

4144

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: KURAMOTO, Tomiyuki.

HOME ADDRESS: Between 2nd & 3rd St., P.O. Box 172, Steveston, B.C.

REGISTRATION NUMBER 03711 SEX: Male AGE: 21

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: Great West Cannery

MARRIED? No

NAME OF WIFE OR HUSBAND: none

ADDRESS OF WIFE OR HUSBAND: none

NAMES OF ANY LIVING CHILDREN: none

ADDRESS OF CHILDREN: none

AGE OF CHILDREN: none

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.

5-12-4

DATE

5-12-1948

FILED BY

J. G. M. M. M.

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: Between 2nd & 3rd St., P.O. Box 172, Steveston B.C.
2-storey 5-room wooden frame house.
2. LANDLORD'S NAME AND ADDRESS: G.W. Cannery, Steveston, B.C.
3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: By agreement
with the Cannery, *lines with broken*
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:
8 fishing nets stored at P.O. Box 172, Between 2nd & 3rd St., 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)
(1) \$5.00 War Saving Certificate, in Owner's possession.8. 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: Living with his Brother and his belongings are stored together, his
brother has charge of the keys of the house.

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 15th day of April, 1942.Q. McArthur
Witness

(Signature)

J. Kuramoto

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

DATE May 10, 1943.

Our File No. 4144

Full Name KURAMOTO, Tomiyuki
(Surname in Block Letters)

Registration No. 03711

☒ Male - Female
(Check)

Age September 11, 1919.

Former Address P. O. Box 172, Steveston, B. C.

Date Evacuated April 22, 1942.

Naturalized - ☒ Canadian-Born - National
(Check)

Present Address c/o J. Allan Wilcox, Coalhurst, Alta.

c/o Burmis Lumber Co., Burmis, Alta. (10/2/47)

☒ Married - Single
(Check)

Name of Wife -----

Name of Husband -----

Name of Mother (nee IESAKI) Yoka #03856 Name of Father Jiro #03818

Names of Children under 16 -----

Requested by "E.C.T."

Registered with Custodian yes
(Yes or No)

Additional Information Fisherman.

File No. 4144

February 10, 1947.

PERSONAL PROPERTY SUMMARY

Re: Tomiyuki KURAMOTO
Reg. No. 03711

Chattels: See Chattel Summary

Specified Articles: There are no Cameras, radios, Fire Arms, or Motor Vehicles revealed in the registration or the file.

Stocks, Bonds, etc: \$5.00 War Savings Certificate in owner's possession. No action was required by the Custodian.

No property interests other than those mentioned are 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/EL

File No. 4144

February 10, 1947.

LIABILITY SUMMARY

Re: Tomiyuki KURAMOTO
Reg. No. 03711

There are no claims against Tomiyuki Kuramoto
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/EL

File Nos: 10100 & 4144

May 4, 1944.

MEMORANDUM

To: Accounting Department

From: Miss Seaton

Re: Kunji & Tomiyuki KURAMOTO

Would you kindly hold the sum of \$35.00 credited to Kunji KURAMOTO, File No. 10100, Reg. No. 03716, derived from the sale of fishing nets ex the Kuramoto's premises, as although these nets were tagged in Kunji's name, they are declared by his brother, Tomiyuki Kuramoto, File No. 4144, on his J.P. Form.

/ms

February 10, 1947.

CHATTLE SUMMARY

Re: Tomiyuki KURAMOTO
Reg. No. 03711
Evacuated April 22/42.

In his declaration of April 15, 1942, Tomiyuki Kuramoto declared 8 fishing nets, stored between 2nd & 3rd Streets, Steveston, B. C. He further states that he is living with his brother, Kenji Kuramoto, and their belongings would be stored together.

According to a memo, dated May 4, 1944, all nets that were found at Kenji's house were sold in his name for the sum of \$35.00. These nets were left in a pile on the basement floor and were in very poor condition when sold. They were sold in one lot to the Nelson Brothers Fisheries Ltd., and the proceeds were transferred to Tomiyuki Kuramoto's account on May 14, 1946.

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

"Geo. Peters"
George Peters,
Office of the Custodian.

GP/EL

EXHIBIT No. 512-5DATE 5 Apr. 1948

FILED BY

A. C. Virtue

I hereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy.

DATE: May 12, 1948

M. B. T. Hansen

File No. 4144

May 4, 1944.

MEMORANDUM

To: The File

From: Protection Department

Re: Tomiyuki KURAMOTO

The above named Japanese claims 8 fishing nets left in his house between 2nd and 3rd Road, Steveston. All nets found at this location were sold under his brother's name - Kenji KURAMOTO, File No. 10100, for the sum of \$35.00. These nets were left in a pile on the basement floor and were therefore in a very poor condition when sold in one lot to Nelson Bros. Fisheries.

/ms

4144 - Tomiyuki KURAMOTO Regn No: 03711
10100 - Kunji Kuramoto " " 03716

1 March 1948.

In the Hunter

CHATELS GENERAL SUMMARY

Tomiyuki was 21 years of age at date of signing Form JP on 15 April 1942. He was single, worked for the Great West Cannery, lived with his brother Kunji between 2nd & 3rd St., Steveston, B.C. Evacuated 22 April 1942. The only property Real or Personal declared by Tomiyuki is as follows:

"8 fishing nets stored at P.O. Box 172, Between 2nd & 3rd St., Steveston, B.C."

under 'REMARKS' on Form JP is noted:

"Living with his brother and his belongings are stored together, his brother has charge of the keys of the house."

Kunji KURAMOTO was 27 years of age at date of signing Form JP on 27 May 1942. He was married, worked for the Canadian Fishing Co., lived with his wife at P.O. Box 172 #2 Rd., Steveston, B.C. (same address as given by Tomiyuki). Evacuated on 30 May 1942.

Various items of personal property were declared, but his declaration DID NOT INCLUDE THE OWNERSHIP OF ANY NETS.

Perusal of the Claims submitted individually by the above brothers notes that Tomiyuki is claiming for many articles which were declared by his brother Kunji. Also, that many articles not previously declared by either are now the subject of a claim by both, i.e.:

Kunji K. Claim

Tomiyuki K. Claim

Barbour nets:

40/12x10x35x160 ————— \$200.
(2) 40/9x8x40x140 ————— 140.
40/9x8x42x135 ————— 100.
60/9x7x50x150 ————— 150.
40/4x5x50x200 ————— 150.
* 40/7x8x8x42x140 ————— 200.
40/4x7,7x7x60x100 ————— 30.
King Fish net:
50/4x5x5x55x200 ————— 250.

Barber nets:

40/12x10x35x150 ————— \$255.
40/9x4x170x9 mesh ————— 200.
40/7x8x41x137 ————— 170.
60/6x7x50x150 ————— 160.
40/4x5x55x150 ————— 150.
40/5x7x45x140 ————— 30.
40/4x7,7x7x60x130 ————— 80.
40/4x6x45x150 ————— 30.

* Stated as "Without cork and lead lines"

The comment "without cork and lead lines" appears on Tomiyuki's claim but is not directed to any net - merely an addition.

1 Rowboat
1 Coleman Gas Lamp
1 Storage Battery
1 Search light

20.
10.
15.
14.

2 Rowboats
Gas Coleman Lamp
Storage Battery
Search light

46.
10.
12.
14.

1 March 1948

The following were declared by Kunji KURAMOTO and are claimed by Tomiyuki KURAMOTO:

DECLARED (Kunji)	CLAIMED (Tomiyuki)
Stored at Phoenix Cannery Net House:	Stored at Mr. Saiji Kishi's boat building house, Phoenix Cannery:
1 Palmer Engine 1 Propellor & Shaft	1 Palmer Engine Shaft Propellor
Stored at Net House on Dyke Rd.:	Stored in Net House 18' x 24' (wooden house on wharf)
2 row boats 1 net tank 1 duck punt	Row boat Net tank

(Kunji claims for 2 Rowboats, 1 Duck Hunting Boat.)

GENERAL

In view of the declarations made by these two brothers, that they lived at the same house, that Tomiyuki was evacuated quite some time prior to Kunji, and the similarity of their claims, it is considered by the undersigned that Kunji declared his chattels and also Tomiyuki's when he completed his Form JP. Due to the similarity of the claims for nets, I believe that one or the other might have had nets on the premises — more than likely Tomiyuki — and that both of them are claiming on the same nets. This also applies to a number of chattels.

Both claims have been entered by Virtue & Russell, but the claims note Kunji as living at Iron Springs and Tomiyuki at Picture Butte.

In regard to proceeds derived from the sale of nets, an amount of \$35. was received from Nelson Bros. Fisheries presumably for all nets which were found on the premises at the time the Custodian collected same. This amount was credited in the first instance to Kunji (even though no nets were declared by him) and later transferred to Tomiyuki.

A suggestion is contained in Kunji's file to the effect that a white tenant of his house entered the fishing business due to finding the stored nets on the premises: *a guess without meaning or foundation other than that the tenant owes some money, rent.*

The only net sale is that to Nelson Bros. Fisheries, and no concrete proof is contained on file as to the amount or type of netting sold that firm. Neither is there any record in this office of the amount, type or condition of the 8 nets declared by Tomiyuki to have been left, nor the disposition of same other than one recorded sale.

*This had remained from
C. H. for distribution*

I

SUMMARY TAKEN FROM VESSELS RECORDS

Date: June 12, 1944

Name: KURAMOTO, Jiro

Reg. No. 03818

File: 3982

Boat File No.: JFVDC 670

Name of Vessel: "J.K." 30'x7'x2'8" (1930) Chrysler 85 HP (1940)
"T.K.1308"

Lic. or Reg. No.: New Westminster 1820

Naval No.: NW.054-C

Owner's Valuation: \$2,000.00

JFVDC Valuation: 1,050.00 Survey #468 NW

Custodian Valuation: None

Date of Sale: June 12, 1942

Purchaser: British Columbia Packers Ltd.

Signature on Sales Papers: J. Kuramoto, per U. Sakamoto, Attorney

Selling Price: \$1,100.00

Paid to JFVDC ~~on Custodian~~ 1,100.00

Supervision Costs: 16.00

Balance due Owner: 1,084.00

Paid to: J. Kuramoto, per U. Sakamoto, July 13, 1942

Location of Boat at Sale: New Westminster

Claims Against Canadian Govt.:

Repairs: Star Shipyard Job 173 - \$8.77 (Paid)

Repairs & Loss: B. C. Packers Ltd. 70.24 (Unpaid)

Claim #492

Additional Information:

JIRO KURAMOTO
Regd. owner of boat
& father of Tomiyuki K.

Deft. *[Signature]*
Paid 6/2/44
Reg. 7111
C. Sakamoto
[Signature]

G. Macdonald
May 13/46

4144

NOV 27 1947

Proof of Claim

IN THE MATTER OF Order-in-Council P.C. 1810, as amended by Order-in-Council P.C. 3737; and

IN THE MATTER OF "THE INQUIRIES ACT" being Chapter 99 of the Revised Statutes of Canada, 1927, and

IN THE MATTER OF a Commission appointed to inquire into and report upon the claims of persons of the Japanese Race under said Orders-in-Council.

1. Name of Claimant in full: KURAMOTO, Tomiyuki.
Registration No. 03711.
2. Claimant's address at the time of his evacuation from the protected area: P.O. Box 172, Steveston, B.C.
3. Claimant's present address: P.O. Box 2, Picture Butte, Alberta.
4. Claim relating to real property:
 - (a) Street address of real property:
 - (b) Legal description of property:

(c) Type of real property, i.e., farm, residence, commercial, etc., and short description of it:

(d) Title or interest held by Claimant in the real property:

(e) Fair market value of real property at date of sale:

(I) Land— \$

(II) Buildings— \$

(f) Amount of loss alleged to have been sustained by the Claimant under the terms of reference:

\$

5. Claims relating to personal property, etc.

(a) Location at which property was left by Claimant at date of evacuation:

Fishing boat- Delivered to New Westminster, B.C. *father's boat*
by order of the Canadian Navy.

Fishing Equipment stored at residence and net house of Kunji Kuramoto (brother) located between No. 2 road and Gilbert Road, Municipality of Richard.

Engine (1 Palmer Engine, shaft propeller) — stored at Mr. Saiji Kishi's boat building house, Phoenix Cannery, Steveston B.C.

(b) Type of premises in which property was left by Claimant and manner in which that property was stored or packed at time of evacuation:

Fishing Equipment- stored in basement of west bedroom of second floor without being packed.

Row-boat and Net tank- Stored in *hatchhouse* 18' x 24' (wooden house on wharf)

Engine- Stored in boat building house.-not packed.

Fishing boat- Delivered to New Westminster B.C. as designated by Canadian Navy.

- (c) In whose care was property left by the Claimant at date of evacuation?

In care of Custodian.

- (d) Itemized and detailed description of the property which is the subject of the claim, and itemized value thereof at the time of sale, loss or destruction:

Fishing Boat, nets, engine, and Equipment.

Gill Nets:	Thread	Size	Depth	Length	Value.
Barbour	40/12	10 inch	35 mesh	160 fathoms	\$200.00
"	40/9	8 1/2 "	40 "	140 "	140.00
"	40/9	8 1/2 "	42 "	135 "	100.00
"	60/9	7 "	50 "	150 "	150.00
"	40/4	5 7/8 "	50 "	200 "	150.00
King Fish	50/4	5 1/2 "	55 "	200 "	250.00
Barbour	40/7&8	8 1/2 "	42 "	140 "	(without 200.00
"	40/4	7, 7 1/4, 7 1/2 "	60 "	100 "	cork & 30.00
lead lines)					
1 Fishing Boat (sold by Vessel Disposal Committee)					2100.00
1 Row boat					20.00
1 (Blue stone) Net tank					22.00
1 Coleman Gas. lamp					10.00
1 Storage battery					15.00
1 Search light					14.00
. 7-horse power Palmer gas engine with shaft propeller					200.00
Total					\$3601.00

- (e) Amount of loss alleged to have been sustained by Claimant under the terms of reference:

Total Property	\$3601.00
Received from Vessel Disposal Committee	1084.00
Received from the Custodian	35.00
Total Claim	\$2482.00

6. I desire that my claim be heard at the City of Lethbridge in the Province of Alberta.

7. An Interpreter will be required.

DATED this 13th day of October/A.D. 1947.
November.

Witness to Signature of Claimant.

Signature of Claimant.

VIRTUE & RUSSELL, Barristers, Lethbridge.

STATUTORY DECLARATION

I, Tomiyuki, KURAMOTU

(Full Name of Claimant)

P.O.Box 2, Picture Butte, Alberta. Farm Laborer.

of

(Present Address)

(Occupation)

DO SOLEMNLY DECLARE:

1. I am the above named Claimant.
2. I have a personal and full knowledge of the circumstances and facts relating to the Claim above referred to.
3. The above Claim is true and correct.
4. I have not received any payment upon the above Claim other than the following:

Received from Vessel Disposal Committee
Received from the Custodian

\$1084.00
35.00

And I make this declaration conscientiously believing the same to be true, and knowing it is of the same force and effect as if made under oath, and by virtue of The Canada Evidence Act.

DECLARED at *Lonsdale*
in the Province of Alberta,

this *17th* day of *November*
A.D. 1947.

Robert D. Lamb
A Commissioner for Oaths in and for
the Province of Alberta.

MEMORANDUM

10th October, 1950.

Case 512
File 4144

TOMIYUKI KURAMOTO

Claim for Nets \$1,220.00
Award " " 854.00

NETS CLAIMED BY TOMIYUKI

	<u>Amount</u>
10 inch	\$200.00
8 1/2 "	140.00
8 1/2 "	100.00
7 "	150.00
5 1/2 "	150.00
5 1/2 "	250.00
8 1/2 "	200.00
7, 7 1/2, 7 1/2 "	30.00
	<u>\$1,220.00</u>

Case 472
File 10100

KUNJI KURAMOTO

Claim for Nets \$1,075.00
Award " " 8

NETS CLAIMED BY KUNJI

	<u>Amount</u>
10 inch	\$255.00
9 "	200.00
8 1/2 "	170.00
7, 7 1/2, 7 1/2 "	80.00
7 "	160.00
5 1/2 "	150.00
7 "	30.00
6 1/2 "	30.00
	<u>\$1,075.00</u>

TomiYuki aged 21 at time of evacuation lived with his brother at Steveston. His J.P. Form shows only 8 fishing nets, stored at residence of self and brother, Kunji. His claim in addition to nets comprises \$1,224.00 for furniture and household chattels. In Court, he stated he did not register chattels as he was evacuated one month ahead of brother and understood his brother would register the chattels.

Kunji registered household furniture, 2 row boats, 1 Palmer engine, 1 shaft and sundry implements but did not register any fishing nets. In his evidence he stated that he informed the Custodian about his nets ("I told them about it") Transcript P. 16, L. 27. This J.P. Form is witness by Mrs. McArthur, a competent and reliable official. J.D. Mather reported on June 29, 1942, a considerable quantity of nets piled in a basement room with cement floor and pointed out the danger of rapid deterioration. No mention is made of nets in upstairs rooms by Mather, although he reported "one room stored with furniture, now securely locked up which I was unable to gain entrance to". The first intimation of nets of this individual was received by the Custodian when his claim was made.

File indicates that all nets found in KURAMOTOS' home were sold for \$35.00 in one lot to Nelson Fisheries. We have no record as to the types or amount of nets sold to Nelson Bros.

The Kuramoto family consisted of the father, Jiro, three sons, three daughters, one daughter-in-law and one grandchild, all residing in the house between 2nd and 3rd Streets, Steveston, P.O. Box 172, in which house the nets and chattels claimed by the sons, Kunji and Tomiyuki, were stored.

There is evidence of duplication of claim for some chattels. Both

brothers claiming for 1 Coleman lamp, 1 storage battery, 1 search light, while Tomiyuki claims one row boat, his brother - two row boats. Tomiyuki claims for 1 -7H.P. Palmer gas engine with shaft prop., not registered by him, but registered by his brother and not claimed by the latter.

Four of the eight notes claimed by the brothers are of the same size, but vary in length and value. Both claim their notes to have been stored in the same place and manner.

SLB:HA

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

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E
(THE HONOURABLE MR. JUSTICE H.I. BIRD, COMMISSIONER).

20

Lethbridge, Alberta,
April 5th, 1948.

IN THE MATTER OF THE CLAIM OF
TOMIYUKI KURAMOTO.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

J.W.G. HUNTER, Esq.,

appearing for the
Dominion Government.

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

appearing for the
Claimant.

A. WATSON, Esq.,

Secretary.

G.N.R. UPTON, Esq.,

Official Interpreter.

T.P. HORROBIN, Esq.,

Official Reporter.

Discussion.
T. Kuramoto,
In Chief.

MR. VIRTUE: I just have one claim this afternoon, my lord.

THE COMMISSIONER: Had we opened this claim before?

MR. VIRTUE: No, my lord. You will remember the brother's claim, Kunji, was dealt with and we thought it would be in the interests of all to take the other brother's claim this afternoon.

10 TOMIKUNI KURAMOTO, the claimant herein, being first duly sworn, testified through the interpreter as follows:

MR. VIRTUE: My lord, before I begin questioning this claimant, if your Lordship and my friend will permit me, I think I can make a short statement, which, while it won't have any evidential value, will clear away a lot of uncertainty surrounding the claims and simplify the claims. What happened here was an older brother, Kunji Kuramoto, was a married man and this young man here lived with his brother in the same house, but each of the brothers owned a salmon fishing boat with an inboard motor, and according to the practice of salmon fishing fishermen, they have certain nets for spring salmon and for other sorts of salmon such as coho, and so on. The result was that each had to have a complete outfit and that is why each man had eight nets, one net being for a large salmon, with a certain mesh, and so on down for the smaller salmon, and that explains the situation in this matter. Now, for the same reason each man in connection with his large fishing boat had to tie a rowboat behind the large

20

30

T. Kuremoto,
In Chief.
Discussion.

10 boat and so that is why each had a second boat,
and so on. Now, there is one misunderstanding which
I think perhaps will save some cross-examination
later on, if I can clear it up, and it is this:
Both these claimants tell me that the nets listed
on what my learned friend filed as the chattel
summary, dated March 1st, 1948, -- I will show my
learned friend what I mean, that is this one --
that while nothing turns on it particularly, yet
the description of the respective nets held by
the two men is reversed; that is, this man's nets
are listed under his brother's name, and his brother's
nets are listed under this man's name. So that
may clear the situation a little, and with that
explanation I will ask this man a few questions.

DIRECT EXAMINATION BY MR. VIRTUE:

Q You owned a salmon fishing boat with an engine in
it?
A: Yes.

20 Q That was sold by the Committee and you are making
no claim for the big boat itself?

A No, I am not claiming here for the boat at all.

Q Now I show you a list of personal property. Was
that prepared by you with the help of your Inter-
preter?
A: Yes.

Q That is a true statement, is it?
A Yes.

MR. VIRTUE: I will offer that as the first exhibit.
(STATEMENT MARKED EXHIBIT NO. 1).

30 Q Now in your proof of claim form, as well as in this

T. Kuramoto,
In Chief.

form which we just showed you, you claim for eight
salmon nets? A: Yes.

Q Do you remember about what you paid for those nets
all told? A: \$1220.00.

Q That is what you are claiming for them, but do you
remember what you paid for them? When you bought
them, what did you pay for them?

THE COMMISSIONER: Would you ask him, Mr. Virtue, to
enumerate the nets that he left in his brother's
house and put a value on each of them?

10

MR. VIRTUE: I will. First, let him finish this question,
if he can. About what did you pay for these eight
nets when you bought them?

A Approximately \$3000.00.

MR. HUNTER: Q How much? A: \$3000.00.

MR. VIRTUE: Q: Now, when you were evacuated where did
you leave your nets? A: In my
brother's house.

Q Whereabouts in your brother's house?

20

A Some in the basement and some upstairs.

Q Now, will you tell his Lordship about each one of
these nets and what each one was worth?
Start with, let us say, the biggest net, and go
on down through and describe it and tell what it
was worth.

THE COMMISSIONER: Could we get them as he describes them
to you, Mr. Interpreter.

A Ten inch, \$385. new.

MR. VIRTUE: I have a list of them, but I take it you
don't want that.

30

T. Kuranoto,
In Chief.

THE COMMISSIONER: No, I would like to get it from him.

Q Before you leave the ten inch, the \$385.00 is the cost, I take it? A: I don't

understand what he meant by that.

MR. VIRTUE: Perhaps I could show the Interpreter the list so he will know what he is getting at.

I won't show the man himself.

THE COMMISSIONER: All right, that is fine.

MR. VIRTUE: What we want is the measurement of the nets and the value of each one, to identify it.

A Lead cork first, is what he is trying to tell me.

THE COMMISSIONER: Q: What I want to get at is how long had he had the ten inch net?

A In 1938, I think. Now the 8 $\frac{1}{2}$ inch, \$360.00, I think.

THE COMMISSIONER: How about the year it was bought?

A The 8 $\frac{1}{2}$, it was brand new. The 8 $\frac{1}{2}$, I had used that for 3 years.

Q Mr. Interpreter, I don't wish to hurry him unduly, but it does seem to be taking him a long time.

20 A \$390.00 with the lead cork. 7 $\frac{1}{2}$, about 4 years old.

Q Which is that, the 8 $\frac{1}{2}$? A: No, the 7 $\frac{1}{2}$.

The top was 7-inch, the middle is 7 $\frac{1}{2}$, and the bottom is 7 $\frac{1}{2}$. That was four years old, and the price about \$200.00.

Q That is the new price, is it?

A Yes, the new price, my lord. 7 inch --

Q There again we did not get the date he bought it.

A I think, my lord, the 7 $\frac{1}{2}$ he said four years.

30 Q That was in 1937, yes, that is right.

T. Kuramoto,
In Chief.

A I think about 1938. \$250.00.

Q Which net is that?

A: That is the 7-

inch, my lord. The 5 $\frac{1}{2}$ --

Q Now, wait a minute. I would like the age of the
\$250.00 one, the 7 inch.

A: About 1938,

my lord. The 5 $\frac{1}{2}$ inch, \$150.00 without the lead
corking. About \$300.00 with the lead corking.

Q This is for the 7 inch?

A: The 5 $\frac{1}{2}$ inch.

Q 5 $\frac{1}{2}$, \$300.00.

A: It is \$150.00.

10 It didn't have any lead corking. It is just the
net without the lead corking.

Q I see. That cost new \$150.00, is that correct?

A About that. 1939, five and seven-eighths.

Q Five and seven-eighths, all right.

A These are renewed every year, so this was new.
About \$250.00 new.

Q What one is he on now?

A: 5-7/8ths, my

lord. It was a new net. This was a new net.

\$200.00 without the lead corking.

20 MR. VIRTUE: Q: Is that the list of eight?

A That completes it. There are eight nets there.

THE COMMISSIONER: Q: He has not dealt with the second
net, the 8 $\frac{1}{2}$ inch?

A: There is a

10 inch, and the 8 $\frac{1}{2}$ inch, the 8 $\frac{1}{4}$, 7 $\frac{1}{2}$, 7, 5 $\frac{1}{2}$, 5-7/8ths,
and another 8 $\frac{1}{2}$.

Q What was the third one that you called?

A 8 $\frac{1}{2}$, my lord.

Q Is that the net worth \$200.00?

A No. The 7 $\frac{1}{2}$ was worth \$300.00, the 8 $\frac{1}{4}$ was \$390.00,

30 the 10 inch \$385.00 new, 8 $\frac{1}{2}$ inch \$360.00, 8 $\frac{1}{2}$ new

T. Kuramoto,
In Chief.

\$390.00, 7½ inch —

Q What age is the 8½ inch? At

MR. HUNTER: 3 years, my lord.

THE COMMISSIONER: I must have missed that. Your next
one, Mr. Upton?

A 7½ inch, 4 years old, \$200.00.

Q That is all right. I have the rest of them.

MR. HUNTER: I wonder if I could have him go over them
to be sure.

10 THE COMMISSIONER: Would you go over the rest of them.

MR. VIRTUE: Take them quite slowly, Mr. Interpreter.

A We have dealt with the 7½ — the 7 inch.

THE COMMISSIONER: Q: Perhaps you better start with
them again so counsel may have all of them.

A 10 inch, \$385.00 new; 8½ inch, \$360.00; 8½ inch,
\$390.00; 7½ inch, \$200.00, 4 years; 7 inch, bought
in 1938, \$250.00. The five and a half inch,
bought in 1939, \$150.00. The 5-7/8ths, \$250.00
new; 8½ inch \$200.00; and that was brand new also.

20 The 8½ inch and 5-7/8ths inch were new.

MR. VIRTUE: Q: Did he give a 10 inch one?

THE COMMISSIONER: That was the first one.

THE INTERPRETER: That was the first one.

THE COMMISSIONER: Q: \$385.00? At: The last
two were brand new, 5-7/8ths and 8½ because they
are renewed every year.

Q Witness, just one moment. The first net, the
ten inch net, Mr. Virtue is waiting for, that
cost \$385.00, is that correct?

30 A The 10 inch was \$385.00.

Y. Kuremoto,
In Chief.

Q And it was a brand new net? A: No, it had
been used for 2 years.

MR. HUNTER: Q: I thought he said 3 years before.

A Two years.

THE COMMISSIONER: You have them all now, Mr. Virtue?

MR. VIRTUE: I think so.

Q Did you keep your nets in repair?

A Yes, they were kept in repair and looked after.

10 Q How long before you were evacuated, was it, when you
had last used these nets--just generally speaking.

A I was using them up until the time I was evacuated.

Q Then you left them in your brother's house?

A Yes.

Q How were they stored in your brother's house?

A I put boards underneath and they were piled on
top of the boards.

Q He put them -- where did he say?

A I put floor boards in the basement and I piled them
on top of the floor.

20 Q All of the nets or just part of them?

A Four nets.

Q And the other four, where were they put?

A Where were they?

Q The other four, where were they stored?

A They were put upstairs.

Q Now, were the conditions under which the nets
were stored such that the nets would remain in
repair and in good condition?

30 A They were stored so that they would be in good
condition for a lengthy period.

Q Were they dry when they were put away?

A They were dry.

Q Now you have put in a claim for a rowboat. Was that the rowboat that you trailed or towed behind your motorboat?

A: Yes, I pulled it behind the fishing boat.

Q And what was the value of that boat when you left it?

A: \$25.00.

10 Q Now I want to ask you about what is called a bluestone net tank. I want to ask him about that.

THE COMMISSIONER: You do not need to, from my point of view. I know what the tank is. It is a tank in which the nets are dipped in a solution of bluestone in order to cleanse them and preserve them.

A So the net would be kept strong.

MR. VIRTUE: Q: Did both you and your brother, or did your brother and you each have a bluestone tank, or did you just have one between you?

20 A We had one each.

Q You had one each. And what about the 7 horsepower Palmer gasoline engine with shaft propeller? Did you have that?

A: Yes.

Q About when did you buy that?

A: In 1935, about.

Q What did you pay for it?

A: \$700.00 with shafting and propeller.

Q And you valued that at \$200.00 at the time of your evacuation. Was that a fair valuation?

A Yes.

3 Q I show you a bill for harbour dues. Did you pay that

T. Kuramoto,
In Chief.

each year in respect of your fishing boat?

A Yes, this was paid every year. I paid this.

Q This is one for 1940. You haven't got the one for 1941.

A: No.

Q But you did pay it?

THE COMMISSIONER: I am not concerned with any claim in regard to the boat here, am I? Has the vessel claim not been abandoned?

MR. VIRTUE: Yes, sir.

10 THE COMMISSIONER: What is the purpose of that?

MR. VIRTUE: In view of the condition and the confusion I thought it well just to show that each man did have a boat and did operate it and did pay dues on it.

(RECEIPT MARKED EXHIBIT NO. 2).

THE COMMISSIONER: All right, Mr. Hunter.

MR. HUNTER: It is submitted, my lord, that the personal property that was sold was sold for its fair market value. It is submitted that ~~the~~ a considerable number of items claimed for were not declared and not found.

20

THE COMMISSIONER: What does that relate to? Have you the J.P. form?

MR. HUNTER: Yes, my lord. I propose to file it.

THE COMMISSIONER: Yes, I think it would be as well to put it in.

CROSS-EXAMINATION BY MR. HUNTER:

Q Is that your signature, Mr. Kuramoto?

30 A Yes.

T. Kuramoto,
Cross-Exam.

Q And is the information in that form information given by you? At Yes.

MR. HENDER: In his declaration, my lord, he declares eight fishing nets stored at Post Office Box 172, between 2nd and 3rd Streets, Steveston, B.C., and that is all he does declare. This is made the 15th of April, 1942, my lord.

Q You were evacuated on the 22nd of April, were you?

A Yes.

10 Q How much notice were you given?

A About four or five days.

Q Yes. Were you able to get out fishing during that time? At No.

Q When were you last fishing?

A November, 1941.

Q I see. So these nets hadn't been used for a considerable length of time then? Where had they been stored since November, 1941?

A In my brother's house.

20 Q Yes, whereabouts in your brother's house?

A Upstairs and downstairs.

Q In other words, you had had them down in the cellar for four or five months when you left, hadn't you?

A Yes. After I had finished fishing, they were there.

Q Where did you dry your nets?

A In front of my brother's net house. I spread them out.

Q And did you dip them after that or before that?

A I dipped them before I dried them.

30 Q Yes. How did you actually place them in the cellar?

T. Kuramoto,
Cross-Exam.

Were they just rolled up, or folded up, or hung up?

A I rolled them up and piled them up.

Q Supposing that cellar became damp; nets in that condition would rot, wouldn't they?

A No. I put them on boards and had them dry.

Q Have you ever heard of nets rotting just from dampness in the air?

THE COMMISSIONER: Are you proposing to establish that the nets did rot in this instance?

10 MR. HUNTER: Yes, my lord.

A I haven't heard anything of the sort.

MR. HUNTER: I don't think he would admit it if he heard it. If cellars are damp, things rot. It is a question of whether the cellar was damp.

Q Why didn't you declare these other things you are now claiming for? A: I went before

my brother and I thought my brother would declare these things. I went one month before my brother.

Q Why did you think that? Why did you think your brother would declare these things?

20 A Because my brother went afterwards and he would have more time than myself.

Q Why did you bother declaring the nets when you thought your brother would declare things?

A There were a few nets, and the other items were more numerous, and I thought my brother would declare them.

Q But the other items are not more numerous?

A He said I lent the other things to my brother and I expected him to declare them.

Q You lent them to him, didn't you?

A I left them to my brother, in charge of my brother.

Q You left him the fish nets, too, didn't you?

A Yes.

Q Now you and your brother, did you fish together?

A No, we fished differently.

Q Why did you need two bluestone tanks? One would have done for both of you.

A Because my brother did his operation himself and
10 I did mine myself.

Q Yes, but why did you need two tanks? You don't need

A two to dip a net, do you?

A Because we needed two.

MR. HUNTER: That is a very good reason, my lord. That is all, thanks.

THE COMMISSIONER: Any re-examination, Mr. Virtue?

MR. VIRTUE: I would like to ask my learned friend if he would please produce a memo regarding these nets which is in the Custodian's file? It is this
20 memo here (indicating).

MR. HUNTER: I would be only too happy to have my friend put that in.

MR. VIRTUE: This, my lord, comes from the Custodian's file. This is a memo dated February 10th, 1947, re Tomiyuki Kuremoto, and so on. "In his declaration of April 15, 1942, Tomiyuki Kuremoto declared 8 fishing nets, stored between 2nd and 3rd Streets, Steveston, B.C."
30 As a matter of fact, he declared they were stored in post-office box No. so and so. He further states

T. Kuramoto,
Discussion.

that he is living with his brother, Kenji Kuramoto, and their belongings would be stored together". This is what I am interested in. "According to a memo, dated May 4, 1944, all nets that were found at Kenji's house were sold in his name for the sum of \$35.00. These nets were left in a pile on the basement floor and were in very poor condition when sold. They were sold in one lot to the Nelson Brothers Fisheries Limited, and the proceeds were transferred to Tomiyuki Kuramoto's account on May 14, 1945."

10

I will put that in.

(MEMO MARKED EXHIBIT NO. 5).

All I wish to point out is naturally if the nets were left from the spring of 1942 until 1944 and then sold, they would naturally be expected to be in poor condition at that time.

THE COMMISSIONER: You will probably get something out of the Crown's witness when he is called.

20 MR. VIRTUE: There is another thing that puzzles me. I want to ask this witness a question about it, if I may have the second last exhibit, that is the J.P. form.

Q I am showing you what is called the J.P. form or declaration which you signed about your property on the 15th of April, 1942. That is your signature on there, is it?

A Yes.

Q Where were you when that was signed? Whereabouts were you?

30

A: He says in

V. Marmoto,
Discipline.

a downtown hall.

Q How many other people were there at that time when this information was being given? About how many other people?

A I think about 100.

Q Hundreds?

A: About 100.

Q And were these questions asked him by a man or by a lady?

A: I think a woman.

Q A woman. Was she writing your answers down with a pen or in some other way? If you don't remember, it is all right?

A I think a pencil.

Q You think a pencil?

A: I don't know

for certain, but I think a pencil.

Q Do you remember this, was the lady who asked you the questions taking down your answers on a typewriter?

A: No, she wasn't using

a typewriter.

Q Was the form ever read over to you before you signed your name to it?

A No. I left soon after it was signed.

Q Maybe he didn't get the question. Was this paper read over to him by anybody before he signed it?

A No.

Q Did you make any attempt or effort to say anything about your tests to the lady who was asking you the questions?

MR. HESTER: My lord, I submit this is all irrelevant.

He has already said he didn't declare the things, that he thought his brother was going to do it.

T. Kuranoto,
Discussion.

THE COMMISSIONER: I would be rather interested in what he has to say now, in view of the answers he made to you.

A. No, I only spoke about the nets.

MR. VIRTUE: All right, thank you very much.

THE COMMISSIONER: All right, thank you. That is all, Mr. Kuranoto.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

10

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

J. P. Horrabin
"T.P. HORRABIN"
Official Reporter.

20

30

Lethbridge
April 5, 1948Notes in DefenceIn the Matter of the Claim of
Tomiyuki KURAMOTOFile No. 4144Case No. 512

N.B. This claim was heard with a brother's claim, Kunji KURAMOTO, Case No. 472, File No. 10100. The two claims conflict in several aspects, since both brother's (claimants) claim for the same items.

Claim: Personal Property - Fish Nets and Chattels.

Amount of Claim \$1501.00
Custodian's Sale Price 35.00 (by Tender for Nets)
valued by the claimant at \$1220.00
Left with Agent (brother) \$ 281.00

Defences:

1. Personal Property was sold for its fair market value by public tender.
2. Several of the items claimed for were not declared and were not found by the Custodian.
3. Agency - The claimant left the chattels for which he now claims, in the care and custody of his brother, Kunji KURAMOTO, and did not specifically declare them in his J.P. Form, Exhibit No. 4, and see Transcript p.p. 12 and 13. also p. 4.
4. In the alternative - negligence of the claimant in leaving his nets piled on the floor in the basement of his brother's house where they would be subject to damp and rot. Witness - Mr. Leckie.

Defence Points:

1. Salmon Nets - The claimant's valuation is based on the Cost Price.

Transcript P.5

	<u>Claim Amount</u>	<u>Cost Price</u>	<u>Purchase Date</u>
1 - 10" net	\$200.00	\$385.00 ✓	1939
1 - 8 1/2" net	100.00	360.00 ✓	1941 (new)
1 - 7 1/2" net	30.00	200.00 ✓	1937
1 - 7" net	150.00	250.00 ✓	1938
1 - 5 1/2" net	250.00	150.00 ✓	1939
1 - 5" net	150.00	250.00 ✓	1941 (new)
1 - 8 1/4" net	140.00	390.00 ✓	1941
1 - 8 1/2" net	200.00	200.00 ✓	1941
Totals	\$1220.00	\$2185.00	

As can be seen from these figures, the amount of the claim for Nets is ridiculous on its face. For example, the claimant alleges that a net which cost \$150.00 in 1939, is worth \$250.00 in 1941. Transcript p.4, line 15 - The claimant alleges that eight (8) nets cost him \$3000., whereas the cost is shown as \$2185.00 (supra) Trans. Mr. Leckie, The Custodian's Net Appraiser should be able to give evidence re depreciation and value of these Nets. /pp 5,6, & 7.

2. The remainder of the chattels claimed for by the claimant were not declared by him, but were left in the custody and care of his brother, Kunji KURAMOTO, who subsequently declared them, and is now claiming for them. Case No. 472, File 10100. See N.B. (supra).
3. Bluestone tank claim - see Trans. P.13. Inference - both brothers probably only had one bluestone tank between them, as is customary.

Witnesses:

1. Mr. Leckie - Fishing Nets, depreciation and value.

Form G

DEFENCE BRIEF

Lethbridge, Alta.
April 5, 1948.

Tomiyuki KURAMOTO

File No. 4144

Case No. 512

Memo. This claim was heard with a brother's claim, Case No. 472, File No. 10100, Kunji KURAMOTO. The two claims conflict in several aspects, since both claimants, claim for the same items.

PERSONAL PROPERTY CLAIMS

(All claims shown are Gross)

1. Chattel Claim

\$281.00

(a) All goods valued by the claimant at \$281.00 left under the custody, control or management of someone other than the Custodian, appointed by the owner of the property.

Sale Price

None sold

Witness: 1. Kunji Kuramoto - Agent - brother.
Goods not specifically declared in J.P. Form. Ex. No. 4, and see Trans. pp 4, 12 and 13.

2. Net Claim

\$1220.00

Appraised at

No appraisal

Sold for

\$35.00 (tender)

Witnesses:

1. C. P. Leckie - to prove depreciation in nets left piled in basement.
2. F. G. Shears - to prove tenders received and sale.
3. Kunji Kuramoto - Agent - brother. 'Nets were left in brother's care and custody'.

Ref. 1. Trans.p.p.5, 6, and 7. Cost price of nets \$2185.00 not \$3000.00.

2. Brief of Notes in Defence.

<u>Summary of Defence</u> <u>Witnesses</u>	<u>Where</u> <u>Required</u>	<u>Summary of Documents</u> <u>to be filed</u>	<u>Witness Proving</u> <u>Same</u>
Kunji Kuramoto	1, 2.		
C. P. Leckie	2.		
F. G. Shears	2.		

HAC/mw

Name of Claimant **KURABITO, Tomiyuki**
 Custodian File **4144**

Case **118**

<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 & 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		
						1220.00	854.	.00		854.00
<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	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
TOTAL RECOMMENDATION										854.00

4144

March 22nd, 1951

Mr. Tomiyuki KURAMOTO,
P. O. Box 25,
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	\$ 169.39
Less previously advanced	<u>70.00</u>
	\$ 99.39

hereto.

Custodian cheque for this amount is attached

Please acknowledge receipt.

Yours truly,


C. H. Reed
Office of the Custodian

GHR:BK
Encl.