. Noto."

A. Excuse me. The reason I did not file my personal belongings was I intended to go in the group and do garage work and I thought when moved out here I might be able to have my things shipped out to wherever I intend to work.

Q. You state in your claim that you received a letter from the Custodian. Have you that letter

1 with you? A. No, sir, I was in Hamilton.

2 Q. I have gone through both the master file  
3 and the claim file and I can find no letter sent to you  
4 at any time. Do you remember the date of the letter  
5 from the Custodian?

6 A. It was some time in the fall. That is  
7 about all I can remember.

8 Q. The fall of what year?

9 A. In 1943, when I was working in Hamilton.

10 Q. Do you remember what the letter said?  
11 Could you give us some of the wording?

12 A. The letter said that it was either signed  
13 by the Hon. J. G. ... Has not all the prop-  
14 erty left in the custody of his father?

15 MR. CHURCH: Yes, sometimes Mr. Brown has  
16 been arguing that there is a --

17 MR. CHURCH: It would not take me  
18 long to deal with it.

19 MR. HUNT: I think the father would have no  
20 right to make the claim for this property.

21 MR. CHURCH: Q. Do you remember the contents  
22 of this letter?

23 A. I am not exactly sure of the report but  
24 I thought it said that there is no record of it.

25 Q. It said there was no record of it?  
26 A. No record of any bank or of belongings.

27 Q. I suggest the Custodian if he wrote that  
28 letter suggested there was no record and did not use  
29 the words "misplaced." Is that correct?  
30



1. Are you still not sure what time...

2. No, sir.

3. I see. All right; that is all.

MR. QUINN: It is requested that this property be left in the custody of a person other than the custodian and therefore there is no responsibility on the custodian.

THE SUB-COMMISSIONER: Very well.

(PROCEEDINGS ADJOURNED SINCE 5:15)

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

*[Signature]*  
S.A. VANCE  
Official Reporter.

I, J.A. Holliman, Deputy Commissioner, authorized to hear a Commission to investigate claims of Japanese Consulate for property loss, do certify the foregoing is a true copy of the evidence taken at the public hearing.

*[Signature]*  
J.A. Holliman,  
Deputy Commissioner.

Defence Brief

TORONTO  
18 Oct. 48

Toshiaki Thomas EBATA

File No. 3486

Case No. 1140

PERSONAL PROPERTY CLAIM

1. Chattels

\$1010.00

Undeclared and not found \$1010.00

Ex.1140-3 Certificate that claimant had no property in any protected area.

Submission: That this property was left in the custody of a person other than the Custodian and therefore, there is no responsibility on the Custodian.

Claim form dated 28 Nov. 47 first intimation to Custodian that claimant ever owned any chattels, which he then stated were stored in the basement at 475 Bridgeport Rd., Eburne, B.C. "in no one's care". (This was his father's house.)

Ex.1140-1 and Trans.6 lines 1-6 and Trans.7 line 29 et seq. Search of the files reveals no correspondence either to or from the Custodian concerning the chattels, and Trans.9 lines 4-6 claimant says he has not got the letter.

Note that although claimant used the articles claimed for constantly at least two years (Trans.3 lines 16-22) no allowance from the prices paid was made for depreciation, except for the tools.

Trans.6 lines 8 et seq. Claimant states that no claim has been made by the father or any member of his family in respect of claimant's chattels. Claimant's parents occupied the house for about a week after claimant was evacuated, and he does not know what precautions his parents took to protect the goods.

Trans. 7 line 6 et seq. Claimant reads English and read Ex.3 through before signing it. (the "J" card). Claimant did not file his personal belongings because he thought he might be able to have them shipped to him. Trans.9 line 10 et seq. The card was signed 11 Apr.42 two months before claimant was evacuated.



Name of Claimant **EBATA, Toshiko, Theres,**

Case **1140**

Custodian File **3486**

<u>REAL PROPERTY</u>									
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village		Total
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		
<u>MISCELLANEOUS CHATELS</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		
<b>TOTAL RECOMMENDATION</b>									