

5417

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: ARAKI, Manjo

HOME ADDRESS: Cumberland, B.C. Japanese Town No. 5

REGISTRATION NUMBER 09317 SEX: Male AGE: 57

OCCUPATION: Watchman

(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: S. Sasaki

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Natsuko. File 6308

ADDRESS OF WIFE OR HUSBAND: as above

NAMES OF ANY LIVING CHILDREN: Kinoo (M)

Tamiko (F)

Kaname (M)

ADDRESS OF CHILDREN: as above

AGE OF CHILDREN: 13, 12, 10.

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

1. LOCATION AND DESCRIPTION: None

2. BUILDINGS AND OTHER IMPROVEMENTS: Cumberland, B.C.

Japanese Town, No. 5.

Dwelling House Cost \$1,200.00

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

None

4. TAXES (Amount and where payable) Taxes paid by the Cumberland Lake

Lumber Co. Ltd., Cumberland, B.C.

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

None

6. OCCUPANCY AND LEASES (If vacant so state) None

EXHIBIT No. 187 - 4

DATE 21 April 1948

FILED BY Crown

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: None
2. LANDLORD'S NAME AND ADDRESS: None
3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: None
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:.....

At Cumberland, B.C Japanese Town No. 5., House No.102.

Household Furniture and Personal Effects as per attached list.

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

Sewing Machine

\$126.00

Miss Nora Forest
Courtenay, B.C. ✓ *shipped*

Stove	\$75.00
Kitchen Cabinet	5.00
Dresser	12.00
Wardrobe	25.00
Beds (4)	85.00
Sink	7.00
Bathhouse, Wood shed	150.00
Kitchen Utensils	180.00
Chairs (7)	8.50
Rifle)	60.00) Cumberland
Shotgun)	35.00) Court House
Table	5.00
Dresses	150.00
Books	75.00
Heater	15.00
Coal Heater	25.00

Cumberland, B.C. No. 5 House # 102

4. INSURANCE CARRIED ON ABOVE PROPERTY: None

5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF
OTHERS: None6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom)
\$80.00 Duncan MacAlister, R.R. #1, Courtenay, B.C.7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts)
\$10.00 War Savings Certificates in the owner's possession.

8. BANK ACCOUNTS: None

9. LIFE INSURANCE: None

10. INTEREST IN ANY ESTATES OR TRUSTS None

11. SAFETY DEPOSIT BOX: None

LIABILITIES:

1. PERSONAL DEBTS: To Iwasa \$ \$5.00 (\$65.00) All reside at
Nakano \$ 80.00 Hastings Park,
Matsubuchi 45.00 City.
Cumberland Electric \$40.00, Cumberland, B.C.
Hannan \$20.00, Cumberland Station, Cumberland, B.C.
Dry Goods. Matt. Brown 20.00, owns a Grocery Store
at Cumberland, B.C.

2. TRADE DEBTS: None

REMARKS: None

I, the undersigned, hereby voluntarily turn over to the Custodian all my property in the protected area as set out above, excepting fishing vessels, deposits of money, shares of stock, debentures, bonds or other securities, if any. (Not on original)

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 17th day of April 1942.

(Signature) "Manjo Araki"

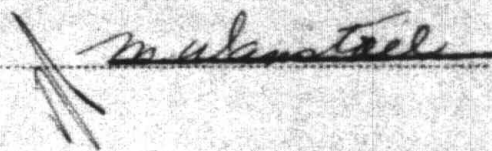
"M. Wraight"

Witness

FOR DEPARTMENTAL USE

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

May 17, 1948



INFORMATION FROM R.C.M.P.

Date Jul 27/43

Full Name ARAKI, Manzo
(Surname in Block Letters)

Registration No. 09317 ☒ Male - Female
(check) Age Nov 22, 1884

Former Address Hillcrest, B.C.

Date Evacuated _____ ☒ Naturalized - Canadian-Born - National
(check)

Present Address Greenwood, B.C.

67 Jackson W. Hamilton Dist
40 Methuen Orchards, (Methuen BC) May 1947

Married - Single (check) Name of Wife MASUDA, Natsuko - 09318
Name of Husband _____

Name of Mother Moka (dec'd) Name of Father Saburo (dec'd)

Names of Children under 16 Tinok (m) 4/12/27; Tamiko (f) 12/10/29.
Taname (m) 12/8/31.

Our File No. 5417/4822 Registered with Custodian _____
(yes or no)

Requested By Mr. Dusenbury

Additional Information Logger (House)

5417
25.006
10-11-43
5

5417
OFFICE OF THE CUSTODIAN
JAPANESE EVACUATION

Milson
P.O. Box 431,

Cumberland, B.C.

Sept. 21/42.

RECEIVED
SEP 23 1942
Mr. R.P. Alexander, Manager,
Office of the Custodian,
Japanese Evacuation Section,
Vancouver, B.C.

Dear Sir:-

Report on ARAKI Manjo Reg. # 09317

1 & 2 Location and Nature of property. House # 102, # 5,
Japanese Town, Cumberland, B.C. on Canadian Collieries "D" Ltd.
property. Ground rent \$1.00 per. month. No rent being paid since
July of 1928.

3 All goods of value were shipped out to B.C. Security
Commission, Vancouver, B.C. on May 24/42. 7 pieces. 3 boxes
bulk effects, 1 trunk, 1 sewing machine, 1 carton effects.,
1 wash tub effects. Leaving balance in the home which is
vacant and nailed up.

4 Insurances. None.

5 Liabilities and personal debts. as listed on J P Form.

6 Recommendations. are that all the effects are of very
little value and are left in the home which is boarded up. I
may state that the value this party has on his house and goods,
are out of all reason. This house is in poor condition, and
will be unable to rent to anyone.

Hoping to have your comments on same.

Yours truly

Matt Brown

Matt Brown.

Custodian Agent.

File No. 5417

CLAIMS DEPARTMENT

October 21st, 1943.

Manzo ARAKI - Reg. No. 09317

CREDITORS:-

1. Iwasa...	\$65.00	JP
2. Nakano...	80.00	JP
3. Matsubuchi...	45.00	JP
4. MacKinnon...	20.00	JP
5. Matt Brown...	20.00	JP
6. Cumberland Electric Light Ltd. ...	29.89	JP
7. Cumberland & Union Waterworks Co. Ltd. ...	12.50	JP
8. Yukichi KISHIMOTO...	110.14	
9. The City Meat Market...	7.35	

Debtor agrees to
all as correct

No claims in wife's file
10-6308
15-45

DEBTORS:-

1. Duncan MacAlister.....\$80.00 JP) Araki says that owing to him

BRD:ND

pay to
but cannot pay too
in arrears to labor
11-4-43

claims not paid 3 or 43

No further action
by Claims
11-4-43

6308 ✓

To the Secretary of State acting
in his capacity as Custodian.

I NATSUKA ARAKI, Police
registration No. 09318, hereby request
you to release to me the under-noted property stored
at 102, #5 Japanese Town, Cumberland, B. C.,
and I release you from any claim whatsoever with
respect to such property.

Description of Property:

Sewing Machine (Singer)
Kitchen Utensils (Contained in cedar Chest)
Kitchen Utensils (Contained in wooden box)

Dated this 27th day of May 1942.

Approved

Natsuka Araki
(Japanese sign here)

W. A. MacBrayne

(Supervisor of Greenwood)

B. C. SECURITY COMMISSION

NOTE:

The Custodian is advised that the B.C. Security Commission will pay transportation charges up to 1,000 pounds (which amount includes the free baggage allowed by railroad company on tickets), and any charges over this amount will have to be for the account of the individual Japanese evacuee.

There are 3 adults and 2 childrens in this group giving allowance for 600 lbs.

5417

October 21st, 1943.

Mr. Manzo ARAKI,
Registration No. 09317,
c/o Mr. Hewlett Store,
Box 14,
Westbank, B. C.

Dear Sir:-

We are reviewing your file and in order to bring the matter of claims against you up-to-date we submit below a complete list as follows:-

1. Iwasa.....	\$65.00
2. Nakano.....	80.00
3. Matsubuchi.....	45.00
4. MacKinnon.....	20.00
5. Matt Brown.....	20.00
6. Cumberland Electric Light Ltd.....	29.89
7. Cumberland & Union Waterworks Co. Ltd.....	12.50
8. Yukichi KISHIMOTO.....	110.14
9. The City Meat Market.....	7.35

It is noted that you declared Nos. 1 to 7 inclusive in your "JP" registration form, dated April 17th, 1942, and it may be that some of these have been paid in whole or in part by you. No. 6 and 7, amounting to \$42.39, are noted by you as \$40.00 but no doubt the \$42.39 is correct as stated by these companies.

No. 8 and 9 are claims filed against you but not mentioned by you in your "JP" registration form referred to. It is important that you let us know about each of the foregoing, as to the correctness of same, or otherwise, and if correct what the prospects are for payment in whole or in part.

Your declaration also states that there is owing to you by Duncan MacAlister, R. R. #1, Courtenay, B. C., the sum of \$80.00. Please let us know if this amount is still owing to you.

Box 14
Hastings B.C.
Nov. 7th 1943

Department of the Secretary of State
Office of the Comptroller
Vancouver, B.C.

EVACUATION SECTION	
Rec'd	NOV 10 1943
File No.	5417
Ans.	BKD
Referred to	Mr. Atkinson

Dear Sir:

In connection with my accounts still to be paid to various stores I will say that nothing has been done to anyone of them. It hasn't been paid in whole nor in part. No. 8 and 9 as mentioned stands strong against us but is just the same as I've mentioned it hasn't been paid.

In connection with Mr. MacBlister the amount is still owing to me.

Hoping that this is satisfactory
I remain

Yours truly
Margo Fraser

No letter
to CIO
present reply
10-11-43
D

EVACUATION SECTION	
Rec'd.	NOV 10 1943
File No.	5417
Ans.	RRJ
Referred	J. White

Box 424
Alberni 136
Nov 15/43

Dear Sir,

In reply to yours of Nov. 15.
The Araksy claim of 80⁰⁰. Ifes
this amount owing is correct
but since moving from Courtenay
to Alberni just a year ago this
past June I have not been in
a position to clear this debt.

I went entirely broke on my
job at Courtenay and of course
I found besides - myself badly
in debt. The result has been
that garnishees followed and
so I have not been able to right
things as I had hoped to do before
this. This summer I have been off
work, having to go to Van. for
medical treatment - which has
not helped things financially.
I am indeed sorry that this bill
remains unpaid to date but I
will endeavor to pay same
just as soon as I can do so and
will then forward you payment
as I can. Yours sincerely
Duncan McAllister
per E. H.

5417

November 17th, 1943.

Mr. Manjo ARAKI, #09317,
Box 14,
Westbank, B. C.

Dear Sir:-

re: \$80.00 - Duncan McAllister

We wrote to Mr. McAllister asking for settlement of the above claim. We quote from his reply as follows:-

"Re Araki claim of \$80.00. Yes this amount owing is correct but since moving from Courtenay to Alberni just a year ago this past June I have not been in a position to clear this debt.

"I went entirely broke on my job at Courtenay and of course I found besides--myself badly in debt. The result has been that garnishees followed and so I have not been able to right things as I had hoped to do before this. This summer I have been off work, having to go to Vancouver for medical treatment, which has not helped things financially. I am indeed sorry that this bill remains unpaid to date but I will endeavour to pay same just as soon as I can do so and will then forward you payments as I can."

In view of what he says it seems that we can do no more at the present time to bring about a collection of this claim. We shall keep it before us of course, and shall await further developments.

Yours truly,

B. R. Dusenbury,
Claims Department.

BRD:ND

October 18th, 1948.

Mr. Manzo ARAKI,
Registration No. 09317,
P.O. Box 14,
Westbank, B. C.

Dear Sir:

We are presently making final distribution of all funds in this office, which were derived from the sale of Real and Personal properties, and we are accordingly enclosing, herewith, our cheque in your favor for the sum of \$25.00.

Acceptance by you of this cheque does not prejudice in any way, your claim for loss which you may feel you sustained in the sale of your property, as the Commissioner, the Honourable Mr. Justice Henry I. Bird, has made a ruling to this effect.

Please acknowledge receipt of this cheque at your earliest convenience.

Yours truly,

W. J. JOHNSTON
OFFICE OF THE CUSTODIAN

WJJ:NS

Encl. (cheque)

C
O
P
Y

Alert Bay, B.C.
November 14th 1942.

Mr. Matt Brown.
Custodian's Agent.
Cumberland, B.C.

Dear Sir:-

In reply to your letter of the 8th inst.
in which you requested a brief report on Japanese
premises which were entered after evacuation.

RE: M. ARAKI house # 102 # 5 Japanese Town. June 13th-42.
This house was found broken into and a complete bed
stolen. The premises of J. Sarich was searched in
this connection but without any success.

Yours truly

(signed)

A.T. Lashmar
Provincial Police.

Box 14,

Westland, N.H.

Sept 23/01

Dear Mr. Brown—

I have written to you
sometime ago to do me a favor
but I haven't heard any word about
it. I know you are busy but
could you please send my two
mattresses. It's in the first room
& the second one It's pink & green
I think & and is still new. It's
getting cold so please send it as
soon as possible. Also please take
off the big mirror & send it too.
My house no. is 102 #5 Japanese
town. Hoping to hear from you
soon. Please send it the address
below at your earliest convenience
by collect. It's awfully cold so please
rush

I thank you

M. Anaki

M. Anaki

40 Mrs. Hewlett street
Westland, N.H.

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October 4th, 1943

Mr. Manzo ARAKI,
Registration No. 09317,
c/o Mr. Hewlett Store,
Box 14,
Westbank, B. C.

Dear Sir:-

Although we wrote to you on September 28th, November 2nd, and November 28th last year in connection with your chattels, you did not favour us with a reply. As none of these letters were returned to us, we must assume that they were received and in view of this and the fact that our agent at Cumberland, Mr. Matt Brown, reported that the remaining effects left in your house were of very little value, we decided that no further action was necessary.

Mr. Brown has now sent us your letter of September 23rd asking for the shipment of your two mattresses and the big mirror left in your home. Mr. Brown now reports as follows:-

"The two good mattresses they ask for are gone. On June 13/42 this house was broken into and one complete bed taken away and probably other articles. The mirror they also ask for cannot be found. Enclosed also find Police Report covering same.

"We have two old mattresses of theirs in #5 storage hall which we could send along to them."

The report from the police referred to merely states that the premises of a suspect were searched without success and that nothing further has come to light.

We regret that this should have happened but we have taken all reasonable precautions to prevent house-breaking in isolated communities of this sort.

If you wish the two old mattresses shipped, please follow out the instructions given in our enclosed form letter #107.

Yours truly,

H. F. Green
Protection Department

Enc.
HFG:IF

5417

October 4th, 1943

Mr. Manzo ARAKI,
Registration No. 09317,
c/o Mr. Hewlett Store,
Box 14,
Westbank, B. C.

Dear Sir:-

Re: Applications for shipment of
effects to evacuated Japanese.

We have received your request for the
shipment of some of your effects to you.

Please note that this matter is being
cared for by the Security Commission. You should,
therefore, apply to them giving very exact particu-
lars of what you require, where it is located, and
place to which you wish it shipped.

If you are located near a Security Com-
mission Supervisor, you should secure from him three
copies of the standard Custodian Release Forms and
after filling them up, send them direct to the B. C.
Security Commission, Marine Building, Vancouver. If
you cannot secure these, a letter to the Security
Commission in Vancouver will be sufficient.

If the Security Commission see fit to
make shipment, they will contact us and we shall be
pleased to release the goods.

Yours truly,

H. F. Green
Protection Department.

P.S. The address of the Security Commission has been
changed to The Dick Building, 360 Homer St., Vancouver.

HFG:IF

C O P Y

CANADIAN COLLIERIES (DUNSMUIR) LIMITED

Nanaimo, B. C.
March 2nd, 1943.

F. G. Shears, Esq.,
c/o Custodian of Enemy Property,
406 Royal Bank Building,
VANCOUVER, B. C.

Dear Sir:

Re - Japanese Houses at Cumberland, B. C.

Some few days ago our attorneys Messrs. Robertson, Douglas & Symes interviewed you in connection with houses built by certain Japanese on our property and adjacent to the city of Cumberland, and we have been advised to write you in this matter, and to give you a brief outline of the position.

The houses in question were built by certain Japanese miners and others, the majority at that time being employed by the company in our mines in the Comox District. The arrangement made then was that the Japanese miners and others would be allowed to construct dwellings on the company's land, and use and occupy such buildings for a nominal ground rent, so long as they remained employees of the company. As time passed, and the Coal Mines Regulations Act was amended, and other circumstances arose where it was not desirable to employ Japanese in the mines, most of these men were thrown out of work. Some of them secured a certain amount of employment in the district, and some went away leaving their families occupying the dwellings on the company's property. In view of conditions at that time, the company did not insist on these people vacating the occupied property, and most of them were allowed to remain until they were moved by the Government after the declaration of war.

Due to the serious shortage of accommodation at the present time, we are anxious to secure these buildings for the accommodation of some of our present employees. In the ordinary course, we have sufficient houses to accommodate the mine crew, but as you are aware, a large number of our miners are now in the army, and the families of a considerable number of these occupy company houses, and you will appreciate that there is nothing the company can do to repossess these buildings. At the same time, we are doing everything possible to increase our crew, and as an inducement, we are anxious to take over the buildings constructed by the Japanese, and recondition at least some of them for occupation. In these circumstances, we would like to file this letter as an application for your consent, to the end that we may repossess these buildings, and proceed to do whatever is necessary to make them habitable.

Trusting that this application will receive your favourable consideration,

Yours very truly,
CANADIAN COLLIERIES (DUNSMUIR) LIMITED.
(signed)
P. S. Fagan,
Controller.

PSP:KG
2 extra copies

COPY

Canada
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

Japanese Evacuation Section

File No. A/13 & G/92.

May 31st, 1943.

The Canadian Collieries (Dunsmuir) Ltd.,
c/o Messrs. Robertson, Douglas & Symes,
Bank of Montreal Building,
Vancouver, B. C.

Dear Sirs:

Re: Japanese buildings on Colliery Land.

We confirm the arrangements concluded today between Mr. Plummer and the Undersigned whereby the problem of the buildings erected by Japanese on Colliery land is disposed of on the following basis:

- (1) The Canadian Colliery Company, without recognizing that the original Japanese owners of such buildings have any equity therein (the buildings having been vacated and no ground rent paid for varying periods) agree to take the buildings over and pay for them on the basis of their value to the Company in terms of time and material saved in connection with their immediate need for additional accommodation for miners.
- (2) Such value having been established by a joint survey of the properties by the Company's Construction Engineer in company with the local Agent of the Custodian, is listed below.
- (3) Upon receipt of payment as outlined herein, the Secretary of State acting in his capacity as Custodian of the Japanese interests, agrees to relinquish such interests as are vested in him.

No. 1. Japanese Town

House No. 1	\$50.00
1 B	\$15.00
4	\$40.00
9	\$25.00
10	\$50.00
13	\$40.00
7	\$20.00
15	\$15.00
19	\$30.00
19	\$40.00
20	\$20.00
23	\$20.00

House No. 21	\$70.00	
21 A	\$40.00	
26	\$15.00	
35	\$40.00	
29	\$50.00	
16	\$30.00	
53	\$20.00	
46	\$40.00	
52	\$30.00	
57	\$30.00	
63	\$30.00	
25	<u>\$50.00</u>	\$760.00

House No. 15 (Store)		\$ 75.00
Old Hall	\$100.00	
New Hall	<u>\$200.00</u>	\$300.00

No. 5 Japanese Town

House No. 1	\$40.00	
2	\$50.00	
101	\$30.00	
103	\$10.00	
102	\$25.00 ✓	
104	\$25.00	
105	\$30.00	
106	\$40.00	
110	\$25.00	
111	\$20.00	
170	\$10.00	
116	\$25.00	
117	\$30.00	
118	\$30.00	
134	\$20.00	
188	\$15.00	
132	\$35.00	
23	\$20.00	
170	\$10.00	
162	\$30.00	
161	<u>\$25.00</u>	\$545.00

Community Hall	\$100.00	\$100.00
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Behind Colliery Office

T. Kadaguchi	\$40.00	
W. Fatanabe	<u>\$30.00</u>	\$ 70.00

No. 5 Mine Road

Wrecked Japanese School		\$ 50.00
Ex gratia payment for numerous worthless buildings	<u>\$100.00</u>	
	<u>\$2000.00</u>	

Union Bay (extra):

T. Nakamura	\$200.00	
S. Higashi	\$200.00	
H. Higashi	<u>240.00</u>	\$440.00

Total payable by Canadian Collieries (Dunsmuir)
Limited to The Custodian of Enemy Property

\$2,440.00

As arranged, all loose chattels in the buildings will be removed to storage by the Custodian as soon as possible, but it is understood that until such removal is effected, you will use reasonable care for the protection of same.

At your convenience please let us have a copy of the repair and rebuilding estimates shown the writer.

Yours very truly,

(signed) R. G. Bell

R. G. Bell,
Administration Department.

RGB/P

c.c. to Mr. Matt Brown,
P. O. Box 431,
Cumberland, B. C.

5417

August 27th, 1943

Mr. Manzo ARAKI,
Registration No. 09317,
67 Jackson W.,
Hamilton, Ont.

Dear Sir:-

The Custodian is pleased to inform you that arrangements have now been completed whereby Canadian Collieries (Dunsmuir) Limited, have taken over numerous houses on their properties that were at one time occupied by persons of the Japanese race.

As the Company owned the land, the right to use and occupy such buildings was contingent upon payment of a nominal rent. We are informed that the right of occupation and use of any structure on the land was to terminate if the occupier ceased to be an employee of the Company. The Corporation, however, agreed to pay an estimated salvage value for the buildings, and pursuant to the agreement, the Company's Inspection Engineer, along with our agent, appraised each building on the basis of its value to the Company, in connection with their building plan.

You occupied the building known as House #102, No. 5 Japanese Town, and the award fixed as aforesaid amounted to \$25.00. Your account has, therefore, been credited with this sum.

Yours truly,

R. G. Bell
Administration Department

ROB:IF

*Declared cost \$1200 but Matt Brown rep. no work
condition & unsuitable. No ground rent
paid since July 1928.*

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

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E
(HIS HONOUR, JUDGE J.R. ARCHIBALD, SUB-COMMISSIONER)

10

Vernon, B.C.

April 21, 1948

IN THE MATTER OF THE CLAIM OF
MANZO ARAKI

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.

G.N.R. UPTON, Esq.,

Official Interpreter.

G. HAMBLETON, Esq.,

Official Reporter.

30

2
M. ARAKI
In Chief.

MR. McMASTER: I would like to call Manzo Araki, Case,
No. 187.

MANZO ARAKI, the Claimant herein, being
first duly sworn, testified
through the official inter-
preter as follows:

MR. McMASTER: Your honour, with respect to the claim herein

10 I would like to refer to the claim for a building
appearing on the first page of the claim form. This
is one of the houses which some of the Japanese per-
sons built on the property of Dunsmuir Collieries at
Cumberland. The allegation of the company is dis-
closed in the custodian's file. At the time of eva-
cuation their allegation was that these houses were
built on the understanding that if the persons build-
ing them left the property of the company that they
would have no further rights and that the buildings
affixed to the land --

20 THE COMMISSIONER: You mean left the employ of the com-
pany?

MR. McMASTER: Well, the original arrangement that is
alleged by the company is that if they left the em-
ploy of the company, they would lose any right to
the buildings. However, by virtue of statute a
number of years ago, the Japanese were prohibited
from working underground in the mines and a large
number of the persons living in these houses lost
their employment with the company. The company,
however, continued to receive ground rent from them
30 and let them continue to reside thereon. The allega-

M. ARAKI
Discussion.

tion of the company to the Custodian apparently was that the Japanese had no title to the houses. Some type of settlement was made with the company on a salvage basis.

10 At Lytton we had a case of a storekeeper who had erected a store on the premises, and the claim with respect to that building was held in abeyance pending argument and further evidence as to the actual agreement between the company and the Japanese. The original agreement apparently goes back to some time in 1888 or 1890, and so far I have been unable to find any evidence as to what the agreement was, and therefore, I propose not to withdraw the claim in this case, but not to press it at this time pending the outcome of the case at Lytton. If it is found that that the Japanese did have some right to these building as a result of the outcome of that case, then we may wish to file evidence in such manner as the Commissioner may approve in this case concerning the building.

20 With regard to the chattel claim, I would ask leave to reduce the chattel claim on the wardrobe to \$12.00, on the dresser to \$25.00, and to make the claim with regard to the beds limited to two beds and the value \$50.00 or a total claim of \$87.00.

DIRECT EXAMINATION BY MR. McMASTER:

30 Q: Witness, did you instruct Mr. Leckie to prepare this statement with regard to your personal chattels with respect to which you are making a claim?

A: Yes.

MR. McMASTER: Would you ask him to sign it, please?

(Interpreted) (Witness complies)

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

A: Yes.

MR. McMASTER: I would ask to file that as Exhibit No. 1.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. McMASTER: Does my friend have the Custodian's
10 claims analysis?

(Handed to Mr. McMaster)

I file on behalf of my learned friend the Custodians Analysis of Personal Property Claim as the next exhibit.

(ANALYSIS MARKED EXHIBIT NO. 2)

I would point out, with regard to the Custodians analysis, that he shows the three chattels claimed for as having been abandoned in one column, and in another column he shows that one bed and two mattresses
20 were stolen from the house. Perhaps my friend at least is prepared to admit that the beds at least were stolen.

MR. McTAVISH: One bed was stolen, your honour.

MR. McMASTER: One bed and two mattresses.

MR. McTAVISH: Yes, that is correct.

MR. McMASTER: I am producing from the Custodian's file, your honour, a letter dated September 28, 1943 purporting to be signed by Matt Brown, the Custodian's Agent from Cumberland, B.C., addressed to the Custodians office, re this claimant, which reads as follows:
30 (Reading)

Now, I would ask my friend if he could produce any document that shows that the wardrobe and the dresser were abandoned and one bed.

MR. McTAVISH: There doesn't seem to be anything on the file with regard to that, your honour.

MR. McMASTER: Perhaps in that case, your honour, I presume my friend will be adducing evidence to substantiate the claims analysis in that respect.

10 Q: Witness, did you have more than one wardrobe at these premises that you left behind?

A: I had one wardrobe with a mirror.

Q: And that is the one with respect to which you are making a claim?

A: He says, something to hang clothes in, which means a sort of dresser or wardrobe.

Q: Yes. Well, did he have more than one?

A: Yes, he had one each; one wardrobe and one dresser.

20 Q: Yes. Well, now, did he have any more than those two, put the question that way, one wardrobe and one dresser.

A: I had one more.

Q: Yes.
have any more.

A: No, he didn't

MR. McMASTER: Your witness. I am sorry, I have one more question, Mr. McTavish.

Q: With respect to these things concerning which you are claiming, were they all left at your premises at Cumberland?

A: Yes.

Q: Were they ever shipped to you or did you ever receive them?

A: No.

30 MR. McMASTER: Your witness.

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

Q: With regard to the property at Cumberland, you paid ground rent for this property?

A: I paid a nominal rent of 50¢ every month.

Q: And when did you last pay rent on the property?

A: I paid rent up to 1936.

Q: When you evacuated the property, did you complete this J.P. form?

10 A: This is my signature.

MR. McTAVISH: I put this in as Exhibit 4.

(J.P. FORM MARKED EXHIBIT 4)

MR. McTAVISH: The J.P. form, your honour, lists the articles claimed by the claimant, it shows their value. The value of the wardrobe and dresser is that claimed by the claimant. It lists the value of four beds as \$85.00.

No further questions, your honour, it is merely a question of value.

20 MR. McMASTER: No questions.

THE COMMISSIONER: Very good.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

Gordon Hambleton
G. Hambleton
Official Reporter.

Notes in Defence

In the Matter of the Claim of

Manzo ARAKIFile No. 5417Case No. 187Claim: Personal Property - Household Chattels

Amended amount of claim \$87.00

None sold by the Custodian.

Defence: Prices claimed for by the claimant are exorbitant.

Claim Analysis:

1. Abandoned by the claimant:

Wardrobe	\$12.00
Dresser	25.00
	<u>\$37.00</u>

A letter, dated Sept. 28, 1942 from the Custodian to the claimant stating that it is understood chattels which were left behind had no value, to which no reply was received.
'Acquiescence'

2. No account, theft. - reported stolen by letter dated Sept. 28, 1943 from Matt Brown to Custodian

2 Beds (Mattresses) \$50.00

This claim is merely a question of value.

Witnesses: 1. Possibly Mr. Shears to identify letter from the Custodian dated Sept. 28, 1942.

2. *Matt Brown*

HAC/mw

Form G

DEFENCE BRIEF

Vernon, B.C.
April 21, 1948.

Manzo ARAKI

File No. 5417

Case No. 187

PERSONAL PROPERTY CLAIMS

(All claims shown are Gross)

1. Chattel Claim

87.00

(a) Goods valued by claimant
at \$37.00

Sale Price

None sold.

Abandoned

Witness: F. G. Shears - to prove
letter dated Sept. 28, 1942
from Custodian to claimant.

(b) Goods valued by claimant
at \$50.00

No account, Theft.

Witness: Matt Brown - to prove
letter dated Sept. 28, 1943,
to the Custodian.

Summary of Defence
Witnesses

Where
Required

Summary of Documents
to be filed

Witness Proving
Same

F. G. Shears

1 (a)

Letter dated Sept. 28,
1942, from Custodian
to claimant.

F. G. Shears

Matt Brown

1 (b)

HAC/mw

Name of Claimant **ARAKI, Masao**
Custodian File **5417**

Case **187**

<u>REAL PROPERTY</u>										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village			
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Amount Total	Sale Price	Total Award 125% of all Sale Prices: % of Amount Total		
<u>PERSONAL PROPERTY</u>										
Motor Vehicles			Boats and Boat Gear							
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Not Found & Recorded Now Missing	45% of amount in next preceding column			
<u>NETS</u>										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing		Percentage Total Award to Total Claim		Claim for Nets Sold Declared Not Found, & Recorded Now Missing		Apply % ratio to Claim	Deduct Custodian Sale Price	
<u>MISCELLANEOUS CHATTELS</u>										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
			45%	75.00	34.50			34.50		
TOTAL RECOMMENDATION										34.50

5427

November 28th, 1950.

Mr. Manzo ARAKI,
Westbank, B. C.

Dear Sir:

Re: Japanese Property Claims Commission

Case No. 187

We have received from the Co-Operative Committee
on Japanese Canadians, our form of Release which has been
executed by yourself covering the award recommended under
the above Claims Commission for the sum of ... \$34.50.

Cheque in your favour is enclosed for \$34.50
and we have paid the Co-Operative Committee .. \$11
for legal fees as authorized by you.

Yours truly,

F.G. Shears
Director

FGS/js
1 encl.