

5053

RECEIVED & APPROVED

BUREAU 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: NAGATA, YoshioHOME ADDRESS: Ft. of Blenheim St., Vancouver, B. C.REGISTRATION NUMBER 03093 SEX: M AGE: 29OCCUPATION: 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: NoneMARRIED? YesNAME OF WIFE OR HUSBAND: Asako 6780ADDRESS OF WIFE OR HUSBAND: Ft. of Blenheim St., Vancouver, B.C.NAMES OF ANY LIVING CHILDREN: Janet Junko (F), Ken Kiyoshi (M)EXHIBIT No. 294-12DATE 2 June 1948FILLED BY CrownADDRESS OF CHILDREN: Same addressAGE OF CHILDREN: 6, 3 years.

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

1. LOCATION AND DESCRIPTION: None2. BUILDINGS AND OTHER IMPROVEMENTS: None3. INSURANCE (Give particulars; state where policies are) None4. TAXES (Amount and where payable) None5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed) None6. 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: Ft. of Blenheim St., Vancouver, B. C., Cannery House, wooden bungalow, three rooms.
2. LANDLORD'S NAME AND ADDRESS: Imperial Cannery, Steveston, B.C.
3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: 5¢ per fish delivered.
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:

*5000
see info*
In custody at New Westminster, B. C., 1 Gas Boat 7 HP, "East Hope" engine, 30' x 7', valued at \$1000.00. / In the custody of the Celtic Cannery, ft. of Blenheim St., Vancouver, B. C., various nets complete totaling 800 fathoms, three pieces smelt net totaling 250 fathoms. Total value of these nets \$1100.00. The furniture and kitchen utensils contained in the bungalow occupied by declarant.

2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS None
3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY None

4. INSURANCE CARRIED ON ABOVE PROPERTY: None

5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF
OTHERS: None

6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom):
None

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts):
None

8. BANK ACCOUNTS: None

9. LIFE INSURANCE: \$1000.00, Sun Life Assurance Co. Ltd., 35 year endowment, premium about \$31.00 per annum, beneficiary Mrs. M. Murata, 1627 (?) west 2nd Ave., Vancouver, B.C., other details of the policy unknown as the policy is at declarant's home.

10. INTEREST IN ANY ESTATES OR TRUSTS: None

11. SAFETY DEPOSIT BOX: None

LIABILITIES:

1. PERSONAL DEBTS: None

2. TRADE DEBTS: None

REMARKS: None

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

Dated this 20th day of April 1942.

(Signature)

M. Murata

Witness

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

Date Apr. 19/43

Our File No. 5053

Full Name NAGATA Yashio
(Surname in Block Letters)

Registration No. 03093

Male - Female
(check)

Age Nov. 18, 1911

Former Address

Pt. of. Blenheim St. City

Date Evacuated

24/4/42

Naturalized - Canadian-Born - National
(check)

Present Address

Greenwood, B.C.

Married - Single
(check)

Name of Wife

nee' (SHIGEMATSU) Asako # 03096

Name of Husband

Name of Mother

ENDO, Natsui

Name of Father

Tajichi

Names of Children under 18

Junko Janet (F) Mar. 31/36
Kiyoshi Ken (M) Feb. 10/39

Requested by

EPT

Registered with Custodian

Yes
(Yes or No)

Additional Information

Fisherman

Owner of Boat # 3181

File No. 3053.

CLAIMS DEPARTMENT

May 17th, 1941.

Yoshio NAGATA - Reg. No. 03093

CREDITORS:

NO CLAIMS on file



BRD:DE

C-5
NAME NAGATA, Yoshio

REGISTRATION NO. 03021

FILE NO. 2082

The following chattels were sold by public
auction at Stevenson, B. C. on November 9, 1915.

Netting
Curtains etc.

\$ 1.75
4.50

Total

Less Expenses: (Auctioneer's Fee \$.63
(Advertising .40
(Moving .37

Net Proceeds Credited:

\$ 6.25

\$ 1.40

\$ 4.85

Members of Custodian Staff Present. Mr. Wills

Extracted from Auctioneering List No. Stevenson 41

Remarks.

NAME NACATZ, Jessie

REGISTRATION NO. 03093

FILE NO. 5053

The following chattels were sold by public
auction at Steveston, B. C. on November 2, 1945.

1 trunk

\$ 13.00

Total

\$ 13.00

Less Expenses: (Auctioneer's Fee \$ 1.30
(Advertising .97
(Moving 1.37

\$ 3.84

Net Proceeds Credited:

\$ 9.16

Members of Custodian Staff Present. Mr. Wills

Extracted from Auctioneering List No. Steveston 39

Remarks.

NAME NAGATA, Iosbie

REGISTRATION NO. 03093

FILE NO. 5053

The following chattels were sold by public
auction at Stevenson, B. C. on September 1, 1944.

H. P. Plate
Plates and saucers
Trays
Plates
Box of chinaware
Box of chinaware

\$ 1.00
0.60
0.75
1.35
1.00
2.00

Box 142

Total

\$ 6.70

Less Expenses: (Auctioneer's Fee: \$0.67
(Advertising: 0.36
(Moving: 0.78

\$ 1.81

Net Proceeds Credited:

\$ 4.89

Members of Custodian Staff Present. Mr. Harris

Extracted from Auctioneering List No. Stevenson 19

Remarks. *not listed in inventory*

NAME NAGATA, Yoshio

REGISTRATION NO. 03091

FILE NO. 9053

The following chattels were sold by public
 auction at Steveston, B. C. on August 11, 1944.

✓ 3 Pines Plate Glass	\$ 2.50
2 Wash tubs, pails etc.	3.00
Box of sundries	1.10
Box of Kitchenware	2.00
China Boxes	1.35
Carton of Kitchenware	2.50
Carton of Kitchenware	3.00
Iron Pot	2.00
Iron Pot	2.25
Kitchenware	3.00
6 Kitchen chairs	1.50
4 Kitchen chairs	1.75
Kitchen cabinet	1.00
Spring	10.75

2412
Bundle 16

Total		\$ 37.70
Less Expenses:		
Auctioneer's Fee:	\$3.77	
Advertising:	2.08	
Moving:	4.50	
Net Proceeds Credited:		\$ 27.35

Members of Custodian Staff Present. Mr. Harris

Extracted from Auctioneering List No. Steveston 18

Remarks.

NAME NAGATA, Yoshio

REGISTRATION NO. 03093

FILE NO. 5053

The following chattels were sold by public
auction at Steveston, B. C. on July 14, 1944.

Cabinet

\$ 0.25 18

Total

Less Expenses: (Auctioneer's Fee: \$ 0.02
(Advertising: 0.01
(Movings: 0.02

Net Proceeds Credited:

\$	0.25
\$	0.05
\$	0.20

Members of Custodian Staff Present.

Mr. Harris

Extracted from Auctioneering List No.

Steveston 17.

Remarks.

SHAW, I.

71 ✓

Records and notes

1 trunk - opened

Dirty cotton bathing
1 small box of rags
1 old shirt
old books.

Page 6.

5663

BRITISH COLUMBIA SECURITY COMMISSION
CUSTODIAN RELEASE FORM

EVACUATION SECTION	
Rec'd	MAR 7 1944
File No.	5033
Ans.	
Referred	

Address: Greenwood, B.C.

Date: March 6th 1944

To: The Secretary of State, acting in his capacity as Custodian, Vancouver, B.C.

I, Yoshio Nagata, Police Registration No. 03093, hereby request you to release to me the under-noted articles stored at

Custodian
in possession of Celtic Cannery Japanese School
and I release you from any claim whatsoever with respect to such articles, and ship same through the B.C. Security Commission.

Description of articles wanted:

2 bed complete without mattress
Colon. brown & white steel stnd
Sewing machine Electric (Table style)
Tag marked on (Y N)

Original Address: Celtic Cannery

Date Evacuated to Present Address: May 9, 1942

Total Number in Family: 5

CHARGES:

I agree to pay all charges as required by the British Columbia Security Commission.

Deposit received: \$ 5.00

Approved:

BRITISH COLUMBIA SECURITY COMMISSION

Per: H. G. Smith
Asst. Supv.

Y. Nagata
(Claimant Signs Here)

Vancouver, B.C., March 6th, 1944.

Custodian of Alien Property,
506 Royal Bank Bldg., VANCOUVER, B.C.

Two copies of Release to you. Will arrange shipment from Celtic Cannery when mutually convenient.

B.C. SECURITY COMMISSION

CWF:FF

C. W. Fisher
C.W. Fisher
Transportation

RECEIVED from Custodian for shipping to Y. Nagala "03093"

Ex. belte banner

1 Sewing Machine.

Pkgs could not be shipped as
no mark on cane.

13/3/44

B.C. SECURITY COMMISSION

Per M. O. Macdonald

June 7th, 1943.

Delivered to the B. C. Security Commission - Mr. Morrison

MAGATA, Yoshio, Reg. No. 03093, Greenwood.

5053

Description of Property: Pieces: #5 (Children's Toys, etc) ✓

#6 (Trunk) ✓

#9 (Sewing Machine) *could not locate*

(All pieces initialed Y.N.)

Note: References (e.g. V-1, V-2, etc. refer to Vessels section of claim file)

SUMMARY TAKEN FROM VESSELS RECORDS

Date: Feb. 12, 1948.

Name: NAGATA, Yoshio

Reg. No. 03093

File: 5053

Boat File No.: JFVDC 673

Name of Vessel: "Y. B. 1060" 30' x 7' x 3'6" (1937) Easthope 7HP (1941)

Lic. or Reg. No.: Vancouver 3181

Naval No.: NW.004-D

Owner's Valuation: \$2,000.00

JFVDC Valuation: 546.00 Survey #197 NW - Copy of appraisal on file (V-1)

Custodian Valuation: None

Date of Sale: July 29, 1942. This boat was released to purchaser for use on June 1st/42, but sales papers not signed until 29/7/42

Purchaser: British Columbia Packers Ltd.

(V-2 & V-5)

Signature on Sales Papers: Y. Nagata (see V-5)

Selling Price: \$600.00

Paid to JFVDC or ~~custodian~~: 600.00

Supervision Costs: 8.50

Balance due Owner: 591.50

Paid to: Y. Nagata, September 3, 1942 (see V-6)

Location of Boat at Sale: New Westminster

Claims Against Canadian Govt.: None - the equipment missing from the vessel was supplied from the spare parts store at New Westminster. (V-4 gives list of goods claimed left aboard by Yoshio NAGATA)

Additional Information:

B.M.

Copy of Appraisal of Y.N. NW.004 D
Belonging to Yoshio NAGATA

V-1

Y.N. NW. 004 D

Condition Good
Damage Nil

Boat New 450.00

Engine 400.00

Ex 75.00

Value (Original) 925.00

Value 1942 475.00

(546.00)

Estimated 6 - 7 years old

No Pilot House

(Original Appraisal on file in office. Could not be removed from book for Claim)

673

V-6
⑥ 673

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE
VANCOUVER, B.C.

\$ 591⁵⁰₁₀₀

Sept 3 1942

RECEIVED from the JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

the sum of Five hundred and Ninety one DOLLARS

on account of sale of Vessel Y No. 1060 Illio 673

CP# 849-8/26

Exhibit No. 294-10

DATE 2 June 1948

EXHIBIT No. 294-10

DATE 2 June 1948

FILLED BY Brown

Certified Correct

W. A. Brown

W. Maguire

Jm
y. nagata
Y.N.

"Y. M." NW 004D

This boat was checked for missing inventory and was supplied full claim from the spare parts store at New Westminster.

The purchaser was satisfied and will make no claim against the department.

JMM/TM

J. M. Murphy,
Com. Engineer, R.C.N.R.

June 3, 1942.

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

Committee
THE HONORABLE MR. JUSTICE SIDNEY SMITH
CHAIRMAN
COMMANDER S. L. JOHNSON, D.S.O., R.C.N.R.
KISHIZO KIMURA
A. E. McMASTER, EXECUTIVE ASSISTANT

1828 MARINE BUILDING
VANCOUVER, B.C.

June 1st, 1942.

TO CUSTODIAN OF JAPANESE FISHING VESSELS:

This will be your authority to release
NW 004D
the Fishing Vessel: "Y.N.1060" Official No. VAN 3181
to her owner BRITISH COLUMBIA PACKERS LIMITED.

The receipt on this page should be signed
by the new owner and the original retained by you.
Duplicate to be returned to this office.

A. E. McMaster
A. E. McMaster

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

Receipt is hereby acknowledged of the
FISHING VESSEL: "Y.N.1060"
OFFICIAL NO.*- VAN 3181 NW 004D

S. Laurie Young

Name of Vessel (船名)	Y. N.	Official Number (登記番号)	VAN 3101	Naval Control Number (海軍省/番號)	NW 004 D
Port of Registry (登録港名)	Vancouver	Date of Registry (登録期日)			
Length (長さ)	30'	Width (幅)	7'	Depth (深さ)	5'6"
Make of Engine (Present) (機械/名) (現在ノ)	Easthope	Date When Re-Installed (若シ入替ヘタ場合ハ其ノ期日)	1941		
Horse Power (馬力)	78	Knot (Speed) (速力)			
When Hull Built (船体建造期日)	1937	When Hull Rebuilt (若シ改修ノ場合ハ其ノ期日)			
Type of Vessel (船ノ型)	Sciner <input type="checkbox"/> Packer <input type="checkbox"/> Gill-Netter <input checked="" type="checkbox"/> Troller <input type="checkbox"/> Trawler <input type="checkbox"/> Other <input type="checkbox"/>				
Formerly Used as (従来ノ用途)		Value (Replacement) (船價) (建造スル場合)			
Date When Surveyed Last (最近ノサーベイタル期日)		Value (Present) (船價) (現在ノ)	2000.00	900.00	
Pace of Operation (使用區域)	Fraser River	Value (Insured) (船價) (保険ヲ附スル場合)			
Charter Rate: 1940 (賃船料金率)	1941	Chartered To: 1940 (賃船先)	1941		
Amount of Mortgage, If Any (貸付額/金額)		Mortgaged To: (貸付額書入先)			
Registered Owner's Name (登録船主名)	Nagata, Yoshio	Actual Owner's Name (現貨所有者名)	Nagata, Yoshio		
ADDRESS (住所)	Celtic Cannery Vancouver, B. C.	ADDRESS (住所)	Celtic Cannery Vancouver, B. C.		

© Please refer to "Certificate" of British Registry in filling this blank; special attention is required in cases of "Length" "Width" and "Depth"
此ノ書式ヲ記入スルニ充分ノ注意ヲ要ス。特に「長さ」「幅」と「深さ」ニ對シテ注意スルニ要ス。

V-7.

EXHIBIT NO. 294-9
DATE 2 June 1948
FILLED BY Crown

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

ASSIGNMENT OF CLAIM

Whilst in Naval Custody, my boat..."Y.N." 1060.....
Official No. VAN. 3161..NW. 0040....suffered damage as set forth
in the surveyors' report.

If the Dominion Government will allow me \$.....
to make good that damage, including missing inventory, I agree
that I shall not make further claim of any nature whatsoever
against the Dominion Government, and hereby authorize the
Japanese Fishing Vessels Disposal Committee to pay the sum so
allowed to...BRITISH COLUMBIA PACKERS LIMITED.....

Y. Magata.....
(Boat Owner)

The damage claim of \$.....is fair and just.

.....
Surveyor for Japanese Fishing
Vessels Disposal Committee.

.....
Surveyor for Naval Service.

DATED at Vancouver, B. C.-

.....1942.

Agreement for Sale of Vessel

BETWEEN:

YOSHIO NAGATA

(hereinafter called the "Vendor")

OF THE FIRST PART

AND

BRITISH COLUMBIA PACKERS LTD.

(hereinafter called the "Purchaser")

OF THE SECOND PART

In consideration of the sum of \$1.00, the receipt of which is hereby acknowledged, we agree to the sale and purchase of the vessel hereunder described:

Name of Vessel: "Y.N."

Port of Registry: Vancouver, B. C.

Length: 30'

Breadth: 7'

Official Number: VAN 3181

Depth: 3' 6"

Propelling power: 7 H.P. Easthope

For the price or sum of \$ 600.00

Payable as follows: CASH

FURTHER, the said YOSHIO NAGATA

for my heirs, covenant with the said BRITISH COLUMBIA PACKERS LTD and THEIR assigns, that we have power to transfer in the manner aforesaid, the premises hereinbefore expressed to be transferred, and that the same are free from encumbrances, except as hereunder set out:

~~THIS AGREEMENT IS MADE AND SIGNED BY THE PARTIES HERETO IN WITNESS WHEREOF THEY HAVE HEREUNTO SET THEIR HANDS AND SEALS THIS 20th day of July A.D. 1942.~~

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals this 20th day of July A.D. 1942.

SIGNED, SEALED and DELIVERED
in the presence of:

Y. Nakamoto
217 Dunlavy Ave.
Vancouver, B.C.

Y. Nagata

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS that I

Name Yoshio Nagata

Address Celtic Cannery, Vancouver, B. C.

Occupation Fisherman

do hereby make, nominate, constitute and appoint

Name Unosuke Sakamoto

Address P.O. Box 115, Steveston, B. C.

Occupation Fisherman

my true and lawful attorney for me and in my name, place and stead and for my sole use and benefit, to sign and execute all bills of sale, mortgages or releases of mortgage, all discharges and releases and all chattel mortgages or releases of chattel mortgages, AND IN PARTICULAR to execute all documents of any nature whatsoever which may be required by the Japanese Fishing Vessels Disposal Committee relative to the transfer of the vessel to owners who are not of Japanese origin, and/or to execute all documents of any nature whatsoever in connection with the sale, transfer, release or discharge of the vessel

Name of vessel Y. N.

Port of registry or license Vancouver

Official number or license Van. 3181

and for all and every of the purposes aforesaid do hereby give and grant unto

Unosuke Sakamoto, said attorney, full and absolute power and authority to do and execute all acts, deeds, matters and things necessary to be done in and about the premises, and also to commence, institute and prosecute all actions, suits and other proceedings which may be necessary or expedient in and about the premises as fully and effectually to all intents and purposes as I could do if personally present and acting therein, and also with full power and authority for

Unosuke Sakamoto, said attorney, to appoint a substitute or substitutes, and such substitution at pleasure to revoke I hereby ratifying and confirming, and agreeing to ratify, confirm and allow all and whatsoever my said attorney or such substitute or substitutes shall lawfully do or cause to be done in the premises by virtue hereof.

IN WITNESS WHEREOF I have hereunto set my hand and seal the 26th day of March A.D. 1942, at Steveston in the Province of British Columbia.

SIGNED, SEALED AND DELIVERED

in the presence of:

W. Nagata
W. Nagata
Steveston
B. C.

X Y. Nagata

Acknowledgement of Witness

TO WIT: }
PROVINCE OF BRITISH COLUMBIA }

I, Mitsujiro Noguchi of the City of Townsite of Steveston
in the Province of British Columbia, make oath and say:

1. I was personally present and did see the within instrument duly signed and executed by
Yoshio Nagata the party thereto, for the purposes named therein.
2. The said instrument was executed at Steveston, B.C.
3. I know the said party, and that he is of the full age of twenty-one years.
4. I am the subscribing witness to the said instrument and am of the full age of sixteen years.

SWORN BEFORE ME at the City of

Townsite of Steveston

in the Province of British Columbia, this

26th day of March

A.D. 1942

Thomas L. King
A Commissioner for taking affidavits within
British Columbia.
KING THOMAS L. KING THOMAS L. KING
KING THOMAS L. KING THOMAS L. KING

Mitsujiro Noguchi

Case No. 294 - Yoshio NAGATA, File 5053

Boat Claim/ "Y.N." Vancouver Lic.#3181
Built 1937, powered by 7 HP Easthope,
complete with net drums.

Gross Claim: \$850.00

Sale: Sale by Japanese Fishing Vessels Disposal Committee.
Boat released to purchaser June 3, 1942 - purchase price paid same date.
Sales papers signed "Y.Nagata" dated July 29, 1942.

Claimant denies signing sales paper. *See attached agreement by Sale*
Some doubt that paper was actually signed on July 29, 1942. *and Power of Attorney*

Sale price: 600.00
JFVDC charges 8.50
Net: 491.50

Vessel was not at any time in Custodian's control. None of the
sale proceeds were paid to Custodian.

Net proceeds of sale paid to claimant - Transcript Page 27, Lines 10-20.

Although claimant denies signing sales paper in claim he states:
"I thought there was nothing I could do about the sale and needed the
money so sometime late in August or September I gave in and sent the
documents."

On file is a copy of Power of Attorney - Yoshio Nagata appointing
Unosuke Sakamoto to act re vessel.

Aug. 26/42 copy of letter from JFVDC to B.C. Packers enclosing:
Bill of Sale Letter to Registrar of Shipping
Power of Attorney Original Licence Van. 3181

This indicates possibility that Sakamoto signed as Attorney the
Bill of Sale sent to purchaser (We are checking with purchaser).

Valuation: O.W. Phillipson - \$475.00 (JFVDC price - \$546.00)

Damage: No record of damage while in custody.

Loss: No record of loss while in custody.

Age: Phillipson estimated age as 6 to 7 years when he appraised boat in spring of
1942.
Phillipson's notes state - "No pilot house"

Size: 30' x 7' x 3'6"

/FM

(Information supplied by Ins. Co.)

LIFE INSURANCE

Name Mr. Yoshio Nagata

File No. 5053

Renewal B.C.

Reg. No. 03073

Company Sun Life

Agency Vancouver Agency

Policy No. 2020054

Premium - \$ 15.43

Payable: ^X Annually, Semi-annually or monthly

Month June Day 1

REMARKS:

Letter sent 10/19/43

MEMORANDUM

To: Mr. Hunter
From: B. MacAskill

Re: Net Claim of Yoshio NAGATA
Reg. No. 03093

NAGATA's claim includes the following:

Box #6 New Cohoe & Smelt Nets - \$150.00

JP - April 20th, 1942:

Various nets complete totalling 800 fathoms) Total value of these
three pieces smelt net totalling 250 fathoms) nets - \$1100.00

October 27, 1943 and November 27th, 1943 this office wrote asking NAGATA to submit a completed net form so that we might identify his nets. No answer to these letters was received. No information concerning his nets left in the Protected Area (with the exception of his JP declaration) was received from NAGATA until March 10, 1947. (letter on file, N-3)

His declaration of March 10/47 is on Analysis - foot of extreme left hand column.

As this office did not have a complete list of his nets at any time it is impossible to further relate the nets sold to his last declaration or to his claim. Therefore against his claim of \$150.00 for loss of New Cohoe & Smelt Nets it was only possible to enter the full amount derived from the sale of his nets by the Custodian, that is \$470.10.

Details of selling prices of nets attached: extra copies for distribution by you at hearing if that should appear to be useful.

Note: In his letter of March 10, 1947, Yoshio NAGATA states that the prices he quotes on nets are "what the nets actually cost" him, i.e. new price. Some of these nets however appear to have been used as only 2 are marked "New" in that letter (see N-3).

B. MacAskill

Custodian's Record of Disposition of HAGATA's Nets.

HAGATA, Yoshio
Reg. No. 08093,
File No. 5053

January 31st, 1948.

SEE STATEMENT

<u>Inst. No.</u>	<u>Description</u>	<u>Japanese Value</u>	<u>Appraised Price</u>	<u>Sale Price</u>
1528	10/40 x 8 1/2 x 29 - 80	\$ 80.00		\$48.00
1531	6/40 x 7 x 35 - 85	25.00	\$ 22.00	20.00 (see 1531 below)
1533	4/40 x 5 1/2 x 50 - 50	30.00		19.50
1493	6/40 x 9 x 45 - 75	75.00		40.00
1529	12/40 x 9 x 45 - 75	100.00	60.00	65.00
1524	4/40 x 5 1/2 x 50		25.00	5.00
1525	5/40 x 5 1/2 x 50 - 75			20.00
1526	5 1/2 - 75			5.00
1527	6 x 50 (1939)			10.00
1532	4/40 x 5 1/2 x 50 - 75			12.00
1556	melt net			15.00
1557	melt net			15.00
1558	melt net			15.00
1531	pc. web (see 1531) above			15.00
Cannery	5/40 x 6 1/2 x 50			10.00
Cannery	6/40 x 7 x 45 - 55			35.00
Cannery	6/40 x 7 x 45 - 55			35.00
Cannery	4/40 x 3 1/2 x 50 - 60			22.00
Cannery	6/50 x 7 (new net)			40.00
Cannery	4 lbs. Barbour twine			29.00
Cannery	3 doz. needles			8.00
Cannery	1 doz. snelt needles			1.00
Cannery	1 doz. snelt needles			.30
				.30

TOTAL SALES. \$ 470.10

MEMORANDUM

August 22, 1949.

TO: Mr. Good
FROM: E. Robertson

Nat. Case No. 224 - Yoshie NAGATA (Claim for Nets)

Figures given by your Department:

"Sold Tender \$1235. - changed to	Sold Tender \$900.00
	DSF RDM 200.00
	1100.00

From the above it would appear that counsel are taking the claim to be \$1100.00 instead of \$1235.00 which appears on the Claimant's revised claim, namely Exhibit No. 1. Claimant, in his declaration of April 20, 1942, states "Total value of these Nets \$1100.00", which figures counsel is possibly using as basis of claim.

In any case I have prepared a new Analysis in connection with the Revised Claim of \$1235.00, disposition of which is as follows:

Goods valued at \$785.00 - sold by Tender	\$281.60
" " " " " " " "	150.00 - D. N. F.
	1235.00

As the claimant states in Transcript 16, Lines 15-23, that the nets reported to the Custodian in his letter of March 10, 1947, were listed from memory, I have matched the Claimed Nets against those ~~present~~ their descriptions on the Net Statement.

It is noted that the value of the nets listed in the above-mentioned letter of March 10/47 (which appear to be those on which Claimant has claimed) total \$1235.00, and in his letter the Claimant states "-----you can see by the list I've made out it is the real cost, what the nets actually cost me -----". However, these nets appear on Exhibit 1 totalling \$1235.00, and in his "Additional Comments" on Exhibit 1 Claimant states "I have allowed for depreciation on nets". The original value is shown on Exhibit 1 as \$1645.00. In other words, the Claimant shows a difference of \$410.00 in his Original Value on Exhibit 1 and his actual cost shown in his letter of March 10/47.

In reply to the question (See Trans. 13, Lines 23-31) "And these amounts that you have set out here represent the amounts you paid for these nets now?" the Claimant contradicts his statement in his letter of March 10/47 by replying "No, this is not the price that I paid, but it is the price that I would sell for at the time". He went on to say that he "bought them higher than that".

From the above it would appear that this Japanese is claiming more than the actual value of the nets.

C-1

Greenwood, B. C.,
March 20, 1944.

EVACUATION SECTION	
Rec'd	MAR 23 1944
File No.	5253
Ans.	Spain
Referred	Spain

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

Dear Sirs:

On March 1, I filed a Custodian Release for two beds and an electric sewing machine. I received the machine on March 18, but according to the letter from Mr. C. W. Fisher, the two beds cannot be identified. Both beds were round, steel stands, one being brown and the other white. The spring being one brand new and the other fairly old. Both were labelled "Y. NAGATA"

I would appreciate very much if you will try your best to identify the above two beds and ship them to me as quickly as possible. We are now on a self-supporting basis and am in dire need for them.

Trusting you will give this matter your immediate attention, I remain,

Yours truly,

Yoshio NAGATA

Y. Nagata

*Custodian release,
dated March 1st 44*

*Althea Cameron
witness of bed release
but no names
mentioned*

*75 Security Commission
have already written
addressing impossibility
of identifying
Spain*

*See Mr. McDonald's
report on receipt
for sewing machine.*

5053

March 20, 1947.

Mr. Yoshio NAGATA,
Registration No. 03093,
P. O. Box 571,
Greenwood, B. C.

Dear Sir:

This will acknowledge receipt of your
letter of March 10th.

The Custodian has liquidated all
property found in your name in the Protected Area, but before
we can send you the funds, would you kindly supply this office
with a list of furniture which you left in the Protected Area
so we may check with what was found.

Yours truly,

George Peters,
Office of the Custodian.

GP/EL

2-3

EVACUATION SECTION	
Recd	MAR 31 1947
File No.	5053
Ans.	
Referred	<i>Peters</i>

Box 571,
Greenwood, B. C.
March 27th, 1947.

sent to you.

Office of the Custodian,
506 Royal Bank Building,
Hastings and Granville Street, Vancouver, B. C.

Attention: Mr George Peters, File No 5053

Dear Sir:

I have your letter of March 20th. however
the information I am seeking is not mentioned in your
letter.

I vested everything in the trust of the
Custodian at the time of evacuation, so as for the
list of furniture I presume you must have a list of
everything I reported to you.

What I would like to have is a list of all
sales made of my belongings not the cheque. As I have
stated in my letter of March 10th, if the nets alone
have sold I presume you must have sold it at a price
assess at the market price of the time the sale was made,
which should amount to quite a sum.

Please send me a statement of my account, not
my cheque, I cannot accept the cheque till I look over
my statement. Trusting you will give this matter your
immediate attention.

Yours truly,

Yoshio Nagata

Y. Nagata reg no03093.

294 - 7

EXHIBIT INC

2 June 1948

DATE

FILED BY Claimant

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

1528 Marine Building,
Vancouver, B. C.

August 18, 1942.

Mr Yoshio Nagata,
Solqua, B. C.

Dear Sir:

Under date of July 29th we advised you of the
circumstances relating to the disposal of fishing vessel
"Y.N." 10 60
Licence No. Van 3181 NW 004D
for the sum of \$600.00.

With this letter we enclosed a standard Bill of Sale
form and a Claim Assignment form, advising you that on receipt of
these documents, properly executed, the Commtee would immediately
remit the net proceeds of the sale of the vessel, to any address you
designated.

As the principal work of this Committee has been completed,
it is intended to transfer all the records and accounts to the
Custodian of Enemy Property. Such transfer will include the net
proceeds of the sale of your vessel, as above, unless we receive the
completed Bill of Sale prior to such transfer, which will probably
be made at August 31st, 1942.

The Committee is of the opinion that if this transaction
is not concluded prior to that time, and the money is transferred to
the Custodian, there will probably be a long period of delay before
you could recover the amount from the Custodian funds; and, therefore,
we urge you to execute these documents and forward them by return
mail.

Yours very truly,

"A.E. McMaster"

A.E. McMaster
Executive Assistant.

AEM/PH

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

August 23rd 1948

2nd Secy

16

N-3

Box 571,
Greenwood, B. C.
March 10th, 1947

EVACUATION SECTION	
Rec'd	MAR 14 1947
File No.	5023
Ans.	<i>[Signature]</i>
Refused	<i>[Signature]</i>

Office of Custodian,
Japanese Division,
Royal Bank Building, Vancouver, B. C.

Dear Sirs:

I, Nagata Yoshio, Reg No 03093, Canadian-born formerly of Celtic Cannery, Foot of Blenheim Street, Vancouver, B. C. would like to make inquiries regarding a number of nets which I left in your care, when I evacuated from the coast to Greenwood. I have a lot of faith in the Custodian and know the goods were safe-guarded, and looked after in the interests of my welfare.

Now that everything in coming back to normal, I thought I'd take stock of all my belongings, and see where I stood. The following is the list of nets which in your care:-

1	only	Sookeye	Net	6	inch	Mesh	●	\$,250.00
1	"	"	"	6 1/2	"	"	●	100.00
1	"	Cohoe	"	7	"	"	●	200.00
1	"	Spring	"	8 1/2	"	"	●	75.00
1	"	"	"	9 1/2	"	"	●	110.00
3	"	Smelt	"	"	"	"	●	300.00
1	"	"	"	(never been used NEW)			●	125.00
1	"	Sookeye	"	"	"	"	●	75.00
TOTAL								\$1235.00

Prices on nets were very high at the time of evacuation because there were no shipments from the factory's, but you can see by the list I've made out it is the real cost, what the nets actually cost me, so if the nets have been sold I know that you must have got a fairly good price for them, however I know with your better judgment there is nothing I can say. Now what I would like to know is whether my nets were sold, so whether they are still in your care, in either case I would like to know as soon as possible.

Yours truly,

EXHIBIT No 294-4
DATE 31/5/48
FILLED BY Grown

January 28, 1949

Registrar of Shipping,
Vancouver, B. C.

Dear Sir: Re: Vancouver Licence 3181

The vessel, formerly licensed at Vancouver under Licence 3181, was sold through the Japanese Fishing Vessels Disposal Committee, to British Columbia Packers Ltd.

On August 26, 1942, the Japanese Fishing Vessels Disposal Committee sent to British Columbia Packers Ltd. the following documents:

1. Bill of Sale
2. Letter of Advice to Registrar of Shipping
3. Original Licence Vancouver 3181
4. Power of Attorney

British Columbia Packers Ltd. has informed this office that all the papers concerned in this sale were held by the Registrar of Shipping, Vancouver, or by your department at Ottawa. The only paper received by British Columbia Packers Ltd. was the new licence.

Would you please let us know if the papers referred to above are in your possession?

We would like to have the opportunity of examining these papers. We wish to learn the date on which the papers were signed. We wish also to find if the sales papers were signed by Yoshio Nagata the former owner or by his Attorney. In the event of the papers being signed by the Attorney, we would like to examine the Power of Attorney paper.

Any assistance you can give us in regard to this matter will be appreciated.

Yours truly,

F. Matheson,
Office of the Custodian.

/FM

IN THE MATTER OF THE SINGULAR ACTS
PART 1. REVISED STATUTES OF CANADA 1927. CHAPTER 92.

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E
(HIS HONOUR, JUDGE ERIC P. DAWSON, SUB-COMMISSIONER)

10

Grand Forks, B.C.
May 31, 1948

IN THE MATTER OF THE CLAIM OF
YOSHIO NAGATA

PROCEEDINGS AT HEARING

20 APPEARANCES:

HAROLD W. McINNES, Esq.,

appearing for the
Dominion Government.

A.E. COHUS, Esq.,

appearing for the
claimant.

L.A. DODD, Esq.,

Secretary to Grand
Forks Sub-Commission

MRS. I.C. SMITH,

Official Interpreter

G. HAMBLETON, Esq.,

Official Reporter

30

MR. COBUS: The claim, your honour, of Nagata, Yoshio,
which is No. 50 on the Secretary's list. That
becomes Case No. 294, Mr. Secretary, I take it.

THE SECRETARY: Yes.

YOSHIO NAGATA, the claimant herein, being
first duly sworn, testified
through the official inter-
preter as follows:

10 MR. COBUS: Your honour, two claim forms have been
submitted by this claimant, one concerning a
vessel --

THE COMMISSIONER: I only have one here. Is there
another claim form?

MR. COBUS: Yes, your honour. I have two, one for a
fishing vessel dated the 21st of November, and
the other for personal property dated the
same date, the 21st of November, 1947.

THE COMMISSIONER: Has the Secretary got that second
form?

20 THE SECRETARY: Is this the one?

MR. COBUS: That is it.

(Handed to the Commissioner)

THE COMMISSIONER: That is the one you are abandoning
subject to the Terms of Reference being broad-
ened.

MR. COBUS: No, your honour, this is a little differ-
ent.

THE COMMISSIONER: I see.

MR. COBUS: I would ask leave to postpone speaking to
30 the vessel claim until we have had an opportunity

of going into it a little more fully; that is ,
the claim is not being abandoned at this moment,
but if your honour pleases we shall speak to it at
a later date.

THE COMMISSIONER: That will be the hearings at Nelson?

MR. COBUS: At the present hearings.

THE COMMISSIONER: Well, it will be adjourned until
some date convenient at the present hearings,
then.

10 MR. COBUS: With respect to the claim for personal
property, we have recapped the claim, your honour,
under 5 (e) so that the amounts as shown by
individual items would better be described. Under
the description "Nets" this will require deleting
your honour, practically everything that is typed
under 5 (e) and substituting therefore a descrip-
tion, generally, of "Nets".

THE COMMISSIONER: These are all marked merely as boxes
numbered.

20 MR. COBUS: Yes, your honour, that will be referred to
later and itemized in the statement with respect
to personal property for which claim is being made.

THE COMMISSIONER: You are deleting the whole, then,
of 1 to 10 in (e) are you?

MR. COBUS: Yes, your honour, I would delete every-
thing that appears under 5 (e) and substitute
therefor rather a recapitulation of the claim.
For "Nets" \$1235.00, for chattels, \$87.45 will be
shown, making a total of \$1322.45. Credits to
30 the Custodian are, for nets \$470.10 and for

chattels \$48.15; total credits, \$518.25, leaving
the net claim \$810.20.

MR. McINNES: Has my friend got a chattel claim in on
this man?

MR. COBUS: Yes.

MR. McINNES: I haven't any record of it.

MR. COBUS: You have the nets.

MR. McINNES: I have not heard of it at all.

THE COMMISSIONER: Well, all we have had is "boxes",
you see.

MR. McINNES: I beg your pardon, your honour.

THE COMMISSIONER: They are all simply stated in the
original claim as "boxes", there is nothing to
indicate whether they are nets or what.

MR. McINNES: Here is all that was given to me, a galley
sheet or statement, and on it is stated "For
nets see list attached." Now here we have a
long statement about furniture.

MR. COBUS: I admit, your honour, I failed to deliver
a copy of the statement concerning the chattels
to Mr. McInnes. I failed to hand it to him, but
I must say that I did mention the fact that I
thought something was missing.

THE COMMISSIONER: If you want to look it over we
will adjourn for five or ten minutes.

MR. McINNES: Thank you, your honour. I don't think
it will take very long.

THE COMMISSIONER: Very well. We will adjourn for
ten minutes.

(PROCEEDINGS RESUMED AFTER A SHORT RECESS)

THE COMMISSIONER: All right, Mr. Cobus.

DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I produce to you a statement concerning the nets with lines attached for which you are making claim. Did you instruct Mr. Leckie to prepare this statement for you and is that your signature? A: Yes.

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

A: Yes.

Q: In that statement you refer to a list attached under "Description of Nets." I produce to you a list headed "Fishing Nets." Is that the list to which you make reference in your statement?

A: Yes.

20 Q: In that list you have noted seven nets and three sets of smelt nets, and immediately below that you show "unused nets, bought new, 1941, web only."

THE COMMISSIONER: What is that -- web?

MR. COBUS: Web. That means net only, your honour.

Q: And at the foot of your list you say that the nets which you list above in the number of seven are all complete with cork and lead lines; is that correct? A: Yes.

Q: But the last two items, a sockeye net and a set of smelt nets, those consist of web only without lines? A: Yes.

30 Q: In the extreme right hand column you have a cer-

tain number of values shown opposite each item, but there is no head to that column. Do those values represent your estimate of a fair market value for the items opposite which they are placed?

A: Yes.

Q: And in one column you have a list of months, two months, two months, three months, etc. To what do those figures and times refer?

A: It is how long he has used those.

10 Q: How long he has used those nets. And the years that you show in one column, 1941, etc., to what do those years refer? A: It is the year that he bought these. These represent the year.

Q: And the column of values second from the right headed "\$325.00" etc. What values are those?

A: This is the price if he bought them new.

MR. COBUS: I would ask to file the statement, your honour, and the list as one exhibit.

20 (STATEMENT AND LIST MARKED EXHIBIT NO. 1)

MR. COBUS: Referring to Exhibit No. 1, your honour, reference is made to the list attached to the statement, and the total estimated value of the items shown on the attached list is \$1255.00. The claimant says that the nets and the lines attached were left in the net house of the Celtic Cannery, B.C. Packers, at Elenheim Street, Vancouver, B.C. except for the sockeye net and the smelt nets which are shown as the final two items on the list attached. The claimant says

30

that he has allowed for depreciation on the nets claimed for in filing his claim. He says that he overlooked entering all of his nets and that he claimed only for one new, unused sockeye net and smelt nets which were packed in a box and left with his chattels in the schoolhouse. He has added the other nets declared on March 1947 and which he is given to understand the Custodian sold.

10 Q: Witness, I produce to you a statement concerning personal chattels in the nature of household chattels for which you are submitting a claim. Did you instruct Mr. Leckie to prepare this statement and is that your signature?

A: Yes.

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

A: Yes.

20 Q: In your statement you refer to a list attached to your statement. I produce to you a statement headed "Household Chattels." Is that the list to which you make reference? A: Yes.

MR. COBUS: I would ask to file the statement, your honour, and the list attached thereto as the next exhibit.

(STATEMENT MARKED EXHIBIT NO. 2)

MR. COBUS: Would my learned friend produce the Analysis of Personal Property Claim?

(Handed to Mr. Cobus)

30 MR. COBUS: I would ask to file the two-page Analysis

of Personal Property Claim in this case, your honour, on behalf of the Crown.

(ANALYSIS MARKED EXHIBIT NO. 2)

10 MR. COBUS: The statement portion of Exhibit 2, your honour, shows the total estimated value of the accompanying list of chattels claimed as being \$87.45. These goods, the statement says, were left in the Celtic Cannery school at the foot of Blenheim Street, Vancouver. The only comment the claimant has to make is that he has allowed for depreciation on the articles for which he is claiming.

Now, referring to the list, your honour, which forms part of Exhibit 2, and to Exhibit 3, the Analysis of Personal Property Claim, it will be seen that the Custodian shows under "Sales at Auction," an amount, first of all, of \$23.90 which is set off against a certain number of items for which the claimant is making claim of \$51.50. That 20 first group is headed "Box marked No. 1"

THE COMMISSIONER: You haven't got that marked on your household chattels to identify it as any box number.

MR. COBUS: Yes, your honour. As a matter of fact, it is misplaced above the word "items" on the list attached to the statement, Exhibit 2. I might point that out to your honour.

THE COMMISSIONER: I see.

30 MR. COBUS: Further down in the column of Auction Sales on Exhibit 3 is an item, \$3.25. That has been

Y. Nagata
In Chief
Cross exam

shown opposite bundle No. 16. Opposite items, or Nos 17 and 18, the Custodian shows two amounts for which those items were sold, \$1.35 respectively. On the second page, bundle 19 was sold for \$3.00, and was is described as "tagged but not arated," No. 20, was sold for \$10.75. These will total \$42.15, your honour, which is the amount of the credit given the Custodian against chattels.

10

Your witness.

MR. McINNES: It will be submitted, your honour, in the first place, that owing to the meagre details in the J.P. form it was impossible to determine what nets and goods belonged to this claimant. We further submit that such of the nets and goods as did come into the possession of the Custodian were sold for their fair market value, with credit given to this claimant.

20

For the information of my friend, I have a breakdown of the credit of \$47.10 received for the nets; if they wish, I will supply them with a copy.

THE COMMISSIONER: Very well.

CROSS EXAMINATION BY MR. McINNES:

Q: Mr. Nagata, you filed a J.P. form?

A: Yes.

Q: I read now from the paragraph, "Statement of Personal Property owned;" after referring to a gasboat, which I won't go into detail about,

30

you say this: "In the custody of the Celtic Cannery, foot of Blenheim Street, Vancouver, B.C. various nets complete totalling 800 fathoms, three pieces snelt net totalling 250 fathoms. Total value of these nets \$1100.00. The furniture and kitchen utensils contained in the bungalow occupied by declarant." Do you recall putting that statement in there? A: Yes.

10 Q: Now, do you remember receiving a letter from the Custodian dated the 20th of March, 1947? Do you remember or not?

MR. COBUS: If someone reads it to him he might remember.

MR. McINNES: I can't read it to him until he admits he got the letter. Then you really would object.

THE COMMISSIONER: Well, that is addressed to him, is it, Mr. McInnes? You can read it to him and ask him if he recollects it.

20 MR. McINNES: Well, if he is going to be an obstructionist, we will go at it from the start.

Q: On October 27, 1945, I am instructed that the Custodian wrote you a letter asking you for a net form. A: Yes.

Q: And on November 27, he wrote you again asking for that net form.

A: I only received a letter once from the Custodian.

Q: And I am instructed that you never bothered to reply to that letter until the 10th of March, 1947, four years later.

30 A: When I was evacuated, I wrote to the Custodian

Y. Nagata
Cross exam

all about the nets and the price of them, and I trusted him so I didn't think it was necessary.

Q: You wrote him a letter? A: No, it was only I reported it in the J.P. form.

Q: Your J.P. form, all right. Now, then, other than your J.P. form, I understand that you never wrote anything further about these nets until the 10th of March, 1947. A: No.

10 Q: And this is your letter which I now produce to you, dated March 10th, 1947, addressed to the Custodian? A: Yes.

THE COMMISSIONER: That is November 10, 1947, Mr. McInnes?

MR. McINNES: No, the 10th of March.

THE COMMISSIONER: His reply was on November 10th, wasn't it?

MR. McINNES: His reply is the 10th of March.

THE COMMISSIONER: The 10th of March.

MR. McINNES: 1947. I am going to file that letter as an exhibit, your honour.

20 THE COMMISSIONER: There were two letters, one in March and one in November, of what year?

MR. McINNES: The letters I put to him were dated October 27, '43 and November 27, '43, but in fairness to him, he only admitted having received one.

That letter will be Exhibit No. 4.

(LETTER MARKED EXHIBIT NO. 4)

MR. McINNES: This letter is addressed to the Custodian,

Y. Nagata
Cross exam

dated the 10th of March, 1947: "I, Nagata Yoshio, Registration No. 03093, Canadian-born formerly of Celtic Cannery, Foot of Blenheim Street, Vancouver, B.C., would like to make inquiries regarding a number of nets which I left in your care when I evacuated from the coast to Greenwood. I have a lot of faith in the Custodian and know the goods were safe-guarded and looked after in the interests of my welfare."

10

I direct Mr. McMaster's attention to that paragraph.

"Now that everything is coming back to normal, I thought I'd take stock of all my belongings, and see where I stood. The following is the list of nets which are in your care:"

I don't know that I need to read the list of nets; the letter is in as an exhibit.

20

"Prices on nets were very high at the time of evacuation because there were no shipments from the factories, but you can see by the list I've made out it is the real cost, what the nets actually cost me, so if the nets have been sold I know that you must have got a fairly good price for them, however I know with your better judgment there is nothing I can say. Now what I would like to know is whether my nets were sold, so whether they are still in your care, in either case I would like to know as soon as possible. Yours truly." The letter is not signed.

30 Q: Now, Mr. Nagata, I call your attention to the last

I. Nagata
Cross exam

two nets, "One only smelt net, never been used, new \$125.00; one only sockeye net, never been used, new, \$75.00". From whom did you buy these?

A: This I bought from the B.C. Packers.

Q: Whereabouts?

A: Imperial

Cannery.

Q: You bought it from the Imperial Cannery of the B.C. Packers?

A: Yes.

Q: What about the sockeye net?

A: What

10

I meant was the sockeye net that I bought from the Imperial Cannery, and the other smelt net I bought from Mr. Suneyama, a Japanese.

Q: Who did he buy it from, do you know?

A: I don't know.

Q: Now, I take it the other nets that you bought as listed in this letter were not new nets when you bought them?

A: These had been

used, but I bought them new.

20

Q: They had been used at the time you bought them, or were used by you after you bought them?

A: I bought them new and I used them.

Q: I see. And these amounts that you have set out here represent the amounts you paid for these nets new?

A: No, this is not

the price that I paid, but it is the price that I would sell for at the time.

Q: What did you pay for them, more or less than these amounts?

A: Yes, I bought

them higher than that.

30

Q: You paid more than these amounts that are shown here?

A: Yes.

Y. Nagata
Cross exam
Discussion

MR. McINNES: I think that is all, your honour.

THE COMMISSIONER: Just a minute, Mr. McInnes. Your item of \$470.10 is apparently the amount which was received by tender for the nets that you had, is that right?

MR. McINNES: That is correct, and that is the amount, the details of which that I supplied to my learned friend just now.

THE COMMISSIONER: Yes.

10 MR. COBUS: Your honour, I would ask my learned friend to produce that net statement to be filed on his behalf.

MR. McINNES: You have it there.

MR. COBUS: I have a copy.

MR. McINNES: File it then, if you want it filed.

MR. COBUS: I want you to produce the original from the Custodian's file.

MR. McINNES: I gave it to you.

20 MR. COBUS: This is a copy, not the original. We are supplied, surely, with copies of the statements you have in your file. This is the first time I have seen the net statement.

MR. McINNES: It was in the file as delivered to you.

MR. COBUS: I doubt very much if I have seen this net statement in the file.

MR. McINNES: There is the original.

30 MR. COBUS: I have, produced from the Custodian's file, your honour, a document headed "Net Statement," in the name of Yoshio Nagata, and which is also headed, "Custodian's Record of Disposition of

Nagata's Nets," and totals sales in the amount of \$470.10. I file it on behalf of my learned friend.

THE COMMISSIONER: Yes.

RE-DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, did you at any time, write to the Custodian asking for a net statement, that is, a statement telling you of the disposition by sale or otherwise of your nets?

A: Yes, I have.

Q: Did you ever receive a reply from the Custodian?

THE COMMISSIONER: Well, this letter of March 10th, is the one he is asking for. He asks there as to what disposition was made of his nets.

A: I had a reply.

Q: You received a reply. Did you receive a list?

A: No.

Q: Witness, in your claim and forming part of Exhibit 1, you have listed certain fishing nets. Do these represent all of the nets that you left behind you?

A: I had some others, but I can't put it into details.

Q: In other words, you actually are claiming only for part of the nets that you left behind?

A: Yes.

Q: Now, in 1942, as I understood you to say, you did hand a list of nets to the B.C. Packers, is that correct?

30 THE INTERPRETER: What date?

MR. COBUS: Some time in 1942.

A: Yes.

Q: This is when you stored your nets, is that correct?

A: Yes.

Q: Well, at the time you made that list, did you understand that you were reporting those nets to the Custodian or a Custodian's agent?

A: Yes, I did.

MR. COBUS: That is all, your honour.

10 THE COMMISSIONER: Mr. Cobus, you might ask the claimant, when he wrote this letter inquiring about these nets, whether that list was made out from memory or from any record that he might have had at that time.

MR. COBUS: Q: Witness, I produce to you a typewritten letter which is Marked Exhibit No. 4., addressed to the Custodian and listing certain nets. This letter was typewritten on March 10, 1947 and it was written at Greenwood. How were you able
20 to detail the description of the nets that you list?
A: It was written from memory.

Q: It was written by memory? A: Yes.

THE COMMISSIONER: And I presume he didn't keep any copy of the list that he left with the B.C. Packers, would you ask him that?

MR. COBUS: Q: Witness, did you keep a copy of the list of nets which you left with B.C. Packers when you stored them?

30 A: I had a copy but I lost it so I just reported

Y. Nagata
Re-Direct exam

it as \$800.00.

THE COMMISSIONER: All right.

MR. COBUS: That is all, your honour.

THE COMMISSIONER: Have you any further questions, Mr. McInnes?

MR. McINNES: No.

THE COMMISSIONER: All right, Mr. Nagata, that is all we can do now.

10 MR. COBUS: Your honour, that is all subject to the claim for the vessel which was held over.

THE COMMISSIONER: Subject to your claim which was held over, yes.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

Grand Forks, B.C.

June 2, 1948

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

20 MR. COBUS: Your honour, on Monday I asked leave, which was granted, to speak to Case 294.

THE COMMISSIONER: That was with a view to calling the son, was it?

MR. COBUS: No, your honour, that was the vessel portion of the claim of Nagata, Yoshio. I call Yoshio Nagata.

YOSHIO NAGATA, the claimant herein, being first duly sworn, testified through the official interpreter as follows:

30 MR. COBUS: This claimant, your honour, had filed two

Y. Nagata
Discussion
Direct exam

claim forms, one for personal property, which has been dealt with already, and a second respecting a fishing vessel.

THE COMMISSIONER: Yes. This claim was adjourned for later hearing during these proceedings.

MR. COBUS: Yes, your honour. The only amendment I would ask leave to make is an amendment in the credit shown. It should read \$500.00.

10 THE COMMISSIONER: That is to the Disposal Committee, I have here.

MR. COBUS: We are objecting now to that credit being shown as a credit to the Disposal Committee, as the statement and examination of the witness will show. At any rate, the vessel was sold for \$800.00 and the proceeds were received by the claimant. The net claim for the vessel is \$250.00 therefore.

THE COMMISSIONER: I just haven't got your amendment yet, Mr. Cobus. It was sold against his wishes, and then you have \$850.00.

20 MR. COBUS: Yes, that is the estimated value which the claimant places on the vessel, which remains as is.

THE COMMISSIONER: Then you want to give a credit of \$500.00.

MR. COBUS: \$500.00, which will leave \$250.00.

THE COMMISSIONER: All right, I have it now.

DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I produce to you a statement concerning the vessel for which you are now submitting a claim.

30 Did you instruct Mr. Leckie, or Mr. McMaster, rather,

Y. Nagata
Direct exam

to prepare this statement for you and is that
your signature? A: Yes.

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

A: Yes.

MR. COBUS: I would ask to file the statement concern-
ing the vessel, your honour, as Exhibit 6.

(STATEMENT MARKED EXHIBIT NO. 6)

10 THE COMMISSIONER: There is no question that this be-
came vested in the Custodian as of August 1st,
1948, is there?

MR. COBUS: Well, we will submit there is no question
arising as to that.

MR. McINNIS: I take it that I am not being bound by
any such ruling at this stage?

MR. COBUS: Naturally.

THE COMMISSIONER: It was just a matter of the Terms
of Reference.

MR. McINNIS: Because I have quite a list of documents
20 this gentleman signed.

THE COMMISSIONER: Yes.

MR. COBUS: Referring to Exhibit 6, your honour, the
boat which is the subject matter of this portion
of the claim was known as the "Y.H." and was
licensed in Vancouver under Vancouver No. 5181. It
was a gillnetter which the claimant purchased in
1937 when the hull was built for him, and he
paid \$720.00 for the hull and installation of
engine and gear, etc. As to maintenance, he did
30 the usual scraping and painting each year, and

the engine was overhauled each year. He says that the vessel was in good condition when it was left with the Navy. He estimates its value at \$850.00.

The engine which was installed in the hull was a 7 H.P. Easthope Engine, which is a marine engine. He had purchased this new in 1936 at a cost of \$400.00, and put it in the hull in 1937.

A drum was put on the vessel in 1939 at a cost of \$120.

10 Under the heading of "Other Gear", he refers to a roller which was put on the vessel in 1939 which he says cost about \$6.00.

In his statement, he says that he was advised by the Japanese Fishing Vessels Disposal Committee late in July, 1942, that they had sold his boat but would not pay the money until he had signed the Bill of Sale and an assignment of claim. He goes on to say that as he had previously refused to sell the boat at such a low figure he did not do anything about this letter. Later, he received a letter dated August 15, 1942 threatening that if he did not sign the forms he probably would not get his money for a long time. About this time he received a letter from Mr. Sakamoto, who is the Secretary of No. 1 Fishermen's Association, who was in Vancouver looking after the interests of some of the fishermen. This letter advised him that the Committee had taken on itself the sale of his boat and there was nothing he could do about it. Mr. Sakamoto further indicated that

20

30

they wouldn't pay the money to him until he sent the documents they had sent to him. The claimant therefore thought there was nothing he could do about the sale, and needed the money, so sometime late in August or September he gave in and sent the documents.

10 Q: Now, witness, I produce to you a letter which appears to come from the Japanese Fishing Vessels Disposal Committee, dated August 18, 1942, addressed to Mr. Yoshio Nagata at Solqua, B.C., and purporting to be signed by A.E. McMaster. Did you receive that letter? A: Yes.

MR. COBUS: I would ask leave to file this letter.

MR. McINNIS: I wonder if I might be permitted, your honour, to see these letters?

THE COMMISSIONER: Yes.

MR. COBUS: I ask leave, your honour, to file the letter which the witness has identified, and would ask leave to read into the record two paragraphs.

20 MR. McINNIS: I would ask that it all be read.

MR. COBUS: Very well, your honour.

It is addressed to Mr. Yoshio Nagata, Solqua, B.C.:

"Dear Sir: Under date of July 29th we advised you of the circumstances relating to the disposal of fishing vessel "Y.N." 1060, Licence No. Van 3181 NW 004B, for the sum of \$600.00.

30 "With this letter we enclosed a standard Bill of Sale form and a Claim Assignment form, advising you that on receipt of these documents,

Y. Nagata
In Chief

properly executed, the Committee would immediately remit the net proceeds of the sale of the vessel, to any address you designated.

10 "As the principal work of this Committee has been completed, it is intended to transfer all the records and accounts to the Custodian of Enemy Property. Such transfer will include the net proceeds of the sale of your vessel, as above, unless we receive the completed Bill of Sale prior to such transfer, which will probably be made August 31st, 1948.

 "The Committee is of the opinion that if this transaction is not concluded prior to that time, and the money is transferred to the Custodian, there will probably be a long period of delay before you could recover the amount from the Custodian funds; and, therefore, we urge you to execute these documents and forward them by return mail. Yours very truly, A.E. McMaster."

20 (LETTER MARKED EXHIBIT NO. 7)

MR. COBUS: Would my learned friend produce the appraisal on the vessel in question from the Custodian's file?

MR. McINNES: I don't think there is any appraisal that came into our hands on this boat. The Japanese Fishing Vessels Disposal Committee appears to have valued the boat at \$546.00, but I have no such appraisal form.

 Would my friend please leave my files alone?

30 MR. COBUS: Well, I was under the impression that an

Y. Nagata
In Chief

appraisal by John Gould was in my friend's file..
I merely looked at his statement there to see
by whom the appraisal to which he referred was
made, and which is not proved in any way.

THE COMMISSIONER: Your information is that there was
an appraisal?

MR. CORBIE: That was my information, your honour.
Would my learned friend, then, advise the date of
the sale of his vessel?

10 MR. McINNIS: The vessel was sold on the 29th of
July, 1942, and I produce a Bill of Sale signed
by the claimant, purporting to be signed by
him.

MR. CORBIE: 29th of July, 1942. Would my learned
friend admit that the vessel was purportedly
sold by the Japanese Fishing Vessels Disposal
Committee before the 29th of July, 1942?

MR. McINNIS: No, I can't. On the 29th of July, a
letter, which is referred to in Exhibit 7, was sent
20 to the claimant and in that letter it was stated
that an offer had been received for this vessel
and also asking him if he would be kind enough
to sign the Bill of Sale, which apparently he did,
and, to complete the story, on the 3rd of Sept-
ember, 1942, this claimant signed a receipt to
the Japanese Fishing Vessels Disposal Com-
mittee for \$59.50, being the net proceeds of
the sale of this boat.

MR. CORBIE: Would my learned friend produce the agree-
ment for sale of the vessel between Yoshio Nagata
30

Y. Nagata
In Chief

and the British Columbia Packers, Limited?

(Handed to Mr. Cobus)

MR. COBUS: This purports to be signed by Y. Nagata and witnessed by one Y. Sakamoto at 217 Dunlevy Avenue, Vancouver, B.C. and the agreement is dated the 29th day of July, 1942, and it concerns the vessel "Y.M.", official number Vancouver, 3181.

10 Q: Witness, I produce to you a document headed "Agreement for Sale of Vessel." Is that your signature? A: I don't think it is mine. It is written "Y. Nagata."

Q: You don't recognize that as your signature?

A: No.

Q: Well, are you able to say that you did not sign that agreement? A: I don't think I did.

MR. COBUS: Your honour, I would call attention to the fact that the letter which is filed as Exhibit 7 is dated somewhere in August, as I recall --
20 August 29th -- in which the claimant is informed that unless he signs certain documents the deal would be concluded by August 31, 1942.

Q: Witness, on the 29th day of July, 1942, were you in Vancouver? A: No.

Q: Where were you on the 29th of July?

A: I think I was at a road camp.

Q: Do you recall signing any document which would be witnessed by Y. Sakamoto?

30 A: When I was evacuated, I asked Mr. Sakamoto to sell

it for me at \$800.00 -- \$850.00.

Q: Do you remember, witness, ever signing a Bill of Sale with respect to your boat?

A: No.

THE COMMISSIONER: Is that document you are pointing to a Bill of Sale or an agreement?

MR. COBUS: An agreement for sale of vessel.

THE COMMISSIONER: Not a bill of sale.

THE INTERPRETER: A: I don't remember signing it.

10 MR. COBUS: Q: Do you recall signing a form known as an assignment of claim? A: No, I don't remember.

MR. COBUS: I would ask leave, your honour, to file the agreement for sale of vessel on behalf of the Crown, and would my learned friend produce a document --

MR. McINNIS: Well, this document that my friend is now filing, I take it his client denies having signed it.

20 THE COMMISSIONER: He definitely says he hasn't signed it.

MR. McINNIS: I don't know how he proposes to file it as an exhibit.

MR. COBUS: He said he didn't remember signing it.

THE COMMISSIONER: He said he was at a road camp. I don't know whether that is supposed to be signed in Vancouver, or not.

MR. COBUS: On the 29th of July, 1942, he places himself in a road camp.

Y. Nagata
In Chief

MR. McINNIS: Well, what was it you asked for?

MR. COBUS: A document known as an assignment of claim.

(Handed to Mr. Cobus)

10 MR. COBUS: I have, produced from the Custodian's file, your honour, a document headed "Japanese Fishing Vessels Disposal Committee. Assignment of Claim," concerning the vessel "Y.N." 1980, official No., Vancouver 5181, which reads in parts: "If the Dominion Government will allow me (blank) dollars to make good that damage, including missing inventory, I agree that I shall not make further claim of any nature whatsoever against the Dominion Government, and hereby authorize the Japanese Fishing Vessels Disposal Committee to pay the sum so allowed to British Columbia Packers Limited." It bears the signature "Y. Nagata."

THE COMMISSIONER: And no amount filled in?

20 MR. COBUS: No amount, no date.

Q: Witness, I produce to you a document headed "Assignment of Claim," respecting damage to your vessel. It bears the signature "Y. Nagata." Do you recognize the signature?

A: This is not my signature, and I don't remember signing it.

Q: I have already asked you whether you had ever signed an assignment of claim, and I believe your answer was that you couldn't remember.

30 A: That is "Y. Nagata."

Y. Nagata
In Chief

MR. COBUS: I would ask leave, your honour, to file this document on behalf of the Crown.

(ASSIGNMENT OF CLAIM MARKED EXHIBIT NO. 9)

MR. COBUS: Would my learned friend produce the receipt for the money he has already stated was received by the claimant?

(Handed to Mr. Cobus)

10 Q: I produce to you a receipt purportedly signed by "Y. Nagata," dated September 3, 1942, as having received from the Japanese Fishing Vessels Disposal Committee the sum of \$591.50 on account of the sale of vessel "Y.N." 1960. Is that your signature?

THE COMMISSIONER: What is the date of that, Mr. Cobus?

MR. COBUS: September 3, 1942.

A: It looks like my signature.

Q: Well, did you in fact receive \$591.50?

A: Yes.

20 MR. COBUS: I would ask to file the receipt, your honour, as the next exhibit, on behalf of the Crown.

(RECEIPT MARKED EXHIBIT NO. 10)

MR. COBUS: Q: Now, witness, do you recall at any time in August or September having returned to the Custodian or to the Japanese Fishing Vessels Disposal Committee any documents?

A: I remember sending two or three back.

Q: To whom?

A: I sent them back to Mr. Sakamoto.

30 Q: I see. Do you know what those documents were?

As They were letters asking me to sign for the boat,
the sale of the boat of \$600.00, and I returned
them because I said I wouldn't sell it under
\$850.00.

MR. COBUS: Your witness.

THE COMMISSIONER: Just a minute, Mr. Cobus. You are
maintaining, are you then, that this vessel wasn't
disposed of by the Japanese Committee prior to
August, 1942?

18 MR. COBUS: If it were, your honour, they certainly
had no power of disposing of the vessel after
the date, August 1st, 1942.

THE COMMISSIONER: Well, I was referring to the Terms
of Reference, which set out "Claims relating to
losses sustained in respect to fishing vessels
or gear from such vessels will not be consider-
ed unless the vessel had not been disposed of by
the vessels disposal committee prior to August
1st, 1942," and you take the stand that it was
20 not disposed of prior to August 1st, 1942?

MR. COBUS: That is correct, your honour, or, perhaps,
your honour, alternatively, while this may not
be the place to suggest it, the vessel had vested
in the Custodian before the Japanese Fishing
Vessels Disposal Committee could have sold it.

THE COMMISSIONER: Yes.

MR. COBUS: Therefore they would have had no authority
to dispose of it after August 1st, 1942.

THE COMMISSIONER: Yes. It is a matter of argument,
30 I presume.

MR. McINNES: I am not going to go into the matter of the legal argument, I am going to contend on behalf of the Crown that the Custodian had nothing to do with the boat, that the deal was simply between the Japanese Fishing Vessels Disposal Committee and the claimant.

CROSS EXAMINATION BY MR. McINNES:

10 Q: Witness, in the concluding part of your claim on this yellow sheet, you said this: "So sometime late in August or early September I gave in and sent the documents." What documents did you send?

A: I don't remember because I never agreed to sell the boat.

Q: Let me read it to you again; your counsel prepared this from your instructions, I presume: "I gave in." Do you understand what those words mean?

A: Yes, I did say that.

20 Q: "And sent the documents." I suggest that means to you that you agreed to sell the boat; yes or no?

A: I don't remember.

Q: You don't remember now whether you agreed to sell the boat or not?

A: I remember writing one document.

Q: Do you remember whether you agreed to sell the boat or not, yes or no?

A: I think I did agree.

Q: Yes. Did you get the money for the boat?

30 A: Yes, I did.

Q: I am producing here what is known as Exhibit 18.

Is that the receipt you signed for the money?

A: Yes, it is mine.

Q: That is your signature and you received the money?

A: Yes.

Q: Who is Mr. Sakamoto?

A: He is the head of the fishermen.

Q: Is he your friend?

A: Yes.

Q: Was he carrying on negotiations for you about the sale of your boat?

A: Yes.

Q: I want you to look again at Exhibit 8 and I want you to swear whether or not that is your signature.

A: No, I don't think it is mine. It is written "M-a-g-a-t-a."

Q: I don't care how it is written. I asked you if it is your signature.

A: No, it isn't.

Q: Did you give anybody any authority to sign it?

A: No.

Q: You will note it is signed in the presence of Mr. Sakamoto.

A: I don't think it is mine.

Q: No, you don't think it is your signature.

A: No.

THE COMMISSIONER: Is this Exhibit 8?

MR. McINNES: Exhibit 8.

Q: First you told me it definitely was not your signature, now you don't think it is your signature?

A: I have said it isn't mine from the very beginning.

Q: All right. Do you know Mr. Sakamoto's handwriting?

Is that his signature to the left of what appears

Y. Nagata
Cross exam
Re-Direct exam

to be your signature? A: I don't know.

Q: But you did have correspondence with Sakamoto
about this boat? A: Only once I
had a letter from him.

MR. McINNES: That is all.

RE-DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, this letter from Mr. Sakamoto, was it
written in English or Japanese; this letter or
10 any letter from him? A: It was written
in Japanese.

MR. COBUS: Your honour, I would ask leave to ask
the witness to sign his name half a dozen times
on this blank piece of paper and file the re-
sult as an exhibit.

THE COMMISSIONER: All right.

MR. COBUS: Q: Witness, would you sign your name
on this blank piece of paper six times, please?

A: (Witness complies)

20 MR. COBUS: I have had the witness sign his name, your
honour, six times on a blank piece of paper and I
would ask leave to file the signatures as the
next exhibit.

THE COMMISSIONER: Exhibit 11.

(DOCUMENT MARKED EXHIBIT NO. 11)

MR. COBUS: Would my learned friend produce the J.P.
form, if that is not already an exhibit. It doesn't
appear to be an exhibit.

(Handed to Mr. Cobus)

30 Q: Witness, I produce to you a document known as a

Y. Nagata
Re-Direct exam

J.P. form from the Custodian's file, which is made out in the name of Nagata, Yoshio, and appears to have been executed or signed on the 20th day of April, 1942. Is that your signature?

A: It looks like mine.

MR. COBUS: I would ask leave to file the J.P. form, your honour, as Exhibit 12 on behalf of the Crown.

(J.P. FORM MARKED EXHIBIT NO. 12)

10 MR. COBUS: That is all, your honour.

THE COMMISSIONER: Any further cross-examination, Mr. McInnes?

MR. McINNES: No, no more questions, your honour.

THE COMMISSIONER: Well, that is all then, Nagata.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

Carson Hambleton
G. Hambleton
Official Reporter

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

R.P. Dawson,
Sub-Commissioner

Form 9

DEFENCE BRIEF

Grand Forks, B.C.
May 31, 1948.

Yoshio NAGATA

File No. 5053

Case No. 294

PERSONAL PROPERTY CLAIMS

(All claims shown are Gross)

1. Net Claim

\$1235.00

Sale Price

(tender)

\$470.10

Witnesses: 1. F.G. Shears - to prove
J.P. Forst, dated
April 20, 1942.
'Declared nets worth
\$1100. in general terms.'
Exhibit No. 12.

Ref. (1) Trans p. 10, line 5 and
(2) Trans. p. 7, line 3 - the
claimant's original claim
form refers only to one (1)
new, unused sockeye net and
smelt nets - packed in a box,
left in the schoolhouse.

(3) Exhibit No. 4 - Letter dated
March 10, 1947 from the
claimant to the Custodian,
was the first time the former
declared in detail his nets
when he had been repeatedly
requested to do so.

2. Chattel Claim

\$87.45

Sale Price

(Auction)

\$42.15

Witnesses: 1. Wm. Wills, and
G.M. Harris -
Custodian representatives
who were present at
auction sale.

3. Boat Claim

\$850.00

Appraised at

\$546.00

Sale Price

\$600.00

Witnesses: 1. O.W. Phillipson -
J.F.V.D.C. Appraiser.
Copy of Appraisal taken
from Appraisal Book
in Custodian's Office,
dated 1942.
To be filed.

Ref. (1) Trans. p.24, line 9 -
Agreement for Sale of Vessel,
dated July 29, 1942, which
the claimant denies signing.
This document was drawn and
sent to the claimant on the
29th of July, 1942, so that
although it was dated then,
it was probably not signed
by the claimant until some
later date. (Trans.p.24, line 26)

(2) Trans. p.26, line 6 - Assignment
of claim which the claimant also
denies signing. Exhibit No. 9.

(3) Trans. p.27, line 8 - Receipt,
dated Sept. 3, 1942, signed by
the claimant. Exhibit No. 10.
'Payment was received from
J.F.V.D.C.'

(4) Trans. p. 29, line 28 - the
claimant admits that he agreed
to sell his boat.

N.B. Exhibit No. 12 - Six samples of the claimant's signature.
Since the claimant denies having signed two documents referred
to above, it may be necessary to call a handwriting expert to
give evidence on this point.
Mr. McInnes has submitted that this file be read carefully with
a view to a perjury charge against the claimant.

<u>Summary of Defence Witnesses</u>	<u>Where Required</u>	<u>Summary of Documents to be filed</u>	<u>Witness Proving Same</u>
F. G. Shears	1		
Wm. Wills	2		
G. M. Harrie	2		
O. W. Phillipson	3	Extract of J.F.V.D.C. Appraisal, dated 1942	F. G. Shears.

HAC/mw

Name of Claimant **NAGATA, Toshio**Case **294**Custodian File **5053**

REAL PROPERTY										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village			
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Amount Total	Sale Price	Total Award 125% of all Sale Prices % of Amount Total		
PERSONAL PROPERTY										
Motor Vehicles		Boats and Boat Gear								
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Not Found & Recorded Now Missing	45% of amount in next preceding column			
J.F.V.D.C.										
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	
						900.00 200.00			470.10	299.90
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	Applica- tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
87.45	42.15	12.64						12.64		
TOTAL RECOMMENDATION										312.54

October 5th, 1950.

Mr. Yoshio NAGATA,
Sherman P. O.,
West Vancouver, B. C.

Dear Sir:

Re: Japanese Property Claims Commission
Case No. 294

We have received from the Co-Operative Committee on Japanese Canadians, Release executed by yourself covering the award recommended under the above Commission, for the sum of \$312.54.

Cheque for \$307.52 is enclosed herein, and the sum of \$5.02 has been paid to the Co-Operative Committee on Japanese Canadians for legal fees as authorized.

Yours truly,

F. G. Shears,
Director.

FCS/js
1 encl.