

7750



QUEENSBOROUGH  
OFFICE OF THE CUSTODIAN  
JAPANESE SECTION

FILE NO. \_\_\_\_\_  
EXHIBIT NO. 1104-6  
DATE OCT 7 1948  
FILLED BY Th. J. J. J.

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: OMORI, Toyokichi  
HOME ADDRESS: 324 Mercer St., New Westminster, B.C.  
REGISTRATION NUMBER 08223 SEX: Male AGE: 61  
OCCUPATION: Retired

(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: \_\_\_\_\_

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Saya 7764

ADDRESS OF WIFE OR HUSBAND: 324 Mercer St., New Westminster, B.C.

NAMES OF ANY LIVING CHILDREN: Hideko (F) Yoshiya (F)

now 326 Mercer St.  
ADDRESS OF CHILDREN: 324 Mercer St., New Westminster, B.C.

AGE OF CHILDREN: 15, 10

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

1. LOCATION AND DESCRIPTION: Lot 9 of Lot 22, Block A of Lot 757,  
Group 1, Map 2461, Lulu Island City of New Westminster, B.C. ✓  
Title No. 66649E

2. BUILDINGS AND OTHER IMPROVEMENTS: 2 storey-house, 5 room dwelling  
woodshed,

3. INSURANCE (Give particulars; state where policies are) \$1500 on dwelling and furniture  
in Aetna Ins. Co., Policy in my possession

4. TAXES (Amount and where payable) \$19.60 for 1941, payable at New Westminster

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed) None

6. OCCUPANCY AND LEASES (If vacant so state) Myself



7. STATE WHEREABOUTS OF TITLE DOCUMENTS: Land Registry Office New Westminster

8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: None

9. IF FARM LAND STATE CROPS SOWN Fruit trees

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: See page 1

2. LANDLORD'S NAME AND ADDRESS: Myself

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: ---

4. STATE WHEREABOUTS OF LEASE: ---

5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid) ---

6. IF FARM LAND, PARTICULARS OF CROPS SOWN: ---

STATEMENT OF PERSONAL PROPERTY OWNED:

1. GIVE BRIEF DESCRIPTION AND STATE LOCATION OF FURNITURE, FIXTURES, EQUIPMENT AND MACHINERY, STOCK IN TRADE AND PERSONAL EFFECTS:

Household furniture including 3 double beds complete, 1 single bed, 3 chests, table, kitchen cabinet, stove, heater, chinaware, kitchen utensils, electric iron, carpenter tools, farm implements, books, Gramophone, 32 records, cutlery, clocks, sewing machine in the house at 324 Mercer St., New Westminster, B.C.

2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS: None

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY: None



4. INSURANCE CARRIED ON ABOVE PROPERTY: See page 1, No. 3

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)  
Four \$5 War Savings Certificates at home

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: None

2. TRADE DEBTS: 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.

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 5th day of May 1942. J. Onion

(Signature)

J. Wilkins  
Witness

FOR DEPARTMENTAL USE



INFORMATION FROM R.C.M.P.

DATE August 24, 1943.

Our File No. 7750

Full Name OMORI, Toyokichi  
(Surname in Block Letters)

Registration No. 08223      ☒ Male - Female  
(Check)      Age March 3, 1881.

Former Address 324 (now 326) Mercer Street, New Westminster, B. C.

Date Evacuated May 17, 1942.      ☒ Naturalized - Canadian-Born - National  
(Check)

Present Address Kaslo, B. C.      Fingal Hostel.      c/o Mr. Leonard Franceschini  
(Lettr. Aug. 21/42, to      Fingal, ONTARIO.      417 Lake Shore Road,  
Feb. 26/45)      (R.C.M.P. Jan. 14/47)      Mimico, ONTARIO.  
(Lettr. Jan. 24/47)

☒ Married - Single  
(Check)      Name of Wife <sup>nee</sup> (ABE) Sawa, Reg. No. 08224

Name of Husband \_\_\_\_\_

Name of Mother <sup>nee</sup> (SHIOTH) Tsune (Dec'd)      Name of Father OMORI, Eikichi (Deceased)

Names of Children under 16 Hideko August 28, 1926, Reg. #15712

Yoshiye March 22, 1931

Isamu, November 24, 1920, Reg. #07209, File No. 2347

Requested by G. M.      Registered with Custodian Yes  
(Yes or No)

Additional Information Retired. House at above address.



7750

OMORI, Toyokichi - Registration #08223 - Our File #McL.0013-1

HOME ADDRESS - 324 Mercer Street, New Westminster, B. C.

*now 326 "*

REAL PROPERTY - Lot 9, of Lot 22, Block "A", of Lot 757,  
Gp. 1, Map 2620, Lulu Island, City of  
New Westminster, B. C.

ASSESSMENT

Land -	\$	280.00
Improvements -	\$	475.00
Taxes -	\$	19.88 Paid to Dec. 31/41.


There is a 5 room, 2 story dwelling on this property as well as a large woodshed and wash house.

FIRE INSURANCE

There is \$1500.00 fire insurance in the Aetna Insurance Company Policy #13553, which will expire on October 5th, 1943. This policy covers \$1000.00 on the dwelling and \$500.00 on the contents.

This property has been rented as from May 17th for one year at \$10.00 per month to Mr. A. H. Ewart. The lease provides that the owner shall have the use of one room for storage. Under the terms of the lease, the rent is payable to A. N. MacIntosh Ltd.

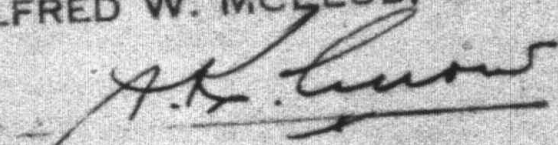
PERSONAL PROPERTY

This Japanese gave particulars on his "JP" Form of his furniture, although when we checked it, we found considerable more than he had listed. Some of the goods he stored in one room in the house, some he left to be used by the tenant, and the balance he was taking with him. We have made an Inventory of the goods in each one of these categories and have had the Inventory signed by the owner. We enclose for your information, copies of each of these.

We would like to know if we should contact the tenant and have him sign the Inventory of the goods which have been left for him to use. Also, if any change should be made in the matter of payment of rent.

AKG/LAF  
May 20/42.

ALFRED W. MCLEOD, LTD.





Date. October. 25th, 1944.

REAL PROPERTY MEMORANDUM

File No. 7750

Name. (Mr.) Toyokichi OMORI ..... Registration No. 08223...

Re: Catalogue No. 684

Address: 326 Mercer Street, New Westminster, B. C.

Legal Description: Lot 9, Block 22A, D.L. 757, Map 2461  
(Dwelling)

TITLE AND ENCUMBRANCES.

✓ A. Certificate of Title No. 66649E

Whereabouts: Land Registry Office, New Westminster. Search: June 23, 1942.  
Reg. No. 08223

Registered owner: Toyokichi OMORI

Property: Lot 9 of Lot 22, Block "A" of Lot 757, Group 1, Map 2461, City of New Westminster.

✓ B. Charges.

Registered: Nil

✓ Vesting: In Custodian. Filing No. 24201. June 26, 1942.

Unregistered: No evidence found.

Taxes: \$19.60 (1943). Pd. in full to Dec. 31, 1943. Arrears: Nil

\$19.60 (1944). Pd. in full to Dec. 31, 1944.

Water: \$5.25 (net) quarterly. Pd. for 3 mos. ending Sept. 30, 1944.

Insurance: \$1,000.00. Expiry date, Sept. 5, 1946.

Assessed Value: Land: \$280.00

Improvements: \$475.00

Valuation by Appraiser: \$600.00

✓ Amount of Bid: \$600.00

✓ Approved by Advisory Committee: October 23, 1944.

✓ Paid as shown in attached letter: \$600.00 paid in full.

✓ Name of transferee as attached letter: Alexander George Sutherland, &

Anna Sutherland, his wife

313 Blackley St. New Westminster, B.C.

ADMINISTRATION.

Tenancy: Monthly tenure (state consideration & whether including or excluding furniture or equipment)

Rented unfurnished on a month-to-month basis to Mr. A. Kostymynck at \$10.00 monthly.

Leasehold: (State period, consideration & unusual clauses and whether including or excluding furniture or equipment)

Nil

Memorandum compiled by:

Chattels: Particulars of those stored on the premises.

Nil

Administration Department.

Named Agent: A. N. McIntosh, Limited.



File No. 7750

OMORI, Toyokichi (Mr.)

Reg. No. 08223

326 Mercer St., New Westminster, B.C.

Picture taken June 4th, 1943.





File No. 7750

July 14, 1948.

REAL PROPERTY MEMORANDUM

Re: (Mr.) Toyokichi OHORI  
Registration No. 08223

Catalogue No. 684.

One Real Property only included, being:

Lot 9 of Lot 22 Block "A" of Lot 757, Group 1,  
Map 2461, City of New Westminster.

Location: 326 Mercer Street, New Westminster, B. C.

Assessment: (1944) City lot and dwelling.

Land.....\$280.00  
Improvements.....\$475.00  
TOTAL - \$755.00

Note: Vacant land in New Westminster may be purchased from  
the City for approximately one-half its assessed value.  
There is no tax on improvements and land values are  
accordingly high.

Valuations (Appraised by R. Alstead of Westminster Trust Company)

Land and Buildings.....\$600.00

Claimant's Valuations:

Land and Buildings.....\$1500.00

Sold to Mr. & Mrs. A. G. Sutherland for ....\$ 600.00

Other Offer Received:

May 1, 1944.....Mr. Libbo Singh.....\$ 500.00.

Relative documents attached to Claim File.

WJS/mms

  
.....



REAL PROPERTY SUMMARY

EXHIBIT No. 1104-10

DATE OCT 7 1945

FILLED BY

R. K. D. Christie

File No. 7750

Catalogue No.: 684

Japanese Name: (Mr.) Toyokichi OMORI

Reg. No. 08223

Civic Address: 326 Mercer Street, New Westminster, B. C. (formerly 324)

Legal Description: Lot 9 of Lot 22, Block "A" of Lot 757, Group 1, Map 2461, City of New Westminster.

Classification: Dwelling.

-----S O L D-----

Registered in the name of: Toyokichi OMORI

State of Title: Clear

Whereabouts of Title: Land Registry Office, New Westminster, B. C.

Vesting: In Custodian, Filing No. 24201, June 26, 1942.

Sold to: Mr. Alexander George Sutherland, rip sawyer, of 313 Blackley Street, New Westminster, B. C., and his wife, Anna Sutherland, of the same address, as Joint Tenants, for \$600.00 (cash). Date of Sale, November 17, 1944.

Title delivered by registered mail to the new owners, Mr. and Mrs. Alexander G. Sutherland, with our letter dated February 26, 1945.

Funds derived from above sale released to credit of Toyokichi OMORI, Registration No. 08223, File No. 7750, on February 24, 1945.

Insurance: Transferred to purchaser.

Chattels: Not involved.

ADMINISTRATION:

Mr. Toyokichi OMORI, in his JP Form dated May 5, 1942, declared the following Real Property: "Lot 9 of Lot 22, Block A of Lot 757, Group 1, Map 2461, Lulu Island City of New Westminster, B. C. Title No. 66649E."...(with)..."2 storey, 5 room dwelling woodshed." Occupancy "Myself".

The above-mentioned property declared by Mr. Omori was located at 326 Mercer Street, New Westminster, B. C., which was formerly 324 Mercer Street. Letter regarding change in number of house received from the City of New Westminster dated November 8, 1944.

In a report of A. W. McLeod, Ltd., dated May 20, 1942, the following information is given concerning these premises:

"Assessment: Land \$280.00, Improvements: \$475.00

Taxes: \$19.88. Paid to December 31, 1941.

Tenancy: This property has been rented as from May 17, 1942, for one year at \$10.00 per month to Mr. A. H. Ewart. The lease provides that the owner shall have the use of one room for storage. Under the terms of the lease, the rent is payable to A. W. MacIntosh, Ltd."

P.T.O.



REAL PROPERTY SUMMARY CONTINUED

( 2 )

Catalogue No.: 684

File No. 7750

Before being evacuated on May 17, 1942, Mr. Toyokichi Omori made a Lease dated May 14, 1942, with Mr. A. H. Ewart, covering the rental of the above property from May 16, 1942, for the term of one year thence ensuing for the sum of \$10.00 monthly.

According to said Lease Mr. Ewart was to have the option of renewing the Lease from year to year, and Mr. Omori was to have one room upstairs in the dwelling reserved for storage.

Further, a stove, kitchen table and kitchen cabinet belonging to Mr. Omori were to be included in the rental of \$10.00 for the use of the Lessee.

Mr. Ewart vacated the premises on February 15, 1943, and Mr. Joseph Sarty became the tenant on a month-to-month basis. He remained until September 15, 1943, and the next occupant was Mr. A. Kostyminek, who remained the tenant until the property was sold.

Revenues received from rentals were more than sufficient to cover operating expenses. Funds were also forwarded to Mr. Omori for personal expenses.

Mr. and Mrs. A. G. Sutherland paid \$600.00 for this property which is the same as Mr. R. Alstead's appraisal. His valuation report, dated April 27, 1944, appears on file.

Deed of Land in favour of Alexander George Sutherland and Anna Sutherland, as Joint Tenants, was filed on December 28, 1944, and Certificate of Title No. 181776-E in their names was mailed to them with our letter dated February 26, 1945.

Completed statements regarding the sale of the above property were forwarded to Mr. Omori with our letter dated March 9, 1945.

The above summary is certified to be in accordance with the information on file.

.....  
Administration Department.

WJJ/HMS  
January 13, 1947.



STATEMENT RE SALE OF:

Catalogue No: 684

Name: OMOR, Toyokichi

File No: 7750

Street Address: New Westminster, B.C. Reg. 08223

Legal Description: Lot 9, Lot 22, Blk. A. D.L. 757

Date of Sale and Adjustments ..... Nov. 17/44

Sale Price

\$ 600.00

Real Estate Agent's Commission

\$30.00

Charge for Valuation

7.50

Charge for Advertising

4.00

Land Registry Office Transmission Fee

2.50

~~Encumbrances:~~

~~Unpaid vendor~~

~~Mortgages~~

~~Arrears of Taxes~~

~~Other charges~~

Adjustments:

Fire Insurance

3.60

Taxes

2.36

Water

2.49

44.00

\$ 608.45

Net Proceeds credited to your account

\$64.45

March 7th, 1945.

Date: .....

Mr. George Peters

Compiled by: .....



Catalogue No. 684  
File No. 7750  
326 Mercer St., New Westminster  
9/22/1/757/2461

February 20, 1945.

ALEXANDER GEORGE SUTHERLAND AND ANNA SUTHERLAND  
(purchasers)

In account with The Custodian of Enemy Property

STATEMENT OF ADJUSTMENTS

(As at November 17, 1944)

	DEBIT	CREDIT
Purchase price	\$600.00	
Cheques received		\$600.00
Registration fees on deed - \$600.00	5.20	
Water paid to Dec. 31/44 - quarterly \$5.25 - 44 days @ 5-65/100¢ a day	2.49	
Insurance premium - 60¢ x \$6.00	3.60	
Purchasers proportion of 1944 taxes - 44/365 x \$19.60	2.36	
Balance owing by purchaser		13.65
	\$613.65	\$613.65

BALANCE OWING BY PURCHASER \$13.65



Catalogue No. 684  
File No. 7750  
326 Mercer Street  
New Westminster, BC  
9/22/A/757/2461  
Certificate of Title No. 181776-E

Control of property covered by Certificate of Title No. 181776-E and described above is by us hereby acknowledged and we agree that all adjustments and incidents connected with the sale to us of this property have been settled.

Dated at New Westminster this 23rd day of February 1945.

Signed A. G. Sutherland

Signed Mrs A. G. Sutherland

Return to the Custodian



Catalogue No. 684  
File No. 7750

To The Office of the Custodian,  
506 Royal Bank Building,  
Vancouver, B. C.

Dear Sirs:-

Re: 326 Mercer St. New Westminster

I understand that any Japanese effects and furniture on the premises are not included in the sale. These will be removed by the Custodian as soon as possible but in cases where the furniture is included in the lease to the present tenant it cannot, of course, be removed until he is ready to vacate the premises. I undertake to give the Custodian at least two weeks notice of the date on which the tenant is vacating the premises and to allow the Custodian access to the premises in order to remove the furniture at a reasonable and convenient time following the termination of the lease.

Yours faithfully,

*E. J. Gauthier* Signed

Return to the Custodian



File No. 7750.  
Catalogue No. 684.

February 6th, 1945.

MEMORANDUM

TO: Mr. George Peters

FROM: Mr. D. A. Gramer

Toyokichi OMORI  
City of New Westminster  
Lot 9 of Lot 22, Blk. "A" of Lot  
757, Gp. 1, Map 2461.

With reference to the above property which was recorded in the New Westminster Land Registry Office, dated December 29th, 1944, we attach herewith the following documents in connection therewith.

1. Copy of application number 181775-E, dated December 28th, 1944, registering the property in the name of the Custodian (Transmission).
2. Copy of application number 181776-E, dated December 28th, 1944, registering the property in the names of Alexander George Sutherland and Anna Sutherland - Joint Tenants (Deed).
3. Duplicate of Transmission dated December 12th, 1944.
4. Duplicate of Deed dated December 12th, 1944 - Secretary of State to Alexander George Sutherland and Anna Sutherland - Joint Tenants.
5. Certificate of Indefeasible Title number 181776-E, dated January 25th, 1945, covering the above property in the names of Alexander George Sutherland and Anna Sutherland - Joint Tenants.

*D. A. Gramer*

DAC:JS  
Attch.



File No. 7750.  
Catalogue No. 664.

December 6th, 1944.

MEMORANDUM

TO: Mr. E.W. Wright

FROM: Mr. Ian Macpherson

Toyokichi OMORI - Reg. No. 08223  
City of New Westminster  
Lot 9 of Lot 22, Blk. "A" of Lot  
757, Op. 1, Map 2461, Certificate  
of Vesting No. 24201.

We enclose herewith the following documents in  
connection with the sale of the above described property.

1. Original Certificate of Encumbrance.
2. Transmission in duplicate.
3. Deed in duplicate.....ALEXANDER GEORGE SUTHERLAND  
and ANNA SUTHERLAND (Joint Tenants).
4. Copy of letter showing to whom sold and price  
paid for the property.
5. Memorandum from the Administration Department  
confirming valuation, and approval of Advisory  
Committee.
6. Real Property Memorandum from Administration Dept.

Certificate of Indefeasible Title Number 66649-2 is in  
the Land Registry Office, New Westminster, B. C.

*Ian Macpherson*

IMM  
Encs.







File No. 7739

January 14, 1947.

LIABILITIES SUMMARY

Re: (Mr.) Toyokichi OMORI  
Registration No. 08223

The above named Japanese declared no liabilities, and  
no claims against him appear to have been received.

The above summary is certified to be in  
accordance with the information on file.

  
.....  
ADMINISTRATION DEPARTMENT.

WJH/MS



7750

March 9th 1945.

Mr. Toyokichi OMORI,  
Registration No. 08223,  
Kaslo, B. C.

Dear Sir:

Re: Catalogue No. 684  
326 Mercer Street,  
New Westminster, B.C.  
Lot 9, Lot 22, Blk. A, D.L. 757

Please be informed that the above property has been sold as of November 17th 1944, for the sum of \$600.00. An independent appraisal of this property has been obtained and the sale approved by the Advisory Committee.

Rents, less expenses, up to the mentioned date, have been credited to your account and adjustments of unearned taxes and insurance premiums have also been credited to you.

The net result of this sale appears on an attached statement, and the proceeds have been credited to your account. We are also enclosing a general statement of your account up to date which includes the net figure to which reference has already been made.

Yours truly,

W. J. Johnston,  
Administration Department.

WJJ/HMS  
Encl. (2)  
c.c. B. C. Security Commission.



FILLED BY

*K. A. B. Smith*

# This Indenture

Made in duplicate the **Fourteenth** day of **May** in the year of Our Lord one thousand nine hundred and forty **-two**.

## IN PURSUANCE OF THE "SHORT FORM OF LEASES ACT"

Between:

**TOYOKICHI OMORI of 324 Mercer Street, City of New Westminster, Province of British Columbia.**

Insert full Names, Addresses and Occupations of parties.

hereinafter called the "Lessor" of the First Part:

And

**A. H. SWART of 324 Mercer Street, New Westminster, Province of British Columbia.**

hereinafter called the "Lessee" of the Second Part:

Witnesseth, the said Lessor doth demise unto the said Lessee, his executors, administrators and assigns, All and Singular that certain parcel or tract of land and premises situate, lying and being in the **City of New Westminster, Province of British Columbia** and being No. **324 Mercer Street** and more particularly known and described as ~~lots eight (8) and nine (9)~~ of **lot TWENTY-TWO (22) of Block "A"** of **lot SEVEN HUNDRED AND FIFTY-SEVEN, Group ONE (1)** according to Map or Plan filed in the Land Registry Office at **New Westminster, B.C.** and numbered **2461**.

The following furniture is included in the rental, and is to be returned at the expiration of the lease:-

**Stove, kitchen table and kitchen cabinet.**

Together with all buildings thereupon erected, or hereafter during the term hereby granted, to be erected, and also with all ways, paths, passages, waters, water courses, privileges, advantages and appurtenances whatsoever to the said premises belonging or otherwise appertaining.



From the Sixteenth day of May 1942 term of One Year thence ensuing. Yielding during the said term therefor the rent of \$.11/100 Dollars.

of lawful money of Canada, payable on the following days and times that is to say:

On the SIXTEENTH day of each and every month in advance said monthly payments to be made at the office of A. H. HEDGECOCK, Ltd., 25 Lomb Street, New Westminster, B. C.

It is understood and agreed that the Lessee shall have the option of renewing this lease from year to year at the same rentals and payable on the same dates for the duration of the term. It is also understood and agreed that one room upstairs in the within-described dwelling is to be reserved for storage.

the first payment to be made on the fourteenth day of May 1942.

That the said Lessee covenants with the said Lessor to pay rent; and to pay rates for water, electric light, gas and telephone.

And to repair; and to keep up fences; and not to cut down timber;

And the said Lessor may enter and view state of repair, and that the said Lessee will repair according to notice.

And will not assign without leave; and will not sublet without leave.

And that he will leave premises in good repair;

And that he will not carry on any business that shall be deemed a nuisance on the premises.

Provide for re-entry by the said Lessor on non-payment of rent, or non performance of covenants.

Provide for re-entry on seizure or forfeiture of the said term.

The said Lessor covenants with the said Lessee for quiet enjoyment.



And also that if the term hereby granted shall be at any time seized or taken in execution or in attachment by any creditor of the Lessee, or if the Lessee shall make any assignment for the benefit of creditors, or becoming bankrupt or insolvent, shall take the benefit of any act that may be in force for bankrupt or insolvent debtors the then current rent shall immediately become due and payable and the said term shall immediately become forfeited and void.

And it is hereby Declared and Agreed that in case the premises hereby demised or any part thereof shall at any time during the term hereby granted be burned or damaged by fire or tempest so as to render the same unfit for the purpose of the Lessee then the rent hereby reserved or a proportionate part thereof according to the nature and extent of the injuries sustained, and all remedies for recovering the same shall be suspended and abated until the said premises shall at the option of the Lessor have been repaired or made fit for the purpose of the Lessee.

Provided always and it is hereby agreed by and between the parties hereto that if the said Lessee shall hold over after the expiration of the term hereby granted and the Lessor shall accept rent, the new tenancy thereby created shall be a tenancy from month to month and not a tenancy from year to year, and shall be subject to the covenants and conditions herein contained so far as the same are applicable to a tenancy from month to month.

Wherever the singular or the masculine are used in this Indenture, the same shall be deemed to include the plural or the feminine, or the body politic or corporate; also the heirs, executors, administrators, successors and assigns of the respective parties hereto and each of them, (where the context or the parties so require).

In Witness Whereof the said parties have hereunto set their hands and seals the day and the year first above written.

Signed, Sealed and Delivered  
IN THE PRESENCE OF

Signature of Witness

Street Address

City or Town

Occupation

*Wm. Maden*  
*284 Wm St.*  
*New Haven Conn.*  
*Notary Public*

*T Mori*

*A. H. Everett*



File No. 7750

January 14, 1947.

PERSONAL PROPERTY SUMMARY

Re: Toyokichi OMORI  
Registration No. 08223

CHATELS: Toyokichi OMORI, in his JP Form dated May 5, 1942, declared ownership of the chattels left at 324 (now 326) Mercer Street, New Westminster, B. C. Disposition of these effects will be found in the Chattel Summary and Schedule on this File.

SECURITIES: Toyokichi OMORI declared four \$5.00 War Savings Certificates but these did not come under the control of the Custodian.

NO PROPERTY INTERESTS, OTHER THAN THE ABOVE-MENTIONED, APPEAR ON THIS FILE.

The above summary is certified to be in accordance with the information on file.

  
.....  
Administration Department.

WJJ/HMS



MEMORANDUM

EXHIBIT No. 1104-13  
DATE OCT 7 1948  
FILED BY

File No. 7750

K A G. Martin  
October 21, 1948

To: The file

From: Mr. Iverson

Re: OMORI, Toyokichi  
326 Mercer St. New West.  
CHATELS

The following items were abandoned as not being worth the cost of removal:

- ✓ 2 drawers
- ✓ 3 kitchen chairs
- ✓ 1 kitchen table
- ✓ 2 double beds & springs
- ✓ 1 single bed
- ✓ 1 linoleum in 3 Rms. 7 Window Shades ✓

I certify that the foregoing items were of no commercial value in my opinion.

*[Signature]*

The following items were not found on this property:

- ✓ pots & pans 3.6 gal. CROCKS
- ✓ chinaware
- ✓ 1 table lamp
- ✓ vacuum-cleaner 1 DINING Rm Table
- ✓ glassware
- ✓ 4 fruit & 1 cake plate
- ✓ 3 - 6 gallon crocks
- ✓ miscellaneous kitchenware.

The last tenant was questioned as to the foregoing missing items, but was unable to give us any information as she states that there was a tenant on the property before her. This former tenant cannot be located.

All the effects on this property have been removed or listed as missing, or abandoned. The file therefore, can be closed insofar as chattels are concerned.

WJI:LM

*[Signature]*



NAME OSORI, Isamu

REGISTRATION NO. 07209

FILE NO. 2347

*Original sent Nov. 18/44*  
The following chattels were sold by public  
auction at New Westminster, B. C. on August 30, 1944.

- Vacuum Cleaner

\$ 26.00

Total

Less Expenses: (Auctioneer's Fee: \$ 2.60  
(Advertising: 0.68  
(Moving: 4.47

Net Proceeds Credited:

\$	26.00
\$	7.75
\$	<u>18.25</u>

Members of Custodian Staff Present.

Mr. Iverson

Extracted from Auctioneering List No.

New Westminster 13.

Remarks.



NAME OMORI, Toyokichi (Mr.)

REGISTRATION NO. 08223

FILE NO. 7750

The following chattels were sold by public  
 auction at New Westminster, B. C. on August 30, 1944.

7 Chairs	\$ 4.00 F
Sideboard	5.50 F
Picture and Frame	0.50
Chest drawers	8.00 F
Chest drawers	0.50 F
Hat stand	0.50
Bed and mattress	2.50 F
Fish grill	1.00 K
Range	9.00 F
Phonograph	5.00 F
Board and wringer	1.50 K
Phonograph	4.00 F

Total

(Auctioneer's Fee: \$ 4.20

42.00

Less Expenses:

(Advertising: 1.10

12.52

(Moving: 7.22

Net Proceeds Credited:

29.48

Members of Custodian Staff Present.

Mr. Iverson

Extracted from Auctioneering List No.

New Westminster 13.

Remarks.



"a"

324 Mercer Street,  
New Westminster, B. C.,  
May 16th, 1942.

Messrs. Alfred W. McLeod Ltd.,  
50-52 Sixth Street,  
New Westminster, B. C.

Dear Sirs:-

I wish to advise you that the following  
articles of personal property are being stored in a  
Room Upstairs at the above address, which will be locked:-

a 2 Drawers	a 1 Kitchen Table
a 3 Double Beds S	M Pots and Pans
a 3 Double Bed Springs S	M Chinaware
1 Double Bed Mattress S	M 1 Table Lamp
M 1 Dining Table	Vacuum Cleaner
3 M 10 Chairs 7 Sold	a Linoleum
1 Buffet S	a 7 Window Shades
1 Gramophone S	M (1 Box Glassware
+ 1 Sewing Machine +	(4 fruit & 1 cake plates)
1 Kitchen Stove S	a 1 Single Bed left
1 Kitchen Cabinet S	
M 3-6 gal crocks	
M misc. kitchen ware	

S. sold by auction 20/8/44  
New Westminster 13

Yours very truly,

J. G. Mori

+ to be shipped - see Oct correspondence.

S sold at auction  
a abandoned  
M missing



CHATTEL SUMMARY

File No. 7750

Sept. 24/45

RE: Toyokichi OMORI

The above Japanese declared on May 5/42 the ownership of the following goods at 324 Mercer St., New Westminster, B.C.:

3 Double beds, complete	Carpenter's tools
1 Single bed	Farm implements
3 Chests	Books
1 Table	Gramophone
1 Kitchen cabinet	32 Records
Stove heater	Cutlery
Chinaware	Clock
Kitchen utensils	Sewing machine
Electric iron	

He was evacuated on May 17/42 and under date of May 16/42 he advised the Custodian that he was taking away certain of his possessions from this address and leaving a few effects for the use of the tenant. The remainder of his chattels were to be left in a locked room in the house.

A succession of tenants occupied the house and preparatory to an auction of Japanese chattels certain goods belonging to OMORI were removed to the auction rooms. These are shown on the auction sheets on file and the amount realized, namely \$29.48, has been credited to this account.

Under date of Oct. 20/42 we released his sewing machine to Messrs. A. N. McIntosh Ltd. for shipment to OMORI. A vacuum cleaner listed by T. OMORI was the property of X. OMORI, File 2347. *same*

The attached schedule covers the disposal or otherwise of inventoried effects.

The above summary is certified to be in accordance with the information on file.

Sept. 24/45

WJI:LEW

*[Signature]*  
W. J. Iverson



CHattel SCHEDULE

File No. 7750

Sept. 24/45

RE: Toyokichi OMORI

<u>INVENTORIED</u>	<u>SOLD</u>	<u>MISSING</u>	<u>ABANDONED</u>
1 Kitchen cabinet	"		
Linoleum on 3 floors (nailed down)			"
Kitchen range	"		
Kitchen table			"
1 Double bed complete	"		
<u>STORED IN A LOCKED ROOM</u>			
2 Drawers			"
3 Double beds & springs & mattresses	1		2
1 Dining table		"	
10 Chairs	7	3	
1 Buffet	"		
1 Gramophone	"		
1 Sewing machine	Shipped		
1 Kitchen stove	Sold		
1 Kitchen cabinet	"		
3-6 gallon crocks		"	
Misc.kitchen ware		"	
1 Kitchen table			"
Pots and pans		"	
Chinaware		"	
1 Table lamp		"	
Vacuum cleaner (Property of I.OMORI)			
Linoleum			"
7 Window shades			"
1 Box glassware		"	
4 Fruit & 1 cake plate		"	
1 Single bed			"

Under date of Nov. 16/44 a report discloses the condition of chattels when goods were removed to auction rooms.

WJI:LEH

  
W. J. Iverson



CHattel SUMMARY

File No. 2347

Sept. 22/45

RE: Isamu OMORI

The above Japanese declared on April 9/42 that he left the following effects in care of his father, Toyokichi OMORI, at 324 Mercer St.

- 1 Vacuum cleaner
- 1 Bicycle

In addition he declared a radio left in charge of the Police.

Under date of Nov. 3/44 he admits that the bicycle was taken away by his sister.

Under date of March 2/44 his radio was removed to our auction salesroom and sold for the net sum of \$75.56. The vacuum cleaner, which was also declared by his father, was removed from 324 Mercer St. and sold at auction sale under date of Aug. 30/44 for the net sum of \$18.25. Copies of sales sheets were mailed to Mr. OMORI on Nov. 18/44. The vacuum cleaner, although declared by the father, was found to belong to the son, Isamu OMORI, and the proceeds credited to his account.

The above summary is certified to be in accordance with the information on file.

Sept. 22/45

WJI:LEW

  
W. J. Iverson



MEMORANDUM

FILE NO. 7750

February 7, 1945.

TO: Mr. Green *J. Johnson*

FROM: Mr. Iverson

RE: Tovokichi OMORI

Mr. Anderson and the writer investigated the matters referred to in your memorandum of February 2nd, and it would appear to be a minor squabble between the two women.

Mrs. Kostymynck who was located at 510 Royal Avenue, New Westminster, admits taking away some of the light fixtures, namely drop cords and/or sockets. The value of these would not be very high. Mrs. Kostymynck said that she had renewed these cords when she went into the house and they were her property.

The kitchen and front room floor covering she admits having burned and her explanation is that the covering in the house when she became a tenant was worn out and she threw it out, replacing it with her own. This in turn she ripped out and burned in view, she says, of Mrs. Sutherland or the agent ~~seeing~~ ~~her~~ ~~was~~ ~~at~~ ~~the~~ ~~house~~ giving her notice to vacate.

The extra windows in the wood shed were her own property and had been brought from Blue River. We are satisfied as to this.

Finally Mrs. Kostymynck was very voluble over Mr. MacIntosh's refusal to take her rent money and this seems to have touched off the fire works.

Without prejudice we are, at Mr. Johnson's request, giving Mrs. Sutherland a few old drop cords which are unidentified and also will arrange to satisfy her in the matter of a floor covering.

WJI:LEW

*9/2.*  
*Saw Mrs. M. Sutherland*  
*and explained whole matter*  
*to her. No gain for gain offer*  
*and they were satisfied. The*  
*matter is now closed.*

*WJI*  
*Mr. Iverson and Anderson will*  
*see Mrs. Sutherland tomorrow &*  
*endeavour to make her happy.*



MEMORANDUM

File No.: 7750

February 2nd, 1945.

To: Mr. R. M. Anderson

From: Mr. H. F. Green

Re: Toyokichi OMORI

Further to Mr. Iverson's memorandum of January 26th, we have now heard from Mrs. Sutherland, the purchaser of 326 Mercer Street, that Mrs. Kostymynck, the former tenant, left the premises on Sunday, January 28th. It is claimed that the latter has taken with her or removed the following.

- (1) Light fixtures *by Mr. Iverson*
- (2) Kitchen floor covering (burnt before moving) *right*
- (3) Front room floor covering *disposed of*
- (4) Extra windows in wood shed. *property of Mrs. K.*

While I do not think this office has any obligation with regard to these articles and it is up to Mrs. Sutherland to take action, I would like you to call on Mrs. Kostymynck now at 508 Royal Avenue, and question her as to the action noted above.

*510 Royal Ave.*

HFG:IF

*+ because they all go into the house*

*Please do this Monday  
advise Bill Iverson or me*

*[Signature]*



MEMORANDUM

File Nos. 7737, 1835, 7750

November 16th, 1944.

To: The File

From: Mr. Iverson

Re: TAHARA, Ayako  
TAHARA, Noboru  
OMORI, T.  
Missing Chattels

At the time chattels were removed from this house to auction sale, the tenant, Mrs. Kostymynck was questioned about the effects that were missing. She stated that there had been tenants before her and that whatever effects were found in a room upstairs (which must have been unfastened) were removed by her to the kitchen at back of house. She could supply no further information.

References: A. Inventory, May 16th, 1942.  
B. Inventory of used effects, May 16th, 1942.  
C. Inventory effects taken May 16th, 1942.  
D. Acknowledgment by tenant.  
E. Letter Tahara, October 18th, 1944.

\* A. H. Ewart, former tenant, now living in house situated in 200 Blk. Ewen Ave.

*Woff.*

WJL/MB

⊙ Mrs. Kostymynck has moved to 508 Royal Avenue or 510

JAN 30/45. AN. MACINTOSH STATES MRS. KOSTYMINCK, TOOK WITH HER, LIGHTING FIXTURES & LINOLEUM. MR. EWART STATES THESE BELONG TO HOUSE. SEE LETTER DATED JAN. 29, 1945.



MEMORANDUM

File Nos. 7737, 1835, 7750 ✓

November 2, 1944

To: The File

From: Mr. Iverson

Re: TAHARA, Ayako  
TAHARA, Noboru  
OMORI, T.  
CHATTLES

This is a family group and their belongings were all  
left or removed to 324 Mercer St. (now 326).

All effects have been liquidated and credited to File  
7750 pending proof of ownership.

References a Inventory May 11/42  
b of these effects  
c effects taken  
d acknowledgment by Sena  
e Letter, Tahara Oct 18/44

WJI:LM



File No. 7750  
Reg. No. 08223

Torokichi OMORI

<u>Date</u>	<u>Particulars</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
1942 October 16	Taxes			
December 12	Rents collected	\$ 19.88	\$ 60.00	
	Agent's commission	3.00		
	Water	10.50		
	Drawing lease	2.50		
	Decorating	14.50		
		19.60		
		1.00		
		9.50		
1943 September 10	Taxes			
	Land Registry Office - Certificate of Encumbrance		120.00	
	Fire Insurance premium	6.00		
	Rents collected	21.00		
	Agent's commission	5.00		
	Water	19.60		
	Repairs	60.00		
			29.48	
			1.50	
			110.00	
1944 September 19	Taxes			
	Cheque to you			
	Proceeds Auction Sale			
	Refund fire insurance premium			
	Rents collected	5.50		
	Agent's commission	21.00		
	Water to 31st December	.20		
	Credit re sale of property			
	Long distance telephone call			
		666.65		
			666.65	
1947 January 23	Cheque to you			
March 25	Cheque returned & recredited to account	\$ 885.43	\$1,552.08	

CR \$ 666.65

Accounting Department  
July 1948, 1948



March 8th, 1945.

Mr. F. P. Bernard,  
Honorary Viceconsul for Spain,  
Vancouver, B.C.

RE: Miss Hideko OMORI

Dear Sir:

We have for acknowledgment your letter of March 5th relative to an inquiry from Miss OMORI. We would first point out that Miss OMORI did not declare any property or belongings and we presume she refers to her father's effects.

You are no doubt aware that there is in effect a Government policy of liquidating Japanese effects. When our representatives called at her father's late home to remove the family effects, it was found that a great many of the items listed on his declaration were missing. We wrote Miss OMORI on September 21st and advised her that the Japanese books she required would be shipped, however a search amongst the effects did not disclose any books, and we should appreciate it if you would pass this information on to her.

In the meantime there is nothing further that we can do unless Miss OMORI cares to contact and obtain some books written in the Japanese language and belonging to other people. It may be said that we have in storage a fair quantity of these.

Yours truly,

W. J. Iverson  
Protection Department.

WJI:LEW





CONSULADO DE ESPAÑA

VANCOUVER

No. 28

March 5, 1945

EVACUATION SECTION	
Rec'd	MAR 7 1945
File No.	43/907750
Ans.	8/27/45
Referred	J. Bernard

The Custodian,  
Royal Bank Building,  
Vancouver, B. C.

Dear Sir:

I have today received a letter  
from Miss Hideko Omori, of Kaslo B. C.,  
as per copy enclosed.

Would it be possible for you to  
locate these books and records, and  
ship them to Miss Omori?

Yours very truly,

F. D. Bernard  
Honorary Viceconsul  
for Spain

FPB/RA  
Encl.



KASLO, B.C.,  
February 26th, 1945.

Mr. F. P. Bernard,  
Honorary Viceconsul of Spain,  
Vancouver, B. C.

Dear Sir:

About six months ago, I asked the Custodian to send all books printed in Japanese, which was stored at our house on 324 Mercer Street, New Westminster, B. C. My mother requested to have these books forwarded as reading material is very scarce. The release of these books were okayed by the Supervisor and about a month later, the Custodian reported that they cannot find the books in the house. In the last letter from the Custodian, it was stated that our things were taken out from the house and stored at another place, probably for auction. Could you investigate this matter and see if the books are stored in another place or not and send it if located. There are a few records left in the drawer of the gramophone which I also would like to have, especially the one in a blue box.

If you will let me know as soon as the books are located, I will contact the Custodian and make the necessary arrangements to have these books sent and charged to my father's account. Thank you.

Yours truly,

(Miss) Hideko Omori



7750

November 30, 1943.

Mr. Toyokichi OMORI,  
Registration No. 08223,  
Kaslo, B. C.

Dear Sir:

Re: 324 Mercer Street.

We are in receipt of your letter of the 17th instant and note your remarks in connection with Mr. A. H. Ewert, the tenant to whom you rented your property before leaving Vancouver. We regret to have to advise you that Mr. Ewert vacated your property in February of this year, and it is therefore impossible for us to make any claim on him in connection with the decorating which you state he was supposed to pay for. The new tenant is Mr. A. Kostyminck, and Mr. A. N. MacIntosh is still looking after the rental of your property.

We might add that your house is being well taken care of and, as shown by the statement which we forwarded to you, there has been very little expense in connection with the up keep of your property.

Yours truly,

W. J. Johnston,  
Administration Department.

WJJ:EB



CAT. #684

NOV 27 1947

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

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

7750

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

- (1) NAME OMORI JOYOKICHI (RCMP) Reg. No. 08223  
(Print) Surname Given Name
- (2) Pre-Evacuation Address 324 Mercer St New Westminster B.C.
- (3) Present Address 541 Eastern Ave. Toronto
- (4) REAL ESTATE
- (a) Street Address (if any) 324 Mercer St New Westminster B.C.  
City or Municipality, Province
- (b) Legal description (lot number, block number, section number, etc.) Lot 9 of Lot 22  
Block 1. DL 757
- (c) Type of Real Property (cross out words which do not apply):  
(i) ~~Farm~~  
(ii) Residence Type of business \_\_\_\_\_  
(iii) ~~Business~~  
(iv) Any other type of property (describe) \_\_\_\_\_
- (d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.) sole owner
- (e) Fair market value at date of sale (estimate this to the best of your ability):  
(i) Land - - - - - \$ \_\_\_\_\_  
(ii) Buildings - - - - - \$ \_\_\_\_\_  
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - \$ \_\_\_\_\_  
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - \$ 3500  
(v) Amount at which Custodian sold property and credited your account - - - \$ 600 ✓  
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 2900
- (5) PERSONAL PROPERTY
- (a) Place or places at which property was left by the claimant at date of evacuation at above address
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.) \_\_\_\_\_
- (c) How stored or packed at time of evacuation all boxed up furniture left in house

(over)



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

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

	Estimated Value \$
1. <i>Trunk &amp; household goods lost</i>	600.00
2. <i>by Custodian</i>	
3. <i>lost by Custodian for</i>	29.98
4. Estimated Value \$	
5. Estimated Value \$	
6. Estimated Value \$	
7. Estimated Value \$	
8. Estimated Value \$	
9. Estimated Value \$	
10. Estimated Value \$	
TOTAL CLAIM FOR PROPERTY LOSS \$ 70.52	

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

(f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e)) *70.52*

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

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

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

DOMINION OF CANADA

TO WIT:

*I. Simon*

*Lethbridge*

DO SOLEMNLY DECLARE THAT:

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

DECLARED before me at the *city*

of *Lethbridge*

in the *county of*

this *27th* day of *November*

A.D. 1947.

*J.A. Brown*

A Commissioner &c.

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



Name of Claimant **OHORI, Toyokichi**Case **1104**Custodian File **7750**

<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		Sale Price	Total Award 125% of all Sale Prices		
						% of Total	Amount		% of Total	Amount	
		600	60.00	30.00 12.50							102.50
<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				
134.50	41.00	12.30	30.37%	235.25	71.47						
TOTAL RECOMMENDATION										186.27	



7750

November 3rd, 1950.

Mr. Toyokichi ONORI,  
541 Eastern Ave.,  
Toronto 8, Ontario.

Dear Sir:

Re: Japanese Property Claims Commission

Case No. 1104

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 ... \$186.27.

Cheque in your favour is enclosed for \$186.27  
and we have paid the Co-Operative Committee .. Nil  
for legal fees as authorized by you.

Yours truly,

FCS/js  
1 encl.

F.G. Shears  
Director



DEFENCE BRIEF

Toyokichi OMORI

File No. 7750

Case No. 1104

Toronto, Ontario.

Oct. 7/48

REAL PROPERTY CLAIM  
(All claims shown are Gross)

1.  
Claim

\$3500.00

Appraised at

\$600.00

Sold for

\$600.00

Witness: Valuator, R. Alstead of the Westminster Trust Company.

"5 room 1½ storey frame house in poor condition Water outside". Claimant stated (Trans. P.4 - L 23) pipes came into kitchen.

Only two offers received:

May 1/44 \$500.00 - would not increase to \$600.00  
Oct. 19/44 - \$600.00 - accepted.

Submission: "It is submitted that the real property was sold at its fair market value.

PERSONAL PROPERTY CLAIM

2.  
Claim

\$447.75 Amended, reduced from \$600.00.

(a) Goods valued by claimant at \$134.50 sold by auction for \$41.00

Witness: Trapp Motors. Auctioneers  
W.J. Iverson, attended  
auction

(b) " " " " " 20.75 declared but not found

(c) " " " " " 103.00 abandoned  
Witness: W.J. Iverson

(d) " " " " " 189.50 not accounted for theft etc.  
Witness: W.J. Iverson.

\$447.75

Submission: "It is submitted that the personal property which was sold was sold at its fair market value."

Summary of Witnesses

R. Alstead  
Trapp Motors  
W.J. Iverson

Where Required

1.  
2 (a)  
2 (a) (c) & (d)

Appraiser  
Auctioneers  
Staff

HA



1  
2 IN THE MATTER OF THE "INQUIRIES ACT"  
3 PANEL, REVISED STATUTES OF CANADA 1957, CHAPTER 90

4  
5 JAPANESE PROPERTY CLAIMS COMMISSION

6  
7 B E F O R E

8 HIS HONOUR, JUDGE J.A. McGINNON, SUB-COMMISSIONER

9  
10 Toronto, Ontario,

11 October 7, 1962.

12  
13  
14  
15  
16  
17  
18  
19  
20 IN THE MATTER OF THE CLAIM OF  
21 TOYOKICHI OHSU

22 PROCEEDINGS AT HEARING

23 A P P E A R A N C E S

24 H.A. CHRISTIE, K.C., appearing for the Dominion  
Government,

25 R.A. BENT, Esq., appearing for the Claimant.

26  
27 A. SMITH, Esq., Secretary,

28 C.M.B. UPTON, Esq., Official Interpreter,

29 A.C. VAITCH, Esq., Official Reporter.



T. Otori,  
DIP. EX.

TSUYOKIHI OTORI, the claimant herein, being first  
duly sworn, testified through  
the interpreter as follows:

DIRECT EXAMINATION BY MR. BEST:

Q. Is that your signature?

A. Yes.

Q. And was that document prepared upon your  
instructions? A. Yes.

MR. BEST: I am submitting particulars of  
Real Estate other than Farm Land, as Exhibit 1.

THE SUB-COMMISSIONER: Very well.

(PARTICULARS OF REAL ESTATE, OTHER THAN FARM  
LAND, MARKED EXHIBIT NO. 1)

MR. BEST: Q. I understand that you formerly  
lived at 324 Harcor Street in New Westminster. Is  
that correct?

A. Yes.

Q. There is one point I would like to clear up.  
You are certain the street number was 324?

A. Yes.

Q. I see. A. It was on the corner.

Q. I see. Now, you owned that house on the  
corner? A. Yes.

MR. CHRISTIE: I will tender the certificate  
of ownership as Exhibit No. 2.

(CERTIFICATE OF OWNERSHIP, MARKED EXHIBIT  
NO. 2)

MR. BEST: Q. Now, according to your claim  
this was a frame two-storey house. Is that correct?

A. Yes.

Q. And you purchased the land on which that



T. Omeri,  
Dir. ex.

1 house stands in 1935? A. Yes.

2 Q. For \$300. Is that correct?

3 A. Yes.

4 Q. Now, what was on the land at the time you  
5 bought it?

6 A. There was a house on it.

7 Q. The whole house was there when you bought it?

8 A. Yes.

9 Q. In 1935, you have stated in your claim, you  
10 rebuilt the kitchen and you rebuilt the upstairs.  
11 Would you just explain to us what you mean by that?

12 A. I enlarged the kitchen in 1935 or 1936  
13 and I also enlarged the upper storey.

14 Q. And it was for that work that you expended  
15 the \$900?

16 A. Yes. No, I did not put it down in a book.

17 MR. HUNT: I wonder if my friend would submit  
18 his appraisal at this stage? Perhaps we can direct a  
19 few questions towards that.

20 MR. CHRISTIE: I am tendering as Exhibit 3  
21 the appraisal of the West Minister Trust Company valued  
22 at \$900.

23 (APPRAISAL, APRIL 27, 1944, MARKED EXHIBIT  
24 NO. 3)

25 MR. HUNT: Q. Mr. Omeri, according to your  
26 claim, this was a two-storey house of five rooms.  
27 According to the terminology used by the West Minister  
28 Trust Company officer it is a storey and a half. How  
29 many rooms were there in the upstairs?

30 A. Five.



1 Q. You mean five rooms in the whole?

2 A. Yes.

3 Q. And how many on the second floor?

4 A. Two upstairs.

5 Q. Two rooms upstairs? A. Yes.

6 Q. Is the kitchen at the back of the house?

7 A. Yes.

8 Q. With a separate roof?

9 A. Yes.

10 Q. I see. Well now, apparently you reshingled  
11 that kitchen roof in 1937 and the rest of the house in  
12 1938. Is that correct? A. I am not quite certain  
13 of the date but I did the kitchen before the other  
14 parts.

15 Q. With respect to this woodshed which you  
16 built, was that attached to the house?

17 A. It was attached to the house.

18 Q. Now, according to the appraisal the water  
19 was outside but according to your claim from the  
20 water came into the kitchen. Was there a pipe  
21 right into the kitchen inside, in the house?

22 A. The pipes came into the house, into the  
23 kitchen.

24 Q. I see. A. Three-quarter inch pipe.

25 Q. You lived in this house from 1925 until  
26 the time you were evicted?

27 A. Yes.

28 Q. And how big a family lived in the house?

29 A. Seven.

30 Q. Seven? A. Yes.



1 Q. What would you say about the general  
2 condition of the house?

3 A. The posts of the foundation have been, had  
4 been removed and the condition of the house generally  
5 was good.

6 Q. Well now, when you say the posts were  
7 removed, I take it you mean they were replaced, removed?

8 A. Removed.

9 Q. One further question about this real estate.  
10 What about the general trend of real estate values  
11 in this part of NewWest Minister from the time you  
12 bought it in 1925 until you were evicted; had it  
13 gone up or down?

14 A. I could not say with regard to that.

15 Q. Is that your signature (Indicating)?

16 A. Yes.

17 Q. And was that form prepared upon your  
18 instructions?

19 A. I cannot read English.

20 Q. Now, you asked somebody to prepare that  
21 form for you?

22 A. Yes.

23 MR. BENT: The personal chattels claim.

24 MR. CHRISTIE: As amended.

25 MR. BENT: Yes; that is correct; as amended.

26 (PARTICULARS OF PERSONAL CHATTELS CLAIM,  
27 MARKED EXHIBIT NO. 4)

28 Q. Now, when you were evicted you had  
29 certain furniture and chattels in your house. Is that  
30 correct? A. Yes.



T. SAKI,  
MR. C.

Q. Some of them were left in the house and others you took with you. Is that correct?

A. Yes. I left the rest in the upper rooms.

Q. I see; and the Custodian took over at that time and got the key to the house?

A. Yes. I gave the key to an agent of the Custodian.

Q. I see.

If my friend would like to submit the Analysis at this time, your honour?

MR. CHRISTIE: I tender as Exhibit 5 the Analysis of Personal Property Claim, as amended.

(ANALYSIS OF PERSONAL PROPERTY CLAIM, AS AMENDED, MARKED EXHIBIT NO. 5)

MR. BENT: Q. Mr. Saki, Apparently there was a sewing machine which was left at the time of the evacuation, but it was sent to you in October 1942. Is that correct?

A. Yes.

Q. So that you are not claiming for that?

A. No.

Q. And then the vacuum cleaner which appears on the Analysis; apparently that belonged to your son and it was his. Is that it?

A. Yes.

Q. Well, now, Mr. Saki, you have here one dining-room table, 10 chairs and a Buffet, apparently a complete dining-room set, for which you are claiming \$70; and according to your claim you purchased that



1 in 1941. Is that correct? A. Yes.

2 Q. These two drawers that are valued at \$12.50,  
3 do you mean by that two chests of drawers?

4 A. Two chests of drawers.

5 Q. In respect of this linoleum for which you  
6 are claiming \$38, was it laid in the house or had you  
7 taken it up before you left?

8 A. It was left on the floor.

9 MR. BERT: That is all.

10  
11  
12 CROSS-EXAMINATION BY MR. CHRISTIE:

13 Q. Mr. Otori, I am showing you a J.P. Form,  
14 dated May 5, 1942. Is that your signature (Indicating)?

15 A. Yes.

16 MR. CHRISTIE: I am tendering this as Exhibit 6.  
17 (J.P. FORM, MARKED EXHIBIT NO. 6)

18 And I am producing here a lease dated May 14,  
19 1942, between Toyokichi Otori, as lessor and A.R. Swart  
20 as lessee. Is that your signature to the lease  
21 (Indicating)? A. Yes.

22 Q. And, this property was leased at the sum  
23 of \$25. per month?

24 A. Yes.

25 Q. And the following furniture was included in  
26 the rental, stove, kitchen table and kitchen cabinet?

27 A. Yes.

28 MR. CHRISTIE: I am tendering this as Exhibit  
29 No. 7.

30 (LEASE, MAY 14, 1942, FOR ONE YEAR, MARKED  
EXHIBIT NO. 7)



T. Small,  
Clerk.

Q. I am showing you a photo. Is that a photo  
of your property? A. Yes.

MR. CHRISTIE: I am tendering the photo of  
the claimant's property as Exhibit 8.

(PHOTO OF CLAIMANT'S PROPERTY, MARKED  
EXHIBIT NO. 8)

Q. Of what kind of wood was it constructed?

A. Fir and ship-lap.

Q. And, was the house painted?

A. I painted it, yes.

Q. You painted it? A. Yes.

Q. How recently? A. 1927 or 1928.

Q. 1927 or 1928? A. Yes, sir.

Q. I think you told my friend there was no  
basement. Is that correct? A. No, no base-  
ment.

MR. CHRISTIE: I wish to tender at this time  
the Notice of Assessment, 1944, as Exhibit No. 9.

(NOTICE OF ASSESSMENT, 1944, MARKED EXHIBIT  
NO. 9)

The assessment: (\$220, assessed value of land; assessed  
value of improvements \$473.

Q. Of what kind of wood were the dining-room  
table, chairs and buffet made?

A. Hardwood.

Q. Pardon? A. Hardwood.

Q. What type of hardwood, - maple or oak?

A. It was something like this (indicating  
table.)

Q. Do you know the kind of wood?

A. I am afraid I do not.



T. Omeri,  
Ct. Cl.

Q. With respect to the kitchen-ware, was that tin or enamel-ware?

A. There were not many of tin; it was mostly enamel.

Q. I am showing you three letters, two dated May 16, 1942 and one dated August 11, 1942. Is that your signature in each case? It is your name, I do not know whether or not it is your signature.

A. These are my signatures.

Q. Whose signature is that on the letter dated August 11, 1942? A. My daughter's.

MR. CHRISTIE: I will not delay the Commission reading the details of these letters but they are to the effect, - the one letter of May 16 -

THE SUB-COMMISSIONER: To whom are they written?

MR. CHRISTIE: Alfred W. McLeod, Limited, the one dated May 16 and in that letter he states the articles which he has left in the house to be used by the tenant.

I am submitting thence Exhibit 10, all of them.

The other letter of May 16 is to the same company, Alfred W. McLeod, Limited and he says he is taking certain personal property with him and a list is set out there and I wish to call to your honour's attention that among these articles are 24 records and a bicycle.

MR. BUSH: We are not claiming for those, or the bicycle.

MR. CHRISTIE: And the letter of August 11 is to A. Watson, Secretary of the Japanese Property Claims Commission, and he says: "The following were the



1 articles which were stored at the above address,  
2 Mr., now  
3 referring to SBI Harrow, West Hinstor, and then a list  
4 follows.

5 (THREE LETTERS, AS DESCRIBED, MARKED EXHIBIT  
6 NO. 10)

7 Q. I think you told my friend that the  
8 linoleum was attached to the floor?

9 A. Yes.

10 Q. That is all, thank you.

11 MR. BRY: It was abandoned, though, not sold  
12 with the real property, apparently.

13 MR. CHRISTIE: Yes.

14 MR. BRY: No further questions. That is the  
15 case.

16 MR. CHRISTIE: It is submitted that the real  
17 property was sold at its fair market value; it is  
18 submitted that the personal property which was sold  
19 was sold at its fair market value.

20 I have a certain group of documents which I  
21 wish to tender. They are fairly lengthy. I think  
22 these tenders may very well be submitted as one  
23 exhibit. There is, first of all, a tender dated May 1,  
24 1944 or Lihbo Singh for \$500. Then, the second  
25 tender is dated May 31, 1944 and it is signed "K.K.  
26 Reid on behalf of Lihbo Singh" and it states that "Mr.  
27 Singh will not increase his tender to \$600."

28 The third letter is an offer of Alexander  
29 George Sutherland and Anna Sutherland for \$600., dated  
30



October 19, 1944.

(THREE TENDERS, MARKED EXHIBIT NO. 11)

I think perhaps in fairness to my friend I ought to file an auctioneer's sheet dated October 27, 1944 and without reading the whole thing there is one matter of particular interest. It says: "The following items were abandoned as not being worth the cost of removal: 3 drawers, 3 kitchen chairs, 1 kitchen table, 2 double-bed and springs, 1 single bed, linoleum in three rooms."

I am filing that as Exhibit 12.

(AUCTIONER'S SHEET, MARKED EXHIBIT NO. 12)

And, finally as Exhibit 13, the Real Property Summary.

(REAL PROPERTY SUMMARY, MARKED EXHIBIT NO. 13)

That concludes the case for the defense, your honour.

THE SUB-COMMISSIONER: Very well.

(PROCEEDINGS ADJOURNED SINE DIE)

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

*A. G. Whitton*  
"A. G. WHITTON"  
Official Reporter.

I, John A. Hallibon, Deputy Commissioner, appointed to hear a Commission to investigate claims of Japanese Canadians for property loss, do certify the foregoing is a true copy of the evidence heard on the within claim.

*John A. Hallibon*  
Deputy Commissioner