

4623



*Handwritten: Toba Inlet, B.C. E. & G. Logging Co.*

FILE No. 4623

Hastings Park  
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: BABA, Kohai

HOME ADDRESS: E. & G. Logging Co., Toba Inlet, B. C.

REGISTRATION NUMBER 07120 SEX: Male AGE: 51

OCCUPATION: Logger

(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: E. & G. Logging Co., Toba Inlet, B. C.

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Masako

ADDRESS OF WIFE OR HUSBAND: E. & G. Logging Co., Toba Inlet, B. C.

NAMES OF ANY LIVING CHILDREN: Tayomi (F) Micky (M)

ADDRESS OF CHILDREN: E. & G. Logging Co., Toba Inlet, B. C.

AGE OF CHILDREN: 4; 3;

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

1. LOCATION AND DESCRIPTION: None

2. BUILDINGS AND OTHER IMPROVEMENTS: Logging camp built on E. & G. Logging Co. property. Details as follows: 3 bunk houses, 1 cook house, 1 saw filing house, 1 family house, 2 bath houses, 1 toilet house. Keys in the E & G Logging Co.

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)

Self - indefinite occupancy of movable camp.



7. STATE WHEREABOUTS OF TITLE DOCUMENTS: None
8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: None in camp but land owned by E. & Logging Co.
9. IF FARM LAND STATE CROPS SOWN: None

**STATEMENT OF REAL PROPERTY OCCUPIED**

1. LOCATION AND DESCRIPTION: Movable logging camp erected on property of;
2. LANDLORD'S NAME AND ADDRESS: E. & G. Logging Co., Toba Inlet, B. C.
3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: Indefinite tenancy, no rental.
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: As per lists herewith all in houses on E. & G. Logging Co., property and logs kept by E. & G. Logging Co.
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



07120

Property of Kohel BABA

4 - 6' falling saws (used)  
 5 - 7' " " (new)  
 1 - 7' " " (used)  
 1 - 8' " " "  
 1 - 9' " " "  
 12 - 7' bucking saws (used)  
 1 - 7' " " (new)  
 1 - 7' " " (used)  
 18 saw handles (new) & used  
 3 axe heads (new)  
 12 axes with handles (used)  
 9 hammers with handles (used)  
 4 hammer heads (new)  
 5 - 8 lb. falling wedges (new)  
 9 - 8 lb. falling wedges (used)  
 5 bucking wedges (new)  
 8 " " (used)  
 3 splitting wedges (used)  
 4 bucking axe handles (new)  
 11 - 36" falling handles (new)  
 6 - 40" falling handles (used)  
 8 spring board heads (used)  
 1 shake knife  
 2 pipe wrenches  
 2 sets of clothes line

1 wood rasp  
 2 nail hammers  
 1 hand plane  
 2 hatchets  
 1 mattock & 1 shovel  
 5 hand saws  
 1 nail extractor  
 1 gas torch  
 1 vise  
 2 squares  
 2 saw gauges  
 2 spiders  
 1 screw driver  
 1 set auger bits  
 1 auger handle  
 1 cold chisel  
 1 wood chisel  
 1 metal shears  
 1 peavey  
 1 drill handle  
 1 set of drills  
 20 camp mattresses  
 2 dozen coal oil lamps  
 5 air tight stoves  
 40 gallons coal oil  
 5 gallons gasoline  
 45 " saw oil

in drums outside house.

1 scale  
 3 frying pans  
 3 tea pots  
 3 knives  
 4 dippers  
 1 wash pan  
 1 cast iron pot  
 1 bread can  
 1 lunch kit  
 6 dinner plates  
 6 dinner knives  
 6 teaspoons  
 6 forks  
 3 bread pans  
 1 clock  
 4 basins  
 1 dozen rice bowls  
 2 coal lamps  
 oil

~~1 sack/chopper~~  
~~1 lb/spr/sand~~  
 2 sacks rice  
 1 dozen jelly powder  
 50 lbs. sugar  
 7 packets starch  
 5 packets icing sugar  
 6 packets corn starch  
 5 packets puffed rice  
 1 packet vanilla  
 9 rolls of paper  
 2 rolls of tar paper

Unable to estimate value.  
 All above stored in family house at  
 camp on E. & G. Logging co. land,  
 held by logging company.



Property of Kohel BABA

14 lbs. butter	40 dishes	5 cans fish
2 sides bacon	50 tea cups	6 boxes toothpicks
40 lbs. salted radishes	30 rice bowls	100 lbs. sugar
20 lbs. carrots	30 dinner plates	50 lbs. flour
10 bdl roots	20 mush bowls	40 lbs. beans
2 pkg. icing sugar	1 tea kettle	20 lbs. rolled oats
7 pkg. puffed rice	6 water pails	1 can peanut oil
2 bars washing soap	1 rice boiler	6 bottles ketchup
6 pkg. jelly powder	1 rice boiler stove	25 lbs. pickled onions
5 pkg. corn starch	4 frying pans	2 bottles vanilla
1 can agi-nomoto (seasoning)	1 bowl (large)	3 pkts. prunes
3 lbs. dried sea weeds	2 water boilers	50 lbs. salt
1 box S. O.S.	10 coal oil lamp chimney	
650 lbs. rice	5 brooms	
9 doz. eggs		12 loaves bread
7 lbs. black tea		10 lbs. onions
6 lbs. green tea		50 lbs. seasoning
30 cans milk		
2 cans coffee		
5 cans tomatoe		
10 cans salmon		
16 cans pilchard		
10 cans beans		
2 rolls wax paper		

Stored in Cook house, keys kept by E. & G. Logging Company

.....  
 350 ft. 1 $\frac{3}{4}$ " water pipe  
 150 ft. 1 $\frac{1}{4}$ " water pipe  
 5 pcs. garden hose  
 5 water barrels

Outside

.....  
 1 tin bath tub  
 2 wooden bath tubs  
 4 wash basins

In bath house



4. INSURANCE CARRIED ON ABOVE PROPERTY: None5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF  
OTHERS: None

6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom)

None

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

\$10 pre-payment on \$100 Victory Bond, 1954 maturity made to E. & G. Logging Co.8. BANK ACCOUNTS: None9. LIFE INSURANCE: None10. INTEREST IN ANY ESTATES OR TRUSTS: None11. SAFETY DEPOSIT BOX: None

## LIABILITIES:

1. PERSONAL DEBTS: Owes \$40 to K. Nakashimada, 591 Powell St., Vancouver, B. C.\$564.80 to M. Ebisusaki Co., 337 Powell St., Vancouver, B. C.\$180.15 to J. Nishimura, 9182 Hudson St., Vancouver, B. C.\$75 to Dr. Hori, Vancouver Block, Vancouver, B. C.2. TRADE DEBTS: \$517.97 to M. Ebisusaki Co., 337 Powell St., Vancouver, B. C.Owes E. & G. Logging Co. some money for tools, amount unknown. Details can be  
secured from head office of E. & G. Logging Co., 2225 W. 4th Ave., Vancouver, B. C.REMARKS: Also unknown amount owing to Dr. Burwell, Birm Building, Vancouver, B. C.

I certify that the above information is true and complete and fully discloses all my property of every description in any protected area in British Columbia and sets forth all my liabilities direct and indirect.

Dated this 21st day of March 1942.(Signature) K. BabaWitness

FOR DEPARTMENTAL USE



INFORMATION FROM R.C.M.P.

Date Aug. 26/43.

Our File No. 4623

Full Name BABA, Kaber  
(Surname in Block Letters)

Registration No. 07120

Male - Female  
(check)

Age Aug. 18, 1911

Former Address Wilson Creek B.C.  
Salmon Bay, Toba Inlet, B.C.

Date Evacuated Mar. 23/42 Naturalized - Canadian-Born - National  
(check)

Present Address BEATON, B.C. Nov. 1948  
~~Trent Lake, B.C.~~

Married - Single  
(check)

Name of Wife Masako #07121

Name of Husband -

Name of Mother (<sup>nee</sup> OISHI) Mii Name of Father Kotaro (Japan)

Names of Children under 16 (Japan) Toyomi (F) Apr. 10/37.  
Micky (M) Sept. 17/38  
Jean Reiko (F) Sept. 14/42

Requested by CCY

Registered with Custodian

(Yes or No)

Additional Information Logger



14

File No. 4631

CLAIMS DEPARTMENT

May 10th, 1943.

Mr. Kohel BABA - Registration No. 07120

CREDITORS

1. K. NAKASHIMADA	\$40.00 - J.P. Baba says 'Bisi'
2. M. Ebisuzaki Co. claim	384.30 - J.P.
3. M. " " claim (\$521.27) Ext.	517.97 - J.P. Baba says
4. J. NISHIMURA no mof	160.15 - J.P.
5. Dr. Hori on list	75.00 - J.P. 'all correct
6. Dr. Burwell claim	36.00 - J.P. but can't pay
7. E. & S. Logging Co.	121.30 - J.P. Settled.

advised with address of M

to M  
Note  
21-3-44  
A

AMCA:ND

No claim on co's file #9743

No further action  
by claims  
21-3-44  
A



CLAIM

File No. 4623  
15.

DATE

December 22, 1942

CREDITOR

M. EBISUZAKI & COMPANY

DEBTOR

Kohe BABA  
Salmon Bay  
Tohe Inlet

AMOUNT OWING

\$521.27

AGENT

ORIGINAL FILE

Internee File 170

January 22, 1943  
M. A.



4623

June 10th, 1942

The E. & G. Logging Co. Ltd.,  
2226 Fourth Avenue West,  
Vancouver, B. C.

Dear Sirs:-

Re: BABA, Kohei

We have received the following  
letter from the above now at Gosnell Camp:

"Before the evacuation I used to own a  
Logging Camp under E. & G. Logging Ltd. Here I  
left behind the Camp, falling and bucking tools,  
kitchenwares, carpenter tools, and many other Camp  
necessities. The other day I received word from  
my friend that the E. & G. Logging Ltd. has moved  
my cabins and are using my tools and others. Before  
leaving the Camp I made clear that E. & G. Logging  
Ltd. was to take care of my Camp and tools but not  
to use them whatsoever. I would like to know whether  
the Logging Ltd. has received order from the Custodian  
to use the Camp and tools or whether the Logging Ltd.  
is using my Camp on their own account. Please find  
out and let me know. In case of the E. & G. Logging  
Ltd. using the Camp on their own account and not  
receiving order by the Custodian, what will you do  
in this case?"

Will you please let us have your comments?

Yours truly,

R. P. Alexander  
Assistant Manager

HFG:IF

Saw Jackson 15-6,  
who will write



*Mr. Green* *APP*  
Burns & Jackson Logging Co. Ltd.

Producers of

Choice Douglas Fir and Western-Red Cedar Logs

L. S. JACKSON  
President

GEORGE W. JACKSON  
Secretary-Treasurer

P.O. Address

WILSON CREEK, B.C. OFFICE OF THE CUSTODIAN  
JULY 16th 1942 JAPANESE SECTION

RECEIVED  
JUL 18 1942

*462*  
H.F. Green Esq.

Manager Protection Dept.

Dept Sect State, Vancouver B.C.

Dear Sir;

I have just returned from Salmon Bay Toba Inlet and regarding Baba's claim the matter will have to wait till we can get a statement from the office as to how his account stands. There is not much doubt that he is more in debt to the Company and the small sums that he has paid back on the principal do not cover wear and tear on the tools with which he was supplied. The tools that he claims were his own may have been but when leaving he gave the keys of his house to W. Mitchell and this relieved the Company of this responsibility. This man's claim should be against the authorities as the foul manner in which they were summarily ejected was totally unnecessary and is the cause of the present difficulty.

Yours Sincerely.

*L. S. Jackson*



4623

2  
July 21, 1942.

Mr. Kohel Baba,  
Registration No. 07120  
Gosnell Camp 103-2,  
Gosnell, B. C.

Dear Sir:

Thank you for your letter of June 4 which we have not answered more promptly as we have been in correspondence with Mr. Jackson. Mr. Jackson has now written us as follows:

"I have just returned from Salmon Bay Toba Inlet and regarding Baba's claim the matter will have to wait till we can get a statement from the office as to how his account stands. There is not much doubt that he is more in debt to the Company and the small sums that he has paid back on the principal do not cover wear and tear on the tools with which he was supplied. The tools that he claims were his own may have been but when leaving he gave the keys of his house to Mr. Mitchell and this relieved the Company of this responsibility."

We shall write to you again when we have a further statement from Mr. Jackson but, meanwhile, we would like more information about the tools and effects declared in your registration form of March 21. Mr. Jackson, you will see, says that the keys of your house were handed to Mr. Mitchell. We assume that Mr. Mitchell is at Salmon Bay, Toba Inlet. Please confirm if this is the case and advise whether we should send to Mr. Mitchell a list of your effects and ask him to confirm that they are safe where they are.

Finally, with regard to your debts declared on March 21, please let us know what arrangements you are making to pay these.

Yours truly,

EXHIBIT No. 191-6  
DATE 22 April 1948  
FILED BY Crown

HFG:MA

H. F. Green, Manager,  
Protection Department.



Operation:  
Salmon Bay,  
Toba Inlet, B.C.  
Mail Address:  
Via Refuge Cove

GEORGE W. JACKSON,  
Secretary-Treasurer,  
2226 West Fourth Ave.,  
Vancouver, B.C.

# E. & G. LOGGING CO. LTD.

PRODUCERS OF  
CHOICE TOBA INLET LOGS

October 15, 1942

Department of the Secretary of State,  
Office of the Custodian,  
Japanese Evacuation Section,  
Vancouver, B.C.

Dear Sirs:

Re: Mr. Kohei Baba's Account  
with E. & G. Logging Co. Ltd.  
and Burns & Jackson Logging Co. Ltd.

Cheque to Mr. K. Baba May 9/41	150.00
Cheque " " " " June 18/41	100.00
Pipe and Falling Saws May 21/41	93.77
Shell Kerosene	11.48
Coal Oil	3.00
Meat Acct. Feb. & March 1942	124.40
Pay Cheque advanced to Mrs. K. Ono	89.96
Cheque for his Men's board	598.27

Nominal charge for moving Mr.  
Baba's camp effects from Wilson  
Creek to Toba Inlet by scow. 50.00

## Credit

Received cash from Mr. Baba Aug/41	50.00
" " " " " Sept.	50.00
" " " " " November	92.57
" " " " " January 1942	50.00
" " " " " March	100.00
Cheque due wages not issued March	36.63
Board due re Sakamoto	37.55
Board deducted from his men's wages	371.54
	1220.84
	788.29

Debit Balance

	432.55
1220.84	1220.84



Operation:  
Salmon Bay,  
Toba Inlet, B.C.  
Mail Address:  
Via Refuge Cove

# E. & G. LOGGING CO. LTD.

OFFICE OF THE CUSTODIAN  
JAPANESE SECTION

PRODUCERS OF  
CHOICE TOBA INLET LOGS

RECEIVED  
OCT 16 1942

October 15, 1942

Mr. H.F. Green,  
Protection Department,  
506-Royal Bank Bldg.,  
Vancouver, B.C.

Dear Sir:

Re: Baba, Kohei  
File No. 4623

Please find enclosed our statement regarding Mr. K. Baba.  
We trust that this will assist you in settling Mr. Baba's affairs.  
The debit balance of \$432.55 naturally is in contra account to  
tools, saws, axes etc. left behind by Mr. Baba, for which the  
Company is willing to accept in full settlement.

Yours truly,

E. & G. LOGGING CO. LTD.

*G. W. Jackson*

GWJ/JH  
Encl.



4623

October 20th, 1942

Mr. Kohel Baba,  
Registration No. 07120,  
Gosnell Camp 103-2,  
Gosnell, B. C.

Dear Sir:-

Further to our letter of July 21st, we have now heard from Mr. Jackson and enclose herewith a statement of your affairs. From this you will see that you owe the E. & G. Logging Company (if you agree with this statement) \$432.55. Mr. Jackson says that his Company is willing to accept your tools, saws, and axes in full settlement. Please let us know if this is in order. ✓

We remind you that you have not answered the 3rd and 4th paragraphs of our letter of July 21st. In the 3rd paragraph we asked whether we should refer to Mr. Mitchell the inventory enclosed with your registration form of March 21st. We are not clear whether all of these articles are still left with Mr. Mitchell or whether some have been received by you and the balance are to be kept by the Company. X

We have also heard nothing further from you about your debts and should be obliged if you would let us know if you have yet been able to meet any of them.

Yours truly,

H. F. Green  
Protection Department

Enc.  
HFG:IF



4623

November 14th, 1942

Mr. Kohei Baba,  
Registration No. 07120,  
Trout Lake, B. C.

Dear Sir:-

We cannot trace any answer to our letter  
of October 20th and repeat the points set out therein.

(1) The E. & G. Logging Company claim  
that you owe them \$432.55 as itemized in the enclosure  
to ours of October 20th. Is this in order and may the  
Company retain your tools, saws, and axes in full  
settlement? X

(2) What other things, if any, were left  
at Toke Inlet, and in whose care. To whom should we  
write to enquire whether they are still safe? X

(3) What arrangements are you making to  
clear the debts set out in your registration form?

Yours truly,

H. F. Green  
Protection Department

HPG:IF

EXHIBIT No.

191-6

DATE

22 April 1948

FILLED BY

Gorn



4623

December 7th, 1942

Mr. L. S. Jackson,  
c/o E. & G. Logging Co.,  
Refuge Cove, B. C.

Dear Sir:-

Re: BABA. Kohei

The writer has just been speaking to your brother who told him that you would be up at Toba Inlet in a day or two so that we thought we would take this opportunity of writing to you about this man's effects.

First of all, however, Mr. George Jackson says that you will lose out by accepting this man's tools in payment of the amount he owes you. In this connection, we have written twice to Mr. Baba but had no reply from him. If you wish to put in a formal claim for any difference over and above the value of the tools, this should be done before December 19th, which has recently been set by advertisement as the deadline for claims against Japanese.

Mr. George Jackson explained to us that the buildings this man claims were constructed from Logging Company lumber and are of no value once the logging operation moves on. We quite appreciate this. We understand that Mr. Mitchell holds the keys of these buildings and would be grateful to hear from you if Baba's personal effects will be reasonably safe. We understand you have had a lot of trouble by pilfering by the Indians.

To sum up then, if you would put your claim in so that we may have it on record (you will understand that we do not assume any responsibility for payment) and also be so kind as to let us know if this man's effects are reasonably safe where they are, we should be very grateful. We assume that in taking over his equipment you would, as far as possible, also have taken over any canned food or other items which would deteriorate and would have no value except where they are. As far as we can see from this man's declaration, this will account for all his belongings.

Yours truly,

H. F. Green  
Protection Department

HFG:IF



RECEIVED  
JAN 10 1943

AGENT: E. A. HASWELL  
CREDIT FONCIER BLDG.  
VANCOUVER, B. C.

# E. & G. LOGGING COMPANY,

SALMON BAY, TOBA INLET.

HI-GRADE PULP, CEDAR & FIR LOGS.

Dec 21st 1942.

EVACUATION SECTION	
Rec'd DEC. 24. 1942	
File No. 4623	
Ans. MA	
Referred	Green

H.F. Green Esq.  
Protection Dept.  
Japanese Evacuation Section.

Dear Sir;.

Your letter dated Dec 7th was received yesterday which will ~~also~~ explain the delay in answering it.

I think I explained to you previously that due to the disastrous manner in which this particular evacuation was carried out there will never be any satisfactory settlement. There is nothing left of Babasat Salmon Bay. I believe the Company will have to figure on a loss on the whole thing.

We shipped all the Jap goods that we could not use and I am quite sure the balance would not have a value of more than 10 dollars. Regarding the personal effects you mention Mr Baba took all the furnishings that were there excepting that which he sold to the Indians. The Japs had not gone more than a week before all the windows in the buildings were broken by the Indian children so we moved the houses closer to the camp and replaced the windows and used the houses for various purposes. While there is naturally some concern about these effects the authorities do not seem at all concerned about the loss of thirteen million feet of logs which is the drop in production at our two camps solely due to taking these people away from the industrial front. We do not see Messrs Hitler & Co cutting such didoes. We appreciate your Depts concern in this matter but you can see how hopeless it all is. Thanking you again and wishing you the Compliments of the Season. I Am,

Yours Sincerely.

*L. S. Jackson*

*Suggest memo to file*



4623  
9341

May 20th, 1943.

Messrs. Norris & MacLennan,  
Barristers and Solicitors,  
Bank of Nova Scotia Building,  
602 Hastings St. West,  
Vancouver, B.C.

Dear Sirs:

re: Kohei BABA

Replying to your letter of the 5th inst., we wish to advise you that the position with regard to the claim lodged by you on behalf of your client Fujiro NISHIMURA against the above named has not changed since our letter to you of the 15th of July 1942. As you were then informed there is a long list of claims still outstanding against BABA.

We investigated the Japan and Canada Trust Savings Company accounts and found that the only account that might appertain to the above named was in the name of "M.K. BABA", and the balance was \$1.25.

Should BABA's financial position change and funds become available for looking after the claims against him, you will be duly advised.

Yours truly,

AMcA:DE

A. McAlister,  
Claims Department.



4623

February 25th, 1944.

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

Dear Sirs:

re: \$521.27 & 384.30 - M. Ebisusaki Co. v.  
Kohel BABA - Your File 295-143

Replying to your letter of the 22nd inst. relative to  
the above claims, we may say that BABA has no funds on hand with  
the Custodian.

His registration form indicates logging equipment, all  
or most of which seems to have been taken over by E. and G. Logging  
Co., Toba Inlet, B.C., to apply in liquidation of his indebtedness  
to that company.

Mr. Jackson of that company, in a letter, states:

"I believe the company will have to figure on a loss on the  
whole thing."

Yours truly,

B. R. Dusenbury,  
Claims Department.

BRUNDE



4623

6th July, 1949.

Mr. Kohei BABA,  
Regn. No. 07120,  
Beaton, B.C.

Dear Sir:

We enclose herewith Custodian cheque in the amount of \$1.35, being balance of your current account in the Japan & Canada Trust Savings Co.

Please acknowledge receipt and at the same time kindly forward your pass book to this office as your account in this bank has now been closed.

Yours truly,

Office of the Custodian

HA  
ENCL.



DEC - 2 1947

IN THE MATTER OF a Commission to Investigate Claims of Japanese Canadians for Property Losses.

TO: The Commissioner,  
Office of the Custodian,  
Royal Bank Bldg.,  
Vancouver, B.C.

4623

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

- (1) NAME KUHEI BABA (RCMP) Reg. No. 07120  
(2) Pre-Evacuation Address 60 EYR LOGGING LTD SALMON BAY TOBA INLET B.C.  
(3) Present Address BEATON B.C.  
(4) REAL ESTATE  
(a) Street Address (if any) \_\_\_\_\_ City or Municipality \_\_\_\_\_ Province B.C.

(b) Legal description (lot number, block number, section number, etc.)

*Business. Was employed under contract at E & G Logging Ltd. for cutting logs. Had 16 to 20 men working under me all the time and had a camp for these men who worked for me including their board & bed.*

(c) Type of Real Property (cross out words which do not apply):

- (i) Farm  
(ii) Residence  
(iii) Business  
(iv) Any other type of property (describe) \_\_\_\_\_

(d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.) \_\_\_\_\_

(e) Fair market value at date of sale (estimate this to the best of your ability):

(i) Land - - - - - \$ \_\_\_\_\_

(ii) Buildings - - - - - \$ \_\_\_\_\_

(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - \$ \_\_\_\_\_

(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - \$ \_\_\_\_\_

(v) Amount at which Custodian sold property and credited your account - - - \$ \_\_\_\_\_

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ \_\_\_\_\_

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation

*Baba Camp & E & G Logging Ltd. Toba Inlet B.C.*

(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)

*In the Baba Camp Toba Inlet*

(c) How stored or packed at time of evacuation \_\_\_\_\_

(over)



(d) In whose care was property left at date of evacuation by the claimant. (This question refers to the terms of reference which exclude claims where the property was lost, destroyed or stolen while under the custody, control or management of any person other than the Custodian appointed by the owner of the property. It involves some definite arrangement whereby you appointed someone to take care of the property and such person accepted the responsibility of so doing. Unless such an arrangement was made the question should be answered "in no one's care") *Should be in care of by the E & G. Logging Ltd. or the Police or the Custodian*

(e) Itemized description of personal property which is the subject of the claim:

1. <i>Logging Tools &amp; etc.</i>	Estimated Value \$ <i>737.93</i>
2. <i>Carpenter Tools &amp; another</i>	Estimated Value \$ <i>242.20</i>
3. <i>Miss House wares</i>	Estimated Value \$ <i>613.52</i>
4. <i>Family House holdware &amp; Groceries</i>	Estimated Value \$ <i>539.70</i>
5. <i>Groceries for the Boarding house</i>	Estimated Value \$ <i>204.86</i>
6. <i>Sewing Machine stove washing machine, Bed &amp; mattress</i>	Estimated Value \$ <i>277.00</i>
7. <i>Stolen when sent to the Road Camp</i>	Estimated Value \$ <i>166.45</i>
8. <i>with in the suits case</i>	Estimated Value \$
9.	Estimated Value \$
10.	Estimated Value \$

TOTAL CLAIM FOR PROPERTY LOSS *2763.66*

N.B.—If you cannot list all the items here prepare a separate list with values set out opposite each item and attach it to the form. The item "personal property" includes shares, bonds, mortgages, loans, notes and all other forms of property not included in real estate.

(f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e) - - - - - *2763.66*)

(6) (a) Place at which claimant prefers to be heard.  
(Vancouver, Kamloops, Nelson, Lethbridge,  
Moose Jaw, Winnipeg, Toronto or Montreal.)

(b) Do you require the services of an interpreter  
at the hearing? Yes or no *yes*

N.B.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to take declarations. All lawyers are qualified to do so.

DOMINION OF CANADA,  
of  
TO WIT;

I, *Nami Bala*  
of *Beaton*

of the *Town*  
in the *Province of B.C.*

DO SOLEMNLY DECLARE THAT:

The information set out in the form above is true and correct to the best of my knowledge, information and belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act".

DECLARED before me at the *town*  
of *Beaton*  
in the *Province of B.C.*  
this *18* day of *November*  
A.D. 1947.

*Clas A M S boy*

A Commissioner &c.

Justice of the Peace in and for  
the Province of British Columbia

N.B.—THIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONER SHOULD BE MAILED BY REGISTERED MAIL TO THE COMMISSIONER, c/o THE OFFICE OF THE CUSTODIAN, ROYAL BANK BLDG., VANCOUVER, B.C., BEFORE NOVEMBER 30th, 1947. IF YOU CANNOT MAIL IT BEFORE THIS DATE SET OUT BELOW REASONS FOR THE DELAY.



1 lb. candy pineapples	.50
2 box gelatine	6.00
2 Fishing rod	25.00
100 yd. " line	2.50
Fishing outfit	3.00
Playing wagon	4.50
Books	50.00
	<hr/>
	539.70

Sewing machine	12.00
Stove	50.00
Washing machine	115.00
2 double bed mattresses	25.00
" " Stead	18.00
	<hr/>
	277.00

Stolen when sent to the Road Camp

1 suit case	25.00
1 English Japanese Dictionary	3.50
1 Japanese Dictionary	3.50
1 wrist watch	5.00
1 set fountain pen	16.50
100 stamp	3.00
150 Excise stamp	4.50
1 straight razor	4.50
1 Razor Strop	2.50
1 set rubber stamp	5.50

1 Tooth brush + paste	125
1 pr. Pyjamas	5.50
1 shoe polish	.75
1 Vanishing Cream	120
1 After shave	12
1 Hair oil	
1 Brillairetine	
1 set sewing needle <sup>thread</sup>	
1 Scissors	
2 Photo. Frame	



1 fruit dish silverware	5.00
2 set small bowl	2.00
1 doz. Japanese wine cup	1.20
1 " whiskey glass	1.20
2 aluminum pth	5.00
1 Double Boiler	3.00
1 Coffee Pot	1.50
1 tea pot	2.50
1 Enamel Pt	1.50
1 Bread can	2.10
1 Frying Pan	.75
1 " " small	.50
2 Bamboo basket	1.50
2 washing boiler	6.90
2 " tub	3.00
1 " board	1.75
2 set cloth Linen	4.00
2 cake tins	2.00
3 pie plates	45
1 Bottle copper	1.95
1 yd. rubber nylon	35
1 scale	3.95
1 gas iron + pump	8.50
2 coal oil lamp	25.00
2 set dolls	15.00
1 set Festival Dolls boy	20.00
1 " " " girl	25.00
1 Toy tea set	15.00
1 Kettle	1.95
2 Pan	1.50
1 silver cheese	15.00

2 lantern	3.50	Page 4.
1 Japanese Fencing stick	3.50	
1 chair for Buddha	7.50	
1 " " got	5.50	
1 set stone lion	2.00	
2 doz. toilet paper	2.50	
1 Rubber hot water bottle	1.65	
1 aluminum " "	1.45	
1 hatbox	1.95	
2 toy hand	3.95	
2 doz. " "	4.00	
2 yd. bed cloth	6.00	
10 lb. dried apple	1.25	
50 lb. sugar	4.00	
10 " flour	3.00	
200 lb. rice	18.70	
100 " mochi rice	9.50	
1 1/2 lb. dried mushroom	5.25	
2 " " fish	1.50	
6 can salt	1.80	
5 " bamboo yam	1.50	
6 " pear	1.20	
3 " corn	.75	
4 can Japanese Pickle	1.00	
1 plate. Karsten	1.20	
1/2 lb. fish egg	.75	
3 pkg. dried seaweed	1.50	
2 lb. L. non-burden	3.50	
2 " raisin	.60	
1 " all cant	.50	
1 " coconut	.35	
1/2 lb. almond	.35	
1/2 " candied cherry	.25	



# Groceries for Mess House.

14 lb. butter	5.32
40" Patient Linoleum	6.00
2 side bacon	9.15
20 lb. carrots	1.00
10 bunches Bunches	1.00
2 pkgs. icing sugar	.40
7 pkgs. puffed rice	1.75
2 bars washing soap	.84
6 pkgs. jelly powder	.36
8" cornstarch	.55
1 can aji	1.75
3 lb. seaweed	2.00
1 box S. O. S.	25
65 lb. rice	64.67
9 doz. eggs	3.15
7 lb. black tea	5.25
6 lbs. green tea	4.50
30 can milk	3.00
2 lb. coffee	1.40
9 gal. tomatoes	1.50
1 can salmon	3.50
16 " pickled	2.40
10 lb. beans	1.30
2 roll wax paper	.50
5 can fish	1.25
6 pkg. tooth picks	.30
100 lb. sugar	8.00
30 lb. flour	.90
40 lb. small beans	8.00
20 lb. rolled oats	1.20
1 can peanut oil	1.50
6 bottle ketchup	1.62
3 pkg. prunes	.81
50 lb. salt	1.50
12 bread	.96
10 lb. onion	.60
50 " miss	4.00

Page 3

2 tub soy bean sauce	1.70
1/2 " Pickled onion	3.25
2 bottle vanilla	1.78
1/2 tub Pickled Turn	4.00
30 lb. Salted salmon	3.00
	204.86

## Family Household want groceries

4 door	24.00
20 roll building paper	23.00
3 " Tar paper	3.45
1 chair	12.00
16 stove pipe	4.48
2 roof plate	3.00
1 Dough mixer	.25
1 Egg beater	1.35
3 kitchen knife	3.25
1 Bread knife	1.00
1 set glass bowl	3.50
6 Dinner Plate	6.50
6 cup & saucer	
6 Bread Plate	1.20
6 Berry dishes	
12 Table knife	2.50
12 " fork	2.50
12 tea spoon	3.00
12 Rice bowls	2.40
12 small dish	1.80
6 Tea cup	.60
24 Beer glass	3.60
2 set bowl	3.00
6 wash bowl	1.20



House wares

1	Cook stove	5.00
24	Dishes	3.00
45	Tea cups	8.75
15	Rice bowls	2.25
15	Dinner plates	3.75
5	Milk bowls	1.25
2	Kettles	2.00
6	Water pails	4.50
1	Chinese Cooker	9.50
1	stove	12.00
4	Frying Pan	2.85
1	Griddle	4.50
5	Bowl	3.10
2	Washing boiler	2.00
3	enamel pot	3.75
3	Tea pot	2.25
3	coffee pot	2.25
2	Roast pan	2.50
6	Cake tin	1.20
2	strainer	.50
6	Pie Plate	1.20
1	Cup cake tin	.50
24	small dishes	3.60
3	Butcher knife	5.00
1	Large knife	2.50
2	Bamboo basket	1.50
1	Large bowl	1.95
2	vegetable grater	1.50
1	flour sifter	.98
1	Rolling pin	.40
3	mixing spoon	1.05
4	soup ladle	.80
1	can opener	.25
24	Dinner knife	7.00
24	" fork	7.00
24	tea spoon	3.60
24	table "	7.00

Page 12

5 yd	tablecloth	2.25
2	pipe Temp 1 1/4	84
6	pipe couplings	1.44
3	iron	3.75
5	gas lantern	42.10
24	coal oil lamps	23.52
10	Lamp chimneys	2.00
250 ft	water pipe 1 1/4"	44.50
150 "	" " 1 1/4"	37.50
20 "	yard hose	4.50
5	water barrel	12.50
1	tin bath tub	8.50
2	wooden "	15.88
4	Basins	2.44
20	Matthens (camp)	9.00
3	steel single bed	17.55
12	wooden bed	32.00
5	Heater stove	23.75
9	roof plate	11.25
3	enamel pan	2.70
1	aluminum pan	1.00
40	stove pipes	19.60

~~63.52~~

613.52



# Logg. tools etc.

	\$
14 Felling saws 6'6"	56.00
8 " " 7'6"	144.00
1 " " 7'	12.00
1 " " 8'6"	25.00
1 " " 9'6"	30.00
13 Bucking saw 7'	201.00
" " 7'6"	18.00
18 saw handle	21.00
20 axes	70.00
3 axe head	20.00
9 sledge hammer	22.50
4 " " head	5.76
14 felling wedge	20.16
13 bucking "	18.72
3 splitting "	4.32
8 spring board	20.00
1 Trac	2.50
60 gal saw oil	6.60
45 " coal oil	15.75
30 " light gasoline	10.50
	\$737.93

# Carpenter Tools etc Cap 1

2 pipe wrench	5.00
1 wood rasp	.55
2 nail hammer	3.50
1 hand plane	3.00
2 hatchet	3.70
<del>1 hatchet</del>	
1 mattock	2.00
1 shovel	1.25
3 hand saw	10.50
1 Keyhole saw	1.75
1 nail bar	.75
1 square	3.50
1 level square	2.50
3 saw gauge	13.50
3 " gader	1.35
1 setting block	1.50
1 screw driver	1.50
1 soldering app	2.50
1 cold chisel	3.50
1 wood "	1.50
1 metal shears	4.00
1 level	4.50
1 Plies	2.00
1 nail pencil	.25
1 doz hinges	4.25
1 gal varnish	2.50
2 door knobs	4.50
50 lb. 4" nail	4.00
25 " 2" "	2.00
25 " 5" "	2.00
1 doz. windowpan	4.20
1 Peavy	4.50
3 Pipe cap	3.75
1 crescent wrench	2.50
4 Padlocks	4.00
46 windows	115.00
	224.20



At the time of evacuation we did not get notice till  
the last ~~minutes~~ <sup>minutes</sup> so had no time to pack or anything  
Left it as it was in the house and tools scattered all  
over the place as we did not have the time to put them  
together in one place. The Police from Powell River  
came up to the camp at 3.30 p.m. 19th March 1942 and  
we had to get the boat at midnight to leave the camp  
Also the men were still on the boat working  
by the time the men got home and they had supper  
and I paid off <sup>them</sup> it was time to leave. So I think  
either the Police or E & G Logg. Ltd or the Custodian  
should look after the affairs like that. It is not  
my responsibility If nothing was  
left at camp when the custodian went to inspect  
after we left.



IN THE MATTER OF THE "INQUIRIES ACT."  
PART 1. REVISED STATUTES OF CANADA 1927. CHAPTER 92

JAPANESE PROPERTY CLAIMS COMMISSION.

BEFORE  
(HIS HONOUR JUDGE J.R. ARCHIBALD, SUB-COMMISSIONER)

19

Vernon, B.C.

April 22, 1948

IN THE MATTER OF THE CLAIM OF  
KOHEI NABA

PROCEEDINGS AT HEARING.

20 APPEARANCES:

D.S. McTAVISH, Esq.,

appearing for the  
Dominion Government.

R.J. McMASTER, Esq.,

appearing for the  
Claimant.

T.J. MARRION, Esq.,

Secretary to Vernon  
sub-commission.

MRS. I.C. SMITH,

Official Interpreter.

G. HAMBLETON, Esq.,

Official Reporter.

30



2  
K. Baba  
In Chief.

MR. McMASTER: I would like to call the case of Kohel  
Baba, the first on the list as originally drawn for  
today.

THE COMMISSIONER: That will be No. 191.

KOHEL BABA, the Claimant herein, being first  
duly sworn, testified through the  
the official interpreter as  
follows:

10 MR. McMASTER: I would apply in this case, your honour,  
to reduce the claim. The claim is for chattels  
only. Referring to the back of the claim form, item  
5 (e), No. 1 is reduced to \$886.11, item No. 2 to  
\$189.75, item No. 3 to \$498.59, item No. 4 to \$202.90,  
item No. 5 to \$318.65. Items Nos 6, 7, 8, and 9 are  
abandoned, making the total claim \$1920.01. No  
money was received from the Custodian.

DIRECT EXAMINATION BY MR. McMASTER:

20 Q: Witness, I produce to you a statement with regard  
to the chattels concerning which you are claiming.  
Did you instruct me to draw this statement and is  
this your signature on it?

THE WITNESS A: Yes.

Q: And I produce to you a list showing various tools  
and equipment. Is this the list of tools and equip-  
ment referred to in the statement that I just pro-  
duced to you?

A: Yes.

Q: And did you prepare that list? A: Yes.

30 Q: And are the values shown at the extreme right-hand  
column on each page of the list your estimate of



the fair sale price at the time of your evacuation  
for the articles? A: Yes.

MR. McMASTER: I ask to file the statement with the list  
annexed as Exhibit 1.

(STATEMENT AND LIST MARKED EXHIBIT NO. 1)

MR. McMASTER: Would my friend like me to file the Custod-  
ian's analysis?

MR. McTAVISH: Yes, please.

MR. McMASTER: I am filing on behalf of my learned friend  
10 the Custodian's Analysis of Personal Property Claim  
as the next exhibit, and I would like to draw your  
honour's attention to the fact that there is a  
full inventory set out as having been declared at  
the time of evacuation by the claimant and the full  
details of claim which correspond.

MR. McTAVISH: Excuse me, that is not quite correct, your  
honour.

MR. McMASTER: Well, my friend perhaps can point out the  
places in which there is some disparity if he has  
20 checked it. Furthermore, there are no remarks or  
comments whatsoever on the claims analysis as to the  
disposition of this property.

(CLAIMS ANALYSIS MARKED EXHIBIT NO. 2)

MR. McMASTER: I would ask my friend to produce the J.P.  
form in this case.

Q: Witness, I produce to you what is called a J.P. form  
and which Japanese persons were required to declare  
their property in, which property was being left  
behind when they were evacuated. Is that your sig-  
30 nature on that document? A: Yes.



MR. McMASTER: I file that as the next exhibit.

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

MR. McMASTER: I point out that the J.P. form contains  
a full inventory.

10 Q: Now, witness, I understand that prior to leaving  
Toba Inlet, you disposed of certain of your goods and  
chattels. I produce to you a list. Is that the list  
of goods and chattels which you disposed of? Is this  
a list that I now produce to you of the goods and  
chattels that you sold before you left Toba Inlet?

THE INTERPRETER: A: Yes.

Q: Now, are any of the goods and chattels that are shown  
in this paper contained in your claim?

A: No, nothing is in the list.

Q: And did you sell any of your other goods and chattels  
besides what appear on this list that I am now pro-  
ducing to you? A: No, he hasn't.

MR. McMASTER: I file that as the next Exhibit.

(LIST MARKED EXHIBIT NO 1)

20 Q: Now, witness, I understand by your statement filed  
as exhibit No. 1 that you received certain goods that  
were shipped to you by the Custodian.

A: Yes.

Q: I produce to you a list. Did you prepare that list?

A: Yes.

Q: And are those all of the goods which you received  
from the Custodian or from any other person of the  
goods and chattels that you left at Toba Inlet?

A: All had been received from the Custodian.

30 Q: That is all he has had? A: Yes.



Q: And are any of the goods and chattels appearing on that list contained in the claim that he is now making?

A: No, not contained.

MR. McMASTER: I file that as the next exhibit.

(LIST MARKED EXHIBIT NO. 5)

MR. McMASTER: Now, I would ask my learned friend if he would be good enough to admit that the premises at Toba Inlet were broken into from time to time by Indians.

MR. McTAVISH: That is correct according to information on the file, your honour.

MR. McMASTER: I would like to refer to Exhibit No. 1, if I might. It refers to this long inventory that has been filed of logging tools and carpenters tools. It shows in the inventory "House wares and groceries, family household ware and groceries." The claimant states that the police from Powell River came to his camp at 3:30 p.m. on March 19th, 1942 at Toba Inlet and advised him that his workmen and his family would have to catch the boat at midnight. The men were all out in the woods and had the logging equipment with them. They did not know to bring it in. The claimant sat down and made a full inventory of all his chattels and helped pack the things that they were able to take. The men had to be paid off and then tend to their own affairs so that he could not bring the equipment in from the woods. The rest of his chattels were placed in the cabins at the camp.

The claimant says that he asked the policeman for permission to stay a couple of days to straighten things out. He said he could not grant him permission.



MR. McMASTER: I file that as the next exhibit.

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

MR. McMASTER: I point out that the J.P. form contains  
a full inventory.

Q: Now, witness, I understand that prior to leaving  
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THE INTERPRETER: A: Yes.

Q: Now, are any of the goods and chattels that are shown  
in this paper contained in your claim?

A: No, nothing is in the list.

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The claimant says that he asked the policeman for permission to stay a couple of days to straighten things out. He said he could not grant him permission.



Then the claimant asked who was going to look after his things and the policemen said they did not know; the only instructions were to move the Japanese out. The operator of the logging camp for whom he was sub-contracting was in Vancouver and the claimant couldn't locate the foreman, so he gave his keys to the cabins to one Bill Mitchell, an employee of the company and instructed him to give the keys to the company.

10

He states that prior to May, 1941, he had worked as an employee of the company, and that in 1941 he undertook to sub-contract work, and accordingly most of his tools and equipment were new in 1941.

He states that when he was required to sign a J.P. form he gave the Custodian a full inventory of his goods and chattels, and he did not have time to estimate their value then, and the Custodian's representative said it did not matter at that time.

20

Then, on the back of the statement, he says that he purchased quite a bit of his logging equipment and some kitchen utensils through the company and received some advances from them. He does not know the exact amount of the advances. Between June, 1941, and March 1942 when he was evacuated, he estimated that he had repaid about \$450.00 to the company. There was no conditional sales agreement, and the company had no lien on his equipment and chattels, and no right to possess them. The claimant states that after he had left that company, that he heard the company was using his camp equipment and tools, and in

30



June, 1942, he had a letter written to the Custodian about this. He subsequently received a reply of July 21, 1942, but did not answer it as he had already advised the Custodian in his J.P. form as to the disposition of his goods and chattels, and did not know what he was going to do about his debts.

10

In October, 1942, he was at Trout Lake, having removed from Gossnell Camp. He states that he has no recollection of ever receiving the Custodian's letter of October 20, 1942 which, I might say, purported to include a statement from the company as to his debts. That letter was addressed to Gossnell Camp, and the claimant is certain that he never received a copy of the company's statement of account at any time. He did receive a letter from the Custodian addressed to him at Trout Lake in November, 1942 but he did not reply as he still did not know what he was going to do about his debts. He had quite a few debts, as shown in his J.P. form.

20

Before leaving Toba Inlet, the claimant says he sold the various items which appear on the exhibit that has been filed and he acknowledges that he received certain items and a list of those has been filed, and he states that except as shown in those two lists he did not sell or receive any chattels, and he is claiming only for chattels which he left at Toba Inlet.

MR. McMASTER: Your witness.

MR. McTAVISH: It is submitted, your honour, that the prices claimed by the claimant are exorbitant. It

30



10 is submitted that the personal property claimed for was left in the custody of someone other than the Custodian appointed by the claimant and in that case the Custodian can only be held liable for when he assumed custody. It is further submitted, your honour, that the claimant owed money on the chattels claimed for, that the chattels claimed for were accepted in full satisfaction of the debt, and that this proposal was put forward to the claimant and not objected to by him. It is further submitted, your honour, that the claimant is claiming for 275 articles as against 139 articles only declared by the claimant to the Custodian.

Now, your honour, I would refer to Exhibits 2 and 3.

20 Exhibit 2 is the claims analysis which shows on the first column the articles declared by the claimant in his J.P. form, and on the column headed "Details of Claim," the articles claimed for. You will notice, at page 3 the articles declared cease and the others go on for another two pages.

Now, the articles on the first column are all taken from the list given by the claimant on his J.P. form.

Your honour, I would like to put forward the copies of the letters written to the claimant which he admits having received. The first one is dated July 21, 1942.



Q: Is that a copy of the letter you admit having received?

MR. McMASTER: The substance of the letter had better be translated to the witness, your honour.

THE COMMISSIONER: Yes. Mrs. Smith, will you translate it to him? Read it to him.

THE INTERPRETER: He says he understands it without an interpretation.

MR. McMASTER: I think that is one way of admitting it.  
10 We have admitted receiving it; we will admit it again if my friend wants it. I have admitted the other one. I don't think it is necessary to translate them.

MR. McTAVISH: My friend admits both of them, your honour.

MR. McMASTER: I might say, your honour, there is one thing I object to and that is the underlining on the letter. I suppose that is convenient for the Custodian, but it is not very good in an exhibit.

20 MR. McTAVISH: I would like to put both these letters in as Exhibit 6.

(LETTERS MARKED EXHIBIT NO. 6)

MR. McTAVISH: I read the letter of July 21, 1942, your honour. (Reading) Your honour, the claimant admits not having answered that letter.

The letter of November 14, 1942, written to the claimant: (Reading)

Now the claimant admits, your honour, that he received those two letters and never answered them.

30 MR. McMASTER: And gives an explanation as to why he



didn't.

MR. McTAVISH: There are further letters on this file that are relevant, but I think those would be put forward in defence in Vancouver.

Q: Would you ask the claimant whether the list of articles shown on his J.P. form was the correct list of articles left behind by him?

A: Yes, he

has.

Q: Did he leave any other articles behind other than those declared on his J.P. form?

10

A: Nothing except what is in the list.

MR. McMASTER: I would like it clear that he understands which list it is. My friend might produce the J.P. form and ask him that.

MR. McTAVISH: This is the complete list of articles you left behind, is it?

A: He says there are some groceries besides that he had left.

Q: Did you at any time disclose any further articles to the Custodian?

20

A: He says he has given a list to the Custodian for the groceries that he had left, and all other things.

Q: When did he give this list to the Custodian?

A: Yes, it is included in the list.

Q: This, then, is the complete list given to the Custodian?

A: Yes.

Q: Did you buy your tools and supplies from the E. & G. Logging Company?

A: Yes, he said he bought them from the company.

30 Q: And at the time of evacuation, you owed the logging



K. Baba  
Cross-exam.  
Re-direct.

company money, is that correct?

A: Yes.

Q: Do you accept the logging company's statement that the sum owed was \$432.55? A: Yes.

Q: The camp where you left your articles was a working camp, is that correct? A: Yes.

Q: Did you obtain any shipped to you by the logging company?

A: He said he doesn't remember receiving anything.

10 Q: Exhibit 4 shows a list of articles sold by you. Who did you sell these to?

A: He sold the machine and the stove to Arakawa.

Q: The ones you sold them to, were they Indians?

A: The bed and mattress, sold them.

Q: Did you sell any other articles to Indians prior to your evacuation? A: No.

Q: The two letters you received from the Custodian, did you understand the contents of those letters?

A: Yes, he understood it.

20

RE-DIRECT EXAMINATION BY MR. McMASTER:

Q: Witness, I produce Exhibit No. 3, which is what is called a J.P. form, the form that you signed at Hastings Park. A: Yes.

Q: Now, in that is a typewritten list of things which you have identified as your property. Would you be good enough to tell his honour just how the person who took that form from you got that list -- did you have it typewritten out or did they typewrite it or where did the information that is on that in-

30



ventory com from?

A: He said he made a list in the camp and asked the Custodian.

Q: Do you still have the list you made in camp?

A: Yes.

Q: Have you got it with you today?

A: (Producing)

Q: Now, you are producing a book. It runs from page 46 to page 56 in this book? A: Yes.

10 Q: And is this a book that you kept at the camp?

A: Yes.

Q: And this is the list that you made just prior to your leaving the camp? A: Yes.

Q: Now, I would like you to take all the other loose papers out of that book, I want to file the book.

A: (Witness complies)

MR. McMASTER: I would like to file this book as an exhibit, the book which the witness has just identified.

20 Q: Now, witness, when this J.P. form was filled out and this inventory was made up by the Custodian's representative, did you hand the book to the Custodian's representative and did they make the list from the book or did you read to them out of the book?

A: Yes.

Q: Which?

A: He stood by him and dictated it; he didn't give the book up to him.

Q: Now does he know whether the person to whom he dictated these lists put all the items that he dictated on to this inventory that is in his J.P. form?



A: He thinks so.

Q: Now, did you check over the inventory that appears in Exhibit 3 with your book before you signed exhibit 3?

A: He didn't have time so he didn't check it.

Q: Now, why didn't you have time?

A: He was so excited. He said he had to go to the log cabin the next day. He said he was so excited he had no time.

10 Q: Were there other persons waiting to interview the person who took that J.P. form from you? After you were interviewed, were there other Japanese persons waiting to be interviewed?

A: There were many waiting.

MR. McMASTER: Yes. Now, I am not sure -- we didn't mark it. I think I asked to put it in as an exhibit.

THE COMMISSIONER: Is that in Japanese writing?

MR. McMASTER: No, it is in English.

(BOOK MARKED EXHIBIT NO. 7)

20 MR. McMASTER: Q: Now, in preparing your claim to present to the Commission, did you make use of that book, pages 46 to 56, in preparing your claim?

A: Yes, he has.

Q: And are all the items that you are claiming for contained in those pages of that book? A: Yes.

Q: Now, witness, I understand that you had quite a few debts.

A: Yes.

Q: Which had to be paid? A: Yes.

Q: And did you have any means of paying those debts?

30 Did you have any money wherewith to pay them?



A: He only had the wages paid by the company.

Q: Now, this man Mitchell -- when you handed him the keys, did Mitchell undertake to be responsible for your goods and chattels?

A: He doesn't know if Mr. Mitchell has the responsibility but anyway he asked him to hand the key over to the company.

MR. McMASTER: That is all that he asked him to do?

THE INTERPRETER: Yes.

10 MR. McMASTER: Q: Now, when the Custodian required you to sign the J.P. form, that is, Exhibit 3 -- I had better show it to him -- was it your understanding that the Custodian would look after your property?

A: Yes.

Q: From whom did you get that understanding? Did the Custodian's representative tell you that?

A: He understood it that way.

THE COMMISSIONER: Don't say "he," say "I understood."

20 You give his own words, you see, so that it goes down in the record as if he was saying it himself. You understand that?

THE INTERPRETER: He said "He understood it."

THE COMMISSIONER: No, no. When you give the interpretation, give it as he said it -- "I say that," or "I did it," you see. Do you understand what I mean now?

THE INTERPRETER: Yes, I interpret it as "I" not "he."

THE COMMISSIONER: Yes, interpret his words.

MR. McMASTER: That is all, your honour.



K. Baba  
Re-cross-exam.

RE-CROSS-EXAMINATION BY MR. McTAVISH:

Q: Referring to this book in which you made the list, did you write anything in this book after you left the camp?

A: I made a slip in the camp, then I copied the book some place, I forget.

Q: I see.

A: I missed some of the things so I added it to the list.

10 Q: Have you added on to the list since you made out your J.P. form? A: I haven't.

Q: When did you put all these figures in?

A: At the first appraisal he put the figures in.

Q: When was that?

MR. McMASTER: Your honour, I think perhaps I might explain that there was a loss survey made by the Japanese. Now probably that is what the man is referring to, but it might be clarified, I think. If my friend would ask his question in relation to whether it was before or after the J.P. form, I think it would probably meet his purposes.

20 MR. McTAVISH: Did you put these figures in before you made out your J.P. form? A: No, after.

MR. McTAVISH: May I see the J.P. form, please?

(Handed to Mr. McTavish)

Q: Now, would you explain what the three columns of figures mean. Your honour, here there are three columns.

A: This is the value, that is, when he bought the things.



K. Baba  
Re-cross-exam.

Q: The middle list is when you bought the goods.

A: The second, the right-hand column is the price that he had paid for them, and the third one is the present value after it had been used.

Q: And what is the left-hand column marked "A"?

A: "At."

Q: I see; in other words, the left-hand column is the price of the individual items, the middle column is the price which you paid for all the items, and the third column is the present value of those items?

10

A: These underlined ones were sent to me, so I have no value attached to it, or these things.

MR. McTAVISH: Thank you very much.

Q: Now, witness, on your original claim, you showed the cost price of all the goods claimed for, is that correct?

A: Yes, that is how he understood.

MR. McTAVISH: That is all.

THE COMMISSIONER: That is all.

20 MR. McMASTER: Perhaps my learned friend would agree that the claimant never consented to the company taking these chattles in payment of their account.

MR. McTAVISH: No, your honour, I can't agree to that. The claimant was written three letters with regard to this matter, and he never objected in any letter to the Custodian; that is, he acquiesced by his own laxity in the matter.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

"J.R. Archibald"  
Sub-Commissioner

Certified correct and true transcript.  
*Gordon Hambleton*  
G. Hambleton  
Official Reporter.



Form 9

DEFENCE BRIEF

Vernon, B.C.,  
April 22, 1948.

Kohel B A B A

File No. 4623

Case No. 191

PERSONAL PROPERTY CLAIMS

(All claims shown are Gross)

Ref. Amendments as shown in Memo in Brief of Notes in Defence.

1. Chattel Claim

Sale Price

\$1947.20

None sold.

(a) Goods valued by claimant  
at \$667.11

Taken over by the  
E. & G. Logging Company  
as payment in full of  
the claimant's debt.

Witness: 1. F. G. Shears - to prove  
letter dated Oct. 20, 1942,  
from Custodian to claimant.  
No reply received - Acquiescence.  
- to be filed.

(b) Goods valued by the claimant  
at \$493.23 were left under the  
Custody, control or management of  
someone other than the Custodian,  
appointed by the owner of the property.

Witness: 1. Bill Mitchell - E. & G. Logging  
Company employee - Agent.  
Trans. P. 6, line 6.

(c) Goods valued by claimant  
at \$786.71  
86

No record at any time.

Witness: 1. F. G. Shears - to prove  
that these goods were not  
declared by the claimant,  
Exhibit No. 3, nor were they  
inventoried by the Custodian.  
Ex. No. 6 and Trans p.p. 7 and 9.  
Admissions: Trans. pp 10 and 11.  
See also Trans. P. 15 lines 5 and  
23.

Ref. Brief of Notes in Defence and attached Chattel Analysis.

Summary of Defence  
Witnesses

Where  
Required

Summary of Documents  
to be filed

Witness  
Proving Same

F. G. Shears

1 (a) (c)

Letter dated Oct. 20/42 from Custodian to Claimant

F. G. Shears

Bill Mitchell

1 (b)

HAC/m



BRIEFVERNON  
April 22/48Notes in Defence

In the Matter of the Claim of

Kohel BABAFile No. 4623Case No. 191MEMO

1. Amendments to be made in claimant's claim list.
  - P.1 - Logging tools - mistake in addition \$666.11 correct to Total \$656.11
  - III - Personal tools - mistake in addition \$180.95 correct to \$189.95.
  - (II) - Kitchenware for Boarding House - mistake in addition - correct to \$377.54, making total of \$506.59.
  - (I) - Groceries left in the Boarding House - correct following -
    - (1) at top of page - correct \$121.83 to \$122.03
    - (2) 3 lines from bottom of page - correct \$1.79 to \$1.78.
    - (3) Total at bottom of page - correct \$202.71 to \$202.90.
  - (5) - Family household ware & Groceries - mistake in addition at bottom of page - correct from \$318.65 to \$391.65.
2. Amendments to be made in Transcript.
  - P.2, line 12 - \$666.11 to \$656.11
  - P.2, line 13 - \$180.95 to \$189.95
  - P.2, line 13 - \$496.59 to \$506.59
  - P.2, line 13 - \$202.71 to \$202.90
  - P.2, line 14 - \$318.65 to \$391.65
  - P.2, line 15 - ~~\$1928.01~~ to \$1947.20 (total claim)
3. Number of Japanese at Alert Bay before evacuation - 6.  
 Number of white people - 161.  
 These figures obtained from the British Columbia Directory, 1941, in answer to questions submitted by Mr. McTavish.

CLAIM: Personal Property - Logging Equipment and Household Chattels.

Gross Amount of Claim - \$1947.20.

Claim Analysis - (see attached list for details)  
using claimant's valuations -Amount declared on J.P. Form \$1160.43

Of this amount, \$667.11 was taken over by the E.&G. Logging Company as payment in full of the claimant's debt to that Company.

The balance, \$493.32, it is submitted was left in the custody of someone other than the Custodian, along with the claimant's other chattels.

Amount, neither declared by the claimant, nor inventoried by the Custodian, (no record at any time)

Total Claim

\$ 786.77  
\$1947.20

Defences to Claim:

1. Agency - When the claimant was evacuated, he left the key to buildings containing his chattels with one, Bill Mitchell, an E. & G. Logging Co. employee, with instructions to hand the key over to the said Company. See - admission by claimant's counsel. Transcript P.6, line 6 and following. This defence would apply to the whole of the claimant's claim. See letter from claimant to Custodian, dated June 4, 1942, in Claim file now.



2. Prices claimed for are exorbitant. - Transcript P.2 line 29, P.3, lined - claimant's prices based on fair sale price at time of evacuation. Prices should be based on fair market value at time of sale, if any, which would allow for depreciation.
3. The claimant owed money \$432.55 on some of the chattels claimed for, namely the logging equipment, for which he claims \$667.11. (See claim analysis). The E.&G. Logging Company, to whom the debt was owed, took over this equipment after the claimant was evacuated, in full satisfaction of the debt. The claimant was written to by the Custodian regarding this matter, letter dated Oct. 20/42 in claim file, and no reply was received. Silence was considered to be acquiescence.
4. The claimant is claiming for 275 articles as against 139 articles declared to the Custodian, a difference of 136. (See letters dated July 21 & Nov. 14, 1942, marked Exhibit 6, from Custodian to claimant.) Claimant admits having received these two letters and never answered them. (Transcript P. 7 and 9.) Transcript P.10 - Claimant admits that the only articles he left behind him were those he declared on his J.P. form. P.11 - Claimant admits he understood the contents of the two letters, Exhibit 6, he received from the Custodian.
5. Exhibit No. 7 - A book containing an inventory of the claimant's chattels upon which his claim is based.  
N.B. - Transcript P.15, line 5 - Claimant admits that 'he made a slip at the camp and copied the book someplace, he forgets'. He states - 'he missed some of the things so he added them to the list'. Line 23 - 'figures were put in after his J.P. form was made out'.

Witnesses:

1. Bill Mitchell, (E. & G. Logging Company), Agency.

HAC/mw



Kohel BABA  
Case No. 191

Details to Claim Analysis in Brief

*No Record at any time.*

18. 15 gal. saw oil (11¢ 1 gal. 60 gal. \$6.60)	\$1.65
19. 5 gal. coal oil (35¢ 1 gal. 45 gal. \$15.75)	1.75
20. 25 gal. light gas (35¢ 1 gal. 30 gal. \$10.50)	8.75
29. 1 keyhole saw	1.50
33. 1 saw gauge (3/12.00)	4.00
34. 1 saw spider (3/1.20)	.40
35. 1 setting block	1.50
41. 1 level	4.00
42. 1 pliers	1.50
43. 1 nail punch	.25
44. 1 doz. hinges	4.25
45. 1 gal. varnish	5.50
46. 2 door knobs	4.50
47. 50 lbs. 4" nails	4.00
48. 25 lbs. 2" nails	2.00
49. 25 lbs. 5" nails	2.00
50. 1 doz. window glass	4.20
51. 1 Peavey	3.50
52. 1 pipe top	3.00
53. 1 crescent wrench	2.00
54. 4 padlocks	4.00
55. 46 windows	92.00
56. 1 cookstove	50.00
67. 1 griddle	3.50
69. 1 washing boiler (2/5.00)	2.50
72. 3 coffee pots	2.00
73. 1 roast pan (2/.90)	.45
74. 3 cake tins (6/1.20)	.60
75. 2 strainers	.60
76. 6 pie plates	.30
78. 24 small dishes	2.40
80. 1 large knife	2.00
81. 2 bamboo baskets	1.00
83. 2 vegetable graters	1.00
84. 1 flour sifter	.75
85. 1 rolling pin	.25
86. 3 mixing spoons	.75
87. 4 soup ladles	.60
88. 1 can opener	.20
89. 18 dinner knives (24/4.80)	3.60
90. 18 dinner forks (24/4.80)	3.60
91. 18 teaspoons (24/2.40)	1.80
92. 24 tablespoons	4.80
93. 5 yds. tablecloth	1.50
94. 2 pipe T cup 1	.84
95. 6 pipe cuplings	1.00
97. 3 gas lanterns (5/30.00)	18.00
105. 2 wooden bathtubs	10.00
108. 3 steel beds (single)	15.00
109. 12 wooden beds	36.00
111. 9 roof plate	9.00
112. 3 enamel pane	2.10
114. 70 stove pipes	14.00
152.-250 (inclusive)	441.38
	<u>\$786.77</u>

Amount claimed by the Claimant which was inventoried by the Custodian, or declared by the Claimant on his J.P. Form..... \$1160.43

Of this latter amount, the E & G Logging Co. (Jackson Bros.) used logging equipment sold to claimant and not fully paid for, in payment of the debt \$432.55. Amount \$667.11 (of claim). This would include items - see P.2 (attached list)

The balance  $\$1160.43 - \$667.11 = \$493.32$  cannot be accounted for, but in any event it is submitted that it was left in the custody of someone other than the Custodian, along with the other chattels of the claimant, and that the Custodian is not liable for such loss, theft or abandonment.



Kohel BABA  
Case No. 191

-2-

Items taken from Analysis of Personal Property Claim, Exhibit 2,  
To Logging Co. in payment of Debt.

1. 4 felling saws 6'6"	48.00
2. 8 felling saws 7'6"	120.00
3. 1 felling saw 7'	15.00
4. 1 felling saw 8'6"	25.00
5. 1 felling saw 9'6"	20.00
6. 13 bucking saws 7'	195.00
7. 1 bucking saw 7'6"	16.00
8. 18 saw handles	18.00
9. 20 axes	60.00
10. 3 axe heads	7.50
10.(a) 16 axe handles	20.00
11. 9 sledge hammers	22.50
12. 4 sledge hammer heads	5.76
13. 14 felling wedges	14.00
14. 13 bucking wedge	13.00
15. 3 splitting wedge	3.00
16. 8 spring board	16.00
17. 1 Frs (shake knife)	2.50
21. 2 pipe wrench	4.00
22. 1 wood rasp	.55
23. 2 nail hammers	3.00
24. 1 hand plane	3.00
25. 2 hatchets	1.50
26. 1 mattock	1.00
27. 1 shovel	9.00
28. 3 handsaws	0.50
30. 1 nail bar	3.50
31. 1 square	2.50
32. 1 level square	8.00
33. 2 saw gauges	.80
34. 2 saw spider	1.00
36. 1 screwdriver	.25
38. 1 cold chisel	1.25
39. 1 wood chisel	3.00
40. 1 metal shears	
	<u>\$667.11</u>

HAC/mw

*Sal. price of goods sold \$432.55*



Name of Claimant

BABA, Mohel

Case

191

Custodian File

4623

REAL PROPERTY									
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	
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 CHATELS									
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		
			40%	1000.00	460.00			460.00	
TOTAL RECOMMENDATION									460.00



*MacLennan & Robinson*

BARRISTERS AT LAW, SOLICITORS  
NOTARIES PUBLIC

J. ARTHUR MACLENNAN, LL.B.  
HERYL M. ROBINSON, LL.B.

430.433 ROGERS BUILDING  
470 GRANVILLE STREET

*Vancouver, B.C.*

EVACUATION SECTION

Rec'd AUG 11 1950

File No.

Ans.

Referred

August 9th, 1950.

Custodian of Enemy Property,  
506 Royal Bank Building,  
675 West Hastings Street,  
Vancouver, B.C.

Attention: Mr. Shears

Dear Sir:

Re: Kohei Baba and the Estate of Jujiro  
Nishimura, Deceased.

I understand that an award will be payable shortly by the Dominion Government to Kohei Baba arising out of the recent Japanese Property Claims Commission. Mr. Baba is indebted to the estate of Jujiro Nishimura, deceased, in the sum of \$183.78 and by recent arrangements with him, when we were under the impression the moneys would be payable through the Japanese Canadian Citizens' Association of Toronto, we obtained his written authorization to that Association to pay these moneys to my firm.

I enclose herewith written instruction under date of June 30th, 1950, to the Japanese Canadian Citizens' Association for your attention and would ask you to be good enough to confirm that the sum of \$183.78 would be paid to my firm in lieu of funds to Kohei Baba by the Dominion Government, to be paid to the estate.

Thanking you for your co-operation herein,

I am,

Yours truly,

  
J. A. MacLENNAN

JAM/AD.

Enc.



200 191

Dear Sirs:

For so doing this shall be your sufficient warrant  
rity.

K. Baba

H. Gunterman

s truly,  
Baba  
Noted on deni file and Worklist of Jefferson, T.  
31. Aug '50 PLS.



4623

August 31, 1950.

J. A. MacLennan, Esq.,  
Barrister and Solicitor,  
430-433 Rogers Building,  
470 Granville St.,  
Vancouver, B. C.

Dear Sir:

Re: Kohai Baba indebted to  
Juuro Nishimura, Esq.

Referring to your letter of August 9th re the above.  
The award in this case, No. 191, is \$460.00, and a form of  
Release and Authority to Pay Legal Fees have been sent to the  
Co-Operative Committee in Toronto. When these forms are  
returned to us duly completed by K. Baba, payment of the amount  
of the award and any deductions authorized, will be made by  
this office. At that time K. Baba's order to pay you the sum  
of \$183.78 will be given attention.

Yours truly,

F. G. Shears,  
Director.

FGS/GH



December 9, 1950.

Mr. Kohel BABA,  
Beaton, B.C.

Dear Sir:

Re: Japanese Property Claims Commission  
Case 191

We have received Release signed by yourself covering the award of \$460.00 recommended by the Commissioner for payment, and in accordance with your instructions, cheque has been issued in favour of Saburo NISHIMURA, Administrator of the Estate of Jujiro NISHIMURA, for the sum of \$183.78.

We have also paid to the Co-Operative Committee for legal fees as instructed by you, the sum of \$34.25, and cheque in your favour for the balance, namely \$241.97, is enclosed herein.

Yours truly,

F.G. Shears,  
Director.

FGE/GH  
Enc



4623

December 9, 1950.

Messrs. MacLennan & Robinson,  
Barristers & Solicitors,  
430-433 Rogers Bldg.,  
470 Granville St.,  
Vancouver, B.C.

Dear Sirs:

Re: Japanese Property Claims Commission  
Case 191

Referring to your letter of August 9th in which  
you enclosed instructions from K. Baba for payment of the sum  
of \$183.78 to Saburo NISHIMURA, Administrator of the Estate of  
Jujiro NISHIMURA, we are pleased to enclose this cheque herein.

Yours truly,

F.G. Shears,  
Director.

FOS/GW  
Encl.



*J. Arthur MacLennan, LL.B.*

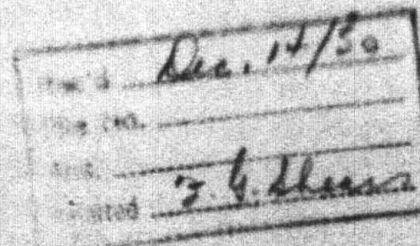
BARRISTER AT LAW, SOLICITOR  
NOTARY PUBLIC

430-433 ROGERS BUILDING  
470 GRANVILLE ST.

*Vancouver, B.C.*

December 13th, 1950

Department of the Secretary of State,  
Office of the Custodian,  
506 Royal Bank Bldg.,  
Vancouver, B.C.




Attention: Mr. Shears

Dear Sirs:

Re: Japanese Property Claims Commission;  
Case 191; Your File No. 4623.

I acknowledge with thanks your letter of the 9th instant enclosing your cheque in favour of Saburo Nishimura, Administrator of the Estate of Jujiro Nishimura, in the amount of \$183.78. The writer delivered that cheque to Mr. Nishimura on the 12th instant.

Yours truly,

  
J.A. MacLENNAN

JAM/CM