Name of Claimant HAMAGAKI, Ito Case 1062

Custodian File 12995
5983

REAL PROPERTY

Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)			V.L.A. Mission Village			Total
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Total	Amount	Sale Price	Total Award 125% of all Sale Prices: % of Total	Amount	
5000.00					108.						1000.00 86.40

PERSONAL PROPERTY

Motor Vehicles		Boats and Boat Gear						
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Not Found & Recorded Now Missing	45% of amount in next preceding column	

NETS

Total award for Nets plus Sale Price	Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing	Percentage Total Award to Total Claim	Claim for Nets Sold Declared Not Found, & Recorded Now Missing	Apply % ratio to Claim	Deduct Custodian Sale Price	

MISCELLANEOUS CHATTELS

Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price	

TOTAL RECOMMENDATION	1086.40

CASE NO: 1062.

JAPANESE PROPERTY CLAIMS COMMISSION

Toronto, Ontario,

May 20th, 1948.

IN THE MATTER OF THE CLAIM OF

(MRS.) ITO HAMAGAKI.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 1062

IN THE MATTER OF THE "INQUIRIES ACT"

PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99.

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(THE HONOURABLE MR. JUSTICE H.I. BIRD, COMMISSIONER).

Toronto, Ontario,

May 20th, 1948.

IN THE MATTER OF THE CLAIM OF

(MRS.) ITO HAMAGAKI.

PROCEEDINGS AT HEARING.

APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
F.A. BREWIN, Esq.,	appearing for the Claimant.

A. WATSON, Esq.,	Secretary.
D.J. HANDFORD, Esq.,	Official Interpreter.
T.P. HORROBIN, Esq.,	Official Reporter.

MR. BREWIN: My lord, this morning we will start with Nos, 73 and 74, Mrs. Hamagaki.

THE COMMISSIONER: Are you treating them as one claim?

MR. BREWIN: Yes, I think so, my lord. My lord, in this case Mrs. Hamagaki was quite seriously injured in a motor accident just a day or so ago. Her husband, who is familiar with all the facts, is here.

THE COMMISSIONER: I will hear him, but I would like it if you would file the letter from her when it can be obtained.

TEIICHI HAMAGAKI, a witness called on behalf of the claimant herein, being first duly sworn, testified through the Interpreter as follows:

DIRECT EXAMINATION BY MR. BREWIN:

Q Mr. Hamagaki, you are the husband of Mrs. Ito Hamagaki? A: Yes.

Q And I understand your wife just a day or two ago had quite a serious motor accident?

A Yes, over on the corner by Eaton's store.

Q We perhaps don't need to investigate the accident now, but she is in St. Michael's Hospital?

A She is in St. Michael's Hospital and I went just now but they say I can't see her this morning, maybe after one or two.

Q Now, Mr. Hamagaki, you were with your wife and assisted her in the preparation of the claim to be put before this Commission? A: Yes.

Q Now, first of all, I will present your claim in

respect of four acres of land sold to the Soldiers Settlement Board, Lot 4, Block 6, District Lot 692. You have signed this on behalf of your wife, have you? A: Yes.

Q And doesthis form set out the facts that you and your wife gave to your solicitors just a day or so ago? A: Yes.

Q And are the facts set out there correct?

A Yes.

(STATEMENT MARKED EXHIBIT NO. 1).

MR. BREWIN: Perhaps we might have the Soldier Settlement Board appraisal now.

MR. HUNTER: I would file the Soldier Settlement Board appraisal Exhibit 2, my lord.

(APPRAISAL MARKED EXHIBIT NO. 2).

MR. BREWIN: Q: Now, Mr. Hamagaki, I assume that apart from what you have put on this form there isn't a great deal you can tell us about this property, is there? Apart from the information given on this form, there isn't very much you can tell us about, is there? A: Is this Georgia Street?

Q No, this is the four acre farm. Is there anything more you want to tell us about that farm?

A No, I don't think so.

Q You think it is all there is?

A Yes.

THE COMMISSIONER: What distance is your home from the wharf at Grantham's Landing?

A I think about twenty miles.

Q Twenty miles? A: Yes, about twenty miles from Vancouver to Bowen Island.

Q No, Grantham's Landing.

A Oh, Grantham's Landing? Oh, about a half a mile fromthe wharf.

Q Is it on the road to Pender Harbour?

A Gibson's Landing.

Q Oh, on the road to Gibson's? A: Yes.

MR. BREWIN: Q: Now, Mr. Hamagaki, I am going to go on from there to your claim in respect to the other property whihh is 349 to 351 East Georgia Street in Vancouver. A: That number is a mistake. 347 to 349, I think.

THE COMMISSIONER: That does not make any difference. I presume the legal description is there.

MR. BREWIN: Q: Yes. I am showing you a form that has been completed in respect of that. Is that signed by you? A: Yes, I signed that.

Q And that, too, was completed with your wife's assistance? A: Yes.

Q And are the facts set out there correct to your knowledge? A: Yes, I think so.

(STATEMENT MARKED EXHIBIT NO. 3).

Q Now, Mr. Hamagaki, this form shows that the buildings consisted of a store and a rooming house, is that correct? A: Yes, that is correct.

Q And in 1942 apparently this store was rented for $20.00 a month, is that right? A: Yes.

Q And the rooming house for $70.00 a month?

A Yes.

Q And was that all of the rooming house or was there a part which was kept by Mrs. Hamagaki herself?

THE WITNESS: A: No, just one room andkitchen.

Q Just one room and kitchen that wasn't included in the lease? A: The one was kept for use for storage. One room, pay for it $10.00.

Q I didn't follow that. A: I paid $10.00 for the one room.

Q Who paid? A: Ito.

THE COMMISSIONER: Mr. Interpreter, I think it safer to proceed through yourself rather than attempt to understand his English.

THE INTERPRETER: A: After evacuation, we paid ten dollars a month rent for storage on one room.

MR. BREWIN: I perhaps might ask my friend this: There apparently was, according to the information some difficulty about title at one stage. Are you raising the question about that now?

MR. HUNTER: No, my lord.

MR. BREWIN: Thank you.

Q Then, Mr. Hamagaki, I understand that you received some offer to purchase this property, is that correct? A: Yes.

Q I want to get the full particulars of that. Who was the man who made the offer to you?

A A man who had been occupying one of the rooms named Bartoze, a Spaniard.

Q I think I have his name more correctly, because I think he was the eventual purchaser. Was his name Bartolez? A: Yes.

Q When did he make the offer to you?

A About June, 1942.

Q Yes, and did you have any lawyer acting for you in connection with that offer?

A I had some documents drawn up by a lawyer, but the actual transaction was put through between this man and my wife and myself.

Q That is the arrangement was made and afterwards he went to the lawyer, is that right?

A In connection with the sale there was to be a payment of $300.00 down payment, or deposit, rather.

Q I think we might get through faster if you would just ask him to answer the particular questions I put to him. I want to know who was the lawyer who drew up the documents?

A George Robertson.

Q Of Vancouver? A: Yes.

Q And what was the amount of the offer? What was he going to pay? A: $10,000.00 cash, including Victory bonds.

Q And I understandthere was a $300.00 deposit intended to be paid? A: Yes.

Q And I understand they went to the Royal Bank, the East End Branch on Hastings Street and Mr. Bartolez -- did he get the money, is that right?

A Yes.

Q Perhaps a little leading will help us through this, my lord. Mr. Bartolez didn't have an account there, but he had an account in another branch, is that right? A: Yes.

Q And to make a long story short, he wasn't able to get the $300.00 immediately. They told him he could get it in a few days, is that right?

A Yes, that is correct.

Q And did Mr. Robertson actually draw up the deeds?

A Yes.

Q And were they signed by you? A: Not by me. My wife signed.

Q Did your wife actually sign it? A: Yes.

Q What happened to the transaction? Why wasn't it completed? A: After about 2 or 3 days Mr. Bartolez said he had bought some other property and didn't wish to go through with the deal, and my wife being old said in that case we wouldn't sell at all. She depended on it for the rest of her life for some income.

Q I think you actually paid the lawyer his fees for drawing the deed, did you? A: My wife paid $5.00, and after some trouble Mr. Bartolez paid some more.

Q Were there any other offers received for this property from any other persons?

A Yes. There was another offer from a man named Morris and one from Okomura, a broker.

Q I want a little more detail. Who was Mr. Morris?

A Mr. Morris was a broker in Vancouver.

Q How much did he offer to pay?

A I think about $7000.00.

Q And when was that offer made?

A Right after the deal with Bartolez fell through.

Q Was the offer accepted? A: No, it wasn't.

Q Then he mentioned a Japanese broker, Mr. Okomura. He is now dead, I believe, is he?

A I don't know, he might be.

Q What offer did he make? A: $7500.00 after one week. About one week later.

Q About a week later, in 1942, again?

A Yes.

MR. BREWIN: I think that is all, thank you.

CROSS-EXAMINATION BY MR. HUNTER:

MR. HUNTER: It is submitted, my lord, that the farm property and the urban property both sold for their fair market values. I would tender the appraisal of Johnson, Reeve & Watson on the Vancouver property, or a detailed appraisal dated the 24th of July, 1943, in which they appraise the market value of this property at $4,000.00, made by Mr. Reeve.

(APPRAISAL MARKED EXHIBIT NO. 4).

MR. HUNTER: Q: I show you a photograph, Mr. Hamagaki, is that a photograph of the premises in Vancouver?

A Yes.

MR. HUNTER: I tender this photograph of premises known as 349 Georgia Street as Exhibit 5.

(PHOTOGRAPH MARKED EXHIBIT NO. 5).

Q Is that a letter written by your wife?

A Yes.

MR. HUNTER: I call your Lordship's attention to the

sixth paragraph of this letter dated June 20th, 1946, written by the claimant to the Deputy of the Custodian, which says:

"Actually Mr. Bartoze Seddell offered me $10,000.00 cash and with Victory Bonds for the property but I refused the offer because it was worth more. I wanted to keep the property as a source of income for my husband and myself in our old age."

Q You didn't refuse the offer, did you, it fell through? A: I wished to sell but my wife didn't.

Q She accepted the offer and signed the deed, didn't she? A: Yes. She signed, but she changed her mind.

Q She changed her mind when the deal fell through, is that not right? A: Yes.

(LETTER MARKED EXHIBIT NO. 6).

Q Is this a copy of a letter that your wife wrote to the Deputy Minister of Justice?

A Yes.

MR. HUNTER: I refer, your Lordship, to the second page of this letter, dated June 20th, 1946, written to the Honourable F.P. Varcoe, Deputy Minister of Justice, "Bartoze Seddell, who had willingly offered to pay $10,000.00 cash with Victory Bonds for this property, but I refused it as I wanted to keep it for the sake of the remaining years of our lifetime as we are getting older every year".

I tender that as Exhibit 7.

(LETTER MARKED EXHIBIT NO. 7).

MR. HUNTER: This city property, my lord, was advertised in catalogue No. 110. The assessed value for 1943 was land, $1050.00, improvements $7900.00, making a total of $8950.00. In response to the advertisement only one offer was received, from Faddiez Bartosz, which was accepted and it was sold to him as of August 6th, 1943. There was considerable delay in giving title to this property due to the fact that the claimant had only agreed to purchase under an agreement to purchase and the vendors were an English estate, and as it was during the war and one of the trustees of the estate had died and the other had moved, it took a long time to get hold of it. The purchase price paid by Mrs. Hamagaki in February, 1936, was $4500.00.

THE COMMISSIONER: That is shown on Exhibit 3, is it?

MR. HUNTER: Yes. It is entirely a question of value, my lord. There are no further questions. On the farmland, I guess I didn't give you the sale price of that, did I?

THE COMMISSIONER: No.

MR. HUNTER: It was sold for $108.00, my lord.

THE COMMISSIONER: What was the sale price paid by Bartosz, $5000.00?

MR. HUNTER: $5000.00, my lord.

THE COMMISSIONER: That is all, Mr. Hamagaki, thank you.

MR. BREWIN: My lord, Mr. Hamagaki wants to give one word of explanation about something.

THE COMMISSIONER: I do not think there is any need of it. I have everything I require.

MR. BREWIN: It is in relation to the small price paid of $4500.00. I had thought of asking him that in re-examination.

THE COMMISSIONER: All right.

MR. BREWIN: Q: Mr. Hamagaki, you wanted to say something about the purchase price of $4500.00 that was paidfor the property. What did you want to say about that?

A When I purchased in 1936 for $4500.00, the building was in very poor shape and I had to spend many thousands of dollars repairing the roof and other parts of the building, and at that time the roomers were mostly on relief and there were very hard times.

THE COMMISSIONER: All right, Mr. Hamagaki. We have all this in your written statement which has been filed by your counsel. That is all I require of you. Thank you.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

T. P. Horrobin

"T.P. HORROBIN"
Official Reporter.

Case 1062

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.

ACKNOWLEDGED
[illegible]
File 2995 / Toronto

73

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

(1) NAME HAMAGAKI (Print) Surname ITO (Wife of Teiichi) Given Name (RCMP) Reg. No. 07111

(2) Pre-Evacuation Address 349 East Georgia Street, Vancouver, B. C.

(3) Present Address c/o Mr. B. Beare, 93 Dunvegan Road, Toronto, Ontario.

(4) REAL ESTATE

(a) ~~Street Address (if any)~~ Farm land located at Cranthamls Landing, City or Municipality, British Columbia Province

(b) Legal description (lot number, block number, section number, etc.) ~~Lot 4, Block 6, D.L.692~~
4 acres with house

(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 - - - - - - - - - - - - - - - - $~~200.00~~
(ii) Buildings and improvements - - - - - - - $~~200.00~~
(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) - $~~400.00~~
(v) Amount at which Custodian sold property and credited your account - - $ 108.00
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $~~292.00~~

(5) PERSONAL PROPERTY

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

(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

(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") _____

_____

_____

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

1. _____ Estimated Value $_____
2. _____ Estimated Value $_____
3. _____ Estimated Value $_____
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 $_____

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) - $ 292.00

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

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

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

DOMINION OF CANADA)
Province of Ontario)
TO WIT:)

I, ITO HAMAGAKI of the City of
of Toronto in the Provine of Ontario

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 Toronto-)
in the County of York)
this 20th day of November)
A.D. 1947.)

Ito Hamagaki

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.

_____

_____

_____

_____

93 Dunvegan Road,
Toronto, Ontario.
c/o Mr. S. B. Beare.

June 20, 1946.

The Honourable F. P. Vareoe,
Depyty Minister of Justice,
Ottawa, Ontario.

Honourable Sir:

I sent a petition on the previous dates of July 13th, 1943, and May 12th, 1944.

I and my husband and daughter have obeyed all regulations and the laws of this country and during the war have co-operated with the Government disposal plan to move East of the Rocky Mountains. Therefore, in compliance with the government orders we came to Toronto, Ontario, last July, 1945, and now lacking funds to meet living expenses, both my husband and myself went to work as domestic servants at Mr. S. B. Beare, 93 Dunvegan Road, Toronto. But we are old and find this work extremely hard on us, but we have to do work in this poor job as domestic servants. Of course we were willing and patient for any hardship in the emergency of war, that is until the end of war.

My husband and I were naturalized in this country as British subjects in May 1910, at the Vancouver Court House, in the Province of British Columbia, and my daughter, Mary, was born in the City of Vancouver. We were more than 35 years in Vancouver, and I have had the property to save for a little provision for old age, that the income was around a Hundred dollars ($100.00) each month from the rents in this building.

It was my wish not to sell this property, and I sent the petition on the date of July 13th, 1943. We are willing to do anything for this country, even to use my property for a war emergency, but I wish to keep that property and do not wish to sell it, as I had sent the petition.

However, I have had a letter from the Custodian in Vancouver, April 19th, 1944, as you know it which I was sent. The petition on the date of May 1944, that informed from Custodian said my property was sold on August 1943, after I had received your letter of August 14, 1943, in regards to my petition in which I request to keep my property not to have the Custodian of the Enemy Alien sell it, and I wished to be recognized as a Canadian Citizen, and not as an enemy alien and I was very grateful to you for the favour and was pleased and hopeful because my request was realized and granted, but however, my property was sold by the Custodian without any notice nor my consent as I did not sign to the Custodian to control or to sell it. Also the price of sale was outrageous Five thousand dollars ($5000.00) only it was like giving it away and that deal to same

purchaser, Bartoze Seddell, who had willingly offered to pay Ten thousand dollars ($10,000.00) cash with Victory Bonds for this property, but I refused it as I wanted to keep it for the sake of the remaining years of our lifetime as we are getting older every year. This is just before I evacuate to the camp at Tashme, B.C., on October 1942. Also, the value of that property was Fifteen thousand dollars $15,000.00) or more at that time, but the Custodian has sold it for Five thousand dollars ($5000.00) to the same purchaser which I refused it. The Custodian has deducted $906.00 for paid on right to purchase, also $614.00 to purchase, and also has charged Two hundred and fifty dollars ($250.00) for commission also Seventy-five dollars ($75.00) as legal fees, besides expenses for the deed and documents.

Now I have a very small amount of balance and I am getting a small cheque of Forty dollars ($40.00) each month which is sent by the Custodian for our cost of living since we had evacuated at Tashme, B.C., and came to Toronto, Ontario. But this small amount from the cheque ($40.00) is not enough for one month's rent of house in the City of Toronto, and my husband and I are forced to work and support ourselves as domestic servants, which we have not such experience for 35 years while living in V Vancouver. Of course we should be patient for any hardship for the duration of the war as emergency, but now the war is over and the peace is declared. Therefore I would be very pleased to know what treatment is to be given for the damage of the loss of my property as a Canadian Citizen by naturalization.

I earnestly plead and desire to be allowed to present claims for war damage like other innocent victims of war, and to have the assurance of bodily sustinence for the remaining years of our lifetime.

I earnestly plead that this realization be granted to me and I shall be gratefully obliged. Both my husband and myself and our daughter have always hoped to be good loyal Canadian citizens.

I have the honour to be,
Yours respectfully,

Ito Hamagaki,
c/o Mr. S.B. Beare,
93 Dunvegan Road,
Toronto, Ontario.

Toronto, November, 19th, 1947.

The Honourable, Mr. Justice Henry Irvine Bird,
Commissioner,
Department of the Secretary of State,
Vancouver, B.C.

Dear Sir :-

Enclosed please find two forms of claim (in duplicate) duly verified by statutory declaration, in connection with properties located at 349/351 East Georgia Street, Vancouver, B.C. and Grantham's Landing, B. C., owned by me at the time of evacuation and sold by the Custodian.

Very truly yours,

Ito Hamagaki

Address:-

Mrs. Ito Hamagaki,
c/o S. Beare, Esq.,
93 Dunvegan Road,
TORONTO, ONT.

P.S. Enclosed herewith are two copies of the letter which I Have written to The Honourable F. P. Vareoe, Deputy Minister of Justice.

I. H.

NOV 24 1947

Case 1062

NOV 24 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.

ACKNOWLEDGED
By

File 17995 Toronto

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

(1) NAME HAMAGAKI (Print) Surname ITO (Wife of Teiichi) Given Name (RCMP) Reg. No. 07111

(2) Pre-Evacuation Address 349 East Georgia Street, Vancouver, B. C.,

(3) Present Address c/o Mr. B. Beare, 93 Dunvegan Road, Toronto, Ontario.

(4) REAL ESTATE

(a) Street Address (if any) 349-351 East Georgia Street, Vancouver, B. C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
Lot 17, Block 87, D.L. 196

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

(i) ~~Farm~~
(ii) ~~Residence~~ Type of business Rooming house
(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.~~) Assessment value City of Vancouver at time of evacuation Land $1,050.00, Buildings $7,900.00.

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

(i) Land - - - - - - - - - - - - - - - - - $

(ii) Buildings Had offer of $10,000.00 in 1942 - $ but did not want to sell.

(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - - - - - - - - - - - $ 10,000. or more

(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - $ 10,000.00 or more

(v) Amount at which Custodian sold property and credited your account - - $ 5,000.00

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 5,000.00 or more

Back rent charged to me 614.00

$5,614.00

(5) PERSONAL PROPERTY

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

(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

(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") _____

_____

_____

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

1. _____ Estimated Value $_____
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8. _____ Estimated Value $_____
9. _____ Estimated Value $_____
10. _____ Estimated Value $_____

TOTAL CLAIM FOR PROPERTY LOSS $_____

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) - $ 5,614.00

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

Toronto, Ontario

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

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

DOMINION OF CANADA)
)
Province of Ontario)
TO WIT:)

I, ITO HAMAJAKI of the City
of Toronto in the Province of Ontario
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 Toronto)
in the County of York)
this 20th day of November) Ito Hamagaki
A.D. 1947.)

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.

_____

_____

_____

_____

MAYAKI, Ito (Mrs.)
(Claimant's Name)

REAL ESTATE
(Farm Land)

07111
Reg. No.

D	Acres	Date of Purchase	From Whom	Cost Price	Cleared Uncleared or cultivated at date of Purchase	Improvements at date of Purchase	Estimated value at Date of Sale
ncleared	4	1910	Mr. James Brooks	$332.	uncleared	none	$400.
ltivated not planted							
ltivated and not in crop							
List Crops							
Total							

ROVEMENTS SINCE PURCHASE OTHER THAN BUILDINGS (e.g. cultivation, plants, trees or special equipment)

Description	When Made	Cost
eared about 100 ft.	1914	$100.

LDINGS

Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value
ed	18 x 25	Frame	1914 (approx.)	$200.		$50.	$200.	$50.

EXHIBIT No. 1062-1
DATE 20 may 1948
FILED BY J. a. Brewn

ments re Appraiser's report not covered by above information:

Assessment 1942 - Land $250.00
Improvements 150.00
$400.00

Paid taxes of $6 - 10 a yr. for 33 years.

T Hamaguchi
Signature

BC-731-P
BC-1862-B

BC/731-P
BC/1862-B

S.S. Form No. 43
(Sheet 1)

Farm Appraisal Report

File No. JL-742

Land Description Lot 4. Blk. 6. D.L.692. Map 3633.

Containing 4.43 Acres

Owner's Name ITO, Hamagaki Post Office Address Grantham's Landing, B.C.

Nearest ~~Rail Point~~ Boat. Distance 1 mile.

Market Town Vancouver Distance 23 "

Church (give denomination) United. Presbyterian. Anglican Distance 1 to 1½ miles

Nearest School Howe Sound United Distance 1¼ miles.

State how property was identified: L.R.O. Sketch and corner posts.

Roads: State whether property has access to main road, the kind of road and its condition.

Is on North Road(gravelled) at junction with gravelled road down the hill to Grantham's Landing.

Is this district a good one? No.

Employment opportunity None in area.

Predominating Nationality and religion: British; none predominating.

Describe Fencing and its condition: Neighbours rail fence only. Value $

Water supply: Not developed, available on property, but peaty and brown. Drinking water only available on adjacent land; proven by neighbours with similar land. Peaty water O.K. for stock. Value $

BUILDINGS ON FARM

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	x							
	x	NONE						
	x							
BARN	x							
	x							
BARN	x							
	x							
GRANARY	x							
	x							
	x							
	x							
	x							

Total present day value $ -

Total Value Buildings add to farm $ -

Is dwelling habitable without repairs? If not what is your approximate estimate of cost to make it habitable?

$

Describe the basement and chimneys:

No. rooms downstairs? Upstairs? How finished

Are buildings painted? Condition of paint

Distance from nearst bush

EXHIBIT No. 1062-2
DATE 20 May 1948
FILED BY J.W.G. Hunter

Note: Particular care must be taken when examining and reporting on foundations, sills and roofs.

Cultivated Land

ACRES	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB-SOIL	KIND AND QUALITY OF CROP	VALUE PER ACRE	TOTAL

Area which can be cultivated without cost other than for breaking.

LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB-SOIL		VALUE PER ACRE

Area which can be cultivated after a reasonable amount of clearing timber, stones, drainage, etc.

ACRES	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB-SOIL	NATURE OF RECLAMATION NECESSARY	RECLAMATION COST PER ACRE	VALUE PER ACRE	TOTAL
4.43	Nearly level	Deep, peaty clay lm.	Clay	Heavy clearing	250.00	25.00	110.75

Area Unsuitable for Cultivation.

CHARACTER OF LAND E. G. HILLY, SWAMPY, ROCKY.	NATURE OF TIMBER IF ANY AND WHETHER MARKETABLE	VALUE OF LAND PER ACRE

Total value of Land $ 110.75

Total added by buildings to value of farm $ -

Total fruit trees add to value of farm (for use in orchard districts only) $ -

Total value of farm $ 110.75

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:

No cultivation.

State most suitable type of agriculture for farm bearing in mind the district's limitations, if any.

Home unit for man with seasonal employment elsewhere.

Noxious weeds:

None.

Give approximate detail and amount of all annual taxes and names of Taxing Authorities:

Municipal and School - $10.50.

Provincial Collector, Vancouver
Assessment District, Vancouver, B.C.

Date: 2nd August 1942.
Place: Sechelt, B.C.

I certify that the above report is based on a personal examination of the whole farm made on the 1st day of August 19 42.

Inspector's Signature "B.C. WORMWORTH"

Note: (Use Form 43 (Sheet 2) in connection with this form.)

JL-742 - H. ITO

Farm Appraisal Report

Remarks: The soil on this place is good but clearing is very heavy and with the marketing difficulties peculiar to the area, investment in the place as an agricultural unit would be doubtful.

However lands of similar class are being sold occasionally, proving that it is saleable - Such sales indicate the value I have placed upon this land.

The shack or cabin that once was on the place is gone, only a few boards remaining although parcel lies in a clay pocket - there is a natural drainage that only requires shallow local ditching to keep well drained.

(FOR ORCHARD LANDS ONLY)

REMARKS: re general lie of land, fertility of soil, irrigation, drainage or dyking and reclamation.

ANNUAL COST OF IRRIGATION, DYKING AND DRAINAGE.

ORCHARDS, SMALL FRUITS, ETC. (Give number, age, variety and condition of all tree fruits, condition and area of each kind of small fruits.)

	Present Value
	$
	$
	$
	$
	$
	$
	$
	$
	$
Total	$

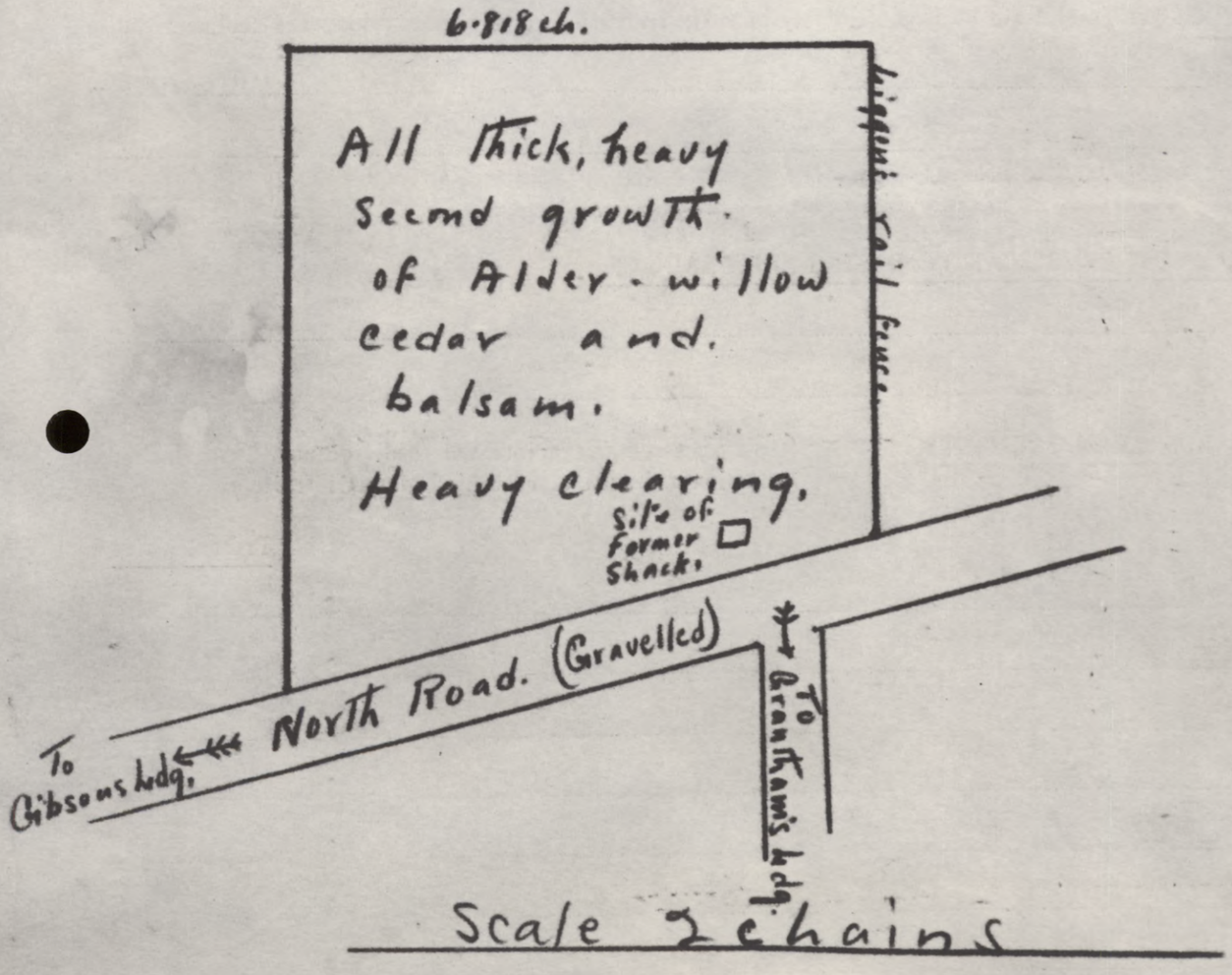
Amount fruit trees add to value of farm $

Diagram of Property

Hamagaki. I.T.D.

Lot 4 - Blk 6 - D.L. 692 - Map 3633

4.43 ac.



Following careful review of this appraisal report, it is my opinion that the present value is $ 100.00

Date 3rd August 19 42.

"I.T. BARNET"

District Superintendent.

HAMAYAKI, Ito (Mrs.)
(Claimant's Name)

REAL ESTATE
(Other than farm)

07111
Reg. No.

Type of Premises (e.g. House, Store, etc.)	No. of Rooms	Type of Finish	Use of Premises	Size of Lot	When Purchased	Date of Purchase
Store & Rooming-House 3-Storey Building.	Store 1 Rooming House 35	Brick	Business and rooming house	24 x 110	1936	Feb.

Type of Locality	Cost Price
Business	$4500.

Improvements made by Claimant

New roof	$300.
1 Glass Plate in Store	60.
Repairs to store includes lumber & wages to carpenter	1000.
Plumbing-Pipes, toilets	150.
Plastering & Painting	200.

Estimated Value Date of Sale

$10,000.00

Comments re upkeep of premises:

The building was in a good condition at time of evacuation.

Comments re Appraiser's report not covered above:

Assessment 1942 - Improvements $7900.
Land 1050.
$8950.

Insurance $4500.

Rented in 1942 - Store $20.00 per month for warehouse.
Rooming- House $70.00 per month. Besides she kept one room for herself paying $10.00 per month.

EXHIBIT No. 1062-3
DATE 20 may 1948
FILED BY R. a. Brennan

I. Hamazaki
Signature

EXHIBIT No. 1062 ~~0~~ 4

DATE 20 May 1948

FILED BY J. W. G. Hunter

JOHNSON, REEVE & WATSON

602 W. Hastings St.,

Vancouver, B. C.

July 24th, 1943.

The Custodian's Office,
Vancouver, B. C.

File No. 12995

Dear Sir:

Catalogue No. 110
Lot 17 Block 87 D. L. 196
349 East Georgia Street

We have inspected this property and beg to report as follows:

Location	Near Main Street in the district occupied principally by Chinese.
Lot	25' x 120'
Building	25' x 120'. 3 storey brick building with shop and 32 rooms (with washbasins.) 1 bathroom, 1 room roughed in for bath, 4 w.c.'s. Small basement furnace room, Hot water heat.
Condition	35 years old. Plumbing old and piping corroded. Hot water storage tank leaking. Water seepage in basement. Halls narrow and 24 rooms on light wells only 6 feet wide. The ground floor is now used for storage and the premises are in very bad condition. The joists are rotten and the floor collapsed. The plaster is broken.
Rents	Ground floor $20. Rooms $70 per month plus water rates.
City Assessment	$8,950 (Land $1,050 Building $7,900)
Taxes, etc.	$251.83. Insurance rate 85 cents per $100. Coal chute in sidewalk rented from City for $6. per year.
Appraisal	The gross rents being $1,080 per year and the landlord's expense to $520, the surplus to provide for interest and depreciation is approximately $560. The class of occupancy is undesirable and the depreciation heavy. A large capital expenditure is required to restore the building in good condition and we have allowed for this. We are of the opinion that the market value of this property is $4,000.

Yours faithfully,

JOHNSON, REEVE & WATSON
per
"D. W. Reeve"

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

July 19, 1948

C. McCaughan

HAMAGAKI, Ito (Mrs. Teiichi)
Evac. File #12995
349 Georgia St., Vancouver, B. C.



Picture Taken April 8, 1943.

EXHIBIT No. 1062-5
DATE 20 may 1948
FILED BY

EXHIBIT No. 1062 - 6

DATE 20 May 1948

FILED BY J. W. G. Hunter

93 Dunvegan Road,
Toronto, Ontario.
June 20, 1946.

The Deputy of the Custodian,
506 Royal BanknBuilding,
Hastings & Granville Streets,
Vancouver, B. C.

Dear Sir:

I am taking the liberty of writing to you at this time regarding my property in Vancouver which you sold in 1943.

May I say that I am a naturalized Canadian Citizen having been granted naturalization in May 1910, at the Vancouver Court House.

My husband and I lived at 2112 Pandora Street for over thirty-five years and we have always been good loyal Canadian citizens and have obeyed all laws of Canada and British Columbia, and we are still obeying all laws of this country and we intend to obey them, therefore, I respectfully submit to you that I am not an enemy alien.

As your records will show, you sold my property at 349 Georgia Street, East, for $5,000.00. This amount was outrageous, and the property was practically given away.

The property is a three story building having 35 rooms and is equipped with hot and cold water in each room, and a hot water heating system. The income I received from this property before it was sold was around One hundred dollars ($100.00) per month at that time but now owing to the housing shortage it should not be hard to rent it at a minimum of One hundred and fifty dollars ($150.00 per month or more, and I feel that the property was worth at the very least Fifteen thousand dollars ($15,000.00).

Actually, Mr. Bartoze Seddell offered me Ten thousand dollars ($10,000.00) cash and with Victory Bonds for the property but I refused the offer because it was worth more. I wanted to keep the property as a source of income for my husband and myself in our old age. However, in 1943, you sold the property to the same person, Mr. Bartoze Seddell, for the ridiculous sum of Five thousand dollars ($5,000.00) in spite of the fact that same man had offered me Ten thousanddollars ($10,000.00) which I refused just before I had left Vancouver.

Then you deducted $906.00 for paid on right to purchase and $614.00 as closing adjustment and $250.00 for commission and $75.00 as you said, legal fees, besides charging for making deed and valuation fee. So that now we get practically nothing out of the property, and your office sends me a small cheque of $40.00 every month for our living cost since we were evacuated to Tashme, B. C., and came to Toronto, Ont., but I am sure you will know that $40.00 per month is not enough to keep my husband and myself in the city of Toronto, and as we are getting older each year, my husband and I are beginning to worry about our future.

You see, Sir, we were counting on the income from 349 Georgia Street, to keep us in our old age, but all we are getting from it now is $40.00 per month, so we have had to take work as domestic servants which is something we have never had to do before.

When I visited you in your office in May 1944, and interviewed Mr. Geo. Peters, of your Department, who told me at that time nothing further could be done for me until some time after the war, and as the war has been over now for about nine months, I decided I should write to enquire if anything can be done at this time.

We were quite willing to put up with any inconvenience or hardship during the emergency of the war, but now that the war is over and peace has been declared, I am anxious to know what is going to be done about the fact that my property was sold for so much less than its actual value.

Unfortunately, we are getting older every year, and I thought I should write you at this time as a naturalized Canadian citizen, and not an enemy alien, to ask just what treatment I am going to be given for the damage in connection with the loss of my property, as I feel we are innocent victims of the war.

I earnestly plead that we will have the assurance of a sufficient amount to maintain ourselves in our old age and I earnestly plead again that this realization will be granted to us and we will be very grateful indeed.

I have the honour to be, Sir,

Your obedient Servant,

"Ito Hamagaki"

Ito Hamagaki.

93 Dunvegan Road,
Toronto, Ontario.

"14-8-46 per
phone Dept. of
L. Says OK to
forward funds."
"D"

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

July 19, 1948

L. MacGregor

1062 - 7

EXHIBIT No.

DATE 20 May 1948

FILED BY J. W. G. Hunter

93 Dunvegan Road,
Toronto, Ontario.
c/o Mr. S.B. Beare.

June 20, 1946.

The Honourable F. P. Vareoe,
Deputy Minister of Justice,
Ottawa, Ontario.

Honourable Sir:

I sent a petition on the previous dates of July 13th, 1943, and May 12th, 1944.

I and my husband and daughter have obeyed all regulations and the laws of this country and during the war have co-operated with the Government disposal plan to move East of the Rocky Mountains. Therefore, in compliance with the government orders we came to Toronto, Ontario. last July, 1945, and now lacking funds to meet living expenses, both my husband and myself went to work as domestic servants at Mr. S. B. Beare, 93 Dunvegan Road, Toronto. But we are old and find this work extremely hard on us, but we have to do work in this poor job as domestic servants. Of course we were willing and patient for any hardship in the emergency of war, that is until the end of the war.

My husband and I were naturalized in this country as British subjects in May 1910, at the Vancouver Court House, in the Province of British Columbia, and my daughter, Mary, was born in the City of Vancouver. We were more than 35 years in Vancouver, and I have had the property to save for a little provision for old age, that the income was around a Hundred dollars ($100.00) each month from the rents in this building.

It was my wish not to sell this property, and I sent the petition on the date of July 13th, 1943. We are willing to do anything for this country, even to use my property for a war emergency, but I wish to keep that property and do not wish to sell it, as I had sent the petition.

However, I have had a letter from the Custodian in Vancouver, April 19th, 1944, as you know it which I was sent. The petition on the date of May 1944, that informed from Custodian said my property was sold on August 1943, after I had received your letter of August 14, 1943, in regards to my petition in which I request to keep my property not to have the Custodian of the Enemy Alien sell it, and I wished to be recognized as a Canadian Citizen, and not as an enemy alien and I was very grateful to you for the favour and was pleased and hopeful because my request was realized and granted,nbut however, my property was sold by the Custodian without any notice nor my consent as I did not sign to the Custodian to control or sell it. Also the price of sale was outrageous Five thousand dollars ($5000.00) only it was like giving it away and that deal to same purchaser, Bartoze Seddell, who had willingly offered to pay Ten thousand dollars ($10,000.00) cash with Victory Bonds for this property, but I refused it as I wanted to keep it for the sake of the remaining years of our lifetime as we are getting older every year.

This is just before I evacuate to the camp at Tashme, B. C., on October 1942,. Also, the value of that property was Fifteen thousand dollars $15,000.00) or more at that time, but the Custodian has sold it for Five thousand dollars($5000.00) to the same purchaser which I refused it. The Custodian has deducted $906.00 for paid on right to purchase, also $614.00 to purchase, and also has charged Two hundred and fifty dollars ($250.00) for commission also Seventy-five dollars ($75.00) as legal fees, besides expenses for the deed and documents.

Now I have a very small amount of balance and I am getting a small cheque of Forty Dollars($40.00) each month which is sent by the Custodian for our cost of living since we had evacuated at Tashme, B. C. and came to Toronto, Ontario. But this small amount from the cheque ($40.00) is not enough for one month's rent of house in the City of Toronto, and my husband and I are forced to work and support ourselves as domestic servants, which we have not such experience for 35 years while living in Vancouver. Of course we should be patient for any hardship for the duration of the war as emergency, but now the war is over and the peace is declared. Therefore I would be very pleased to know what treatment is to be given for the damage of the loss of my property as a Canadian Citizen by naturalization.

I earnestly plead and desire to be allowed to present claims for war damage like other innocent victims of war, and to have the assurance of bodily sustinence for the remaining years of our lifetime.

I earnestly plead that this realization be granted to me and I shall be gratefully obliged. Both my husband and myself and our daughter have always hoped to be good loyal Canadian citizens.

I have the honour to be,

Yours respectfully,

Ito Hamagaki,
c/o Mr. S. B. Beare,
93 Dunvegan Road,
Toronto, Ontario.

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

July 20, 1948

C. McClughan

Fort William, Ontario,

April 24th, 1948.

Messrs. Kennedy & Ross,
Solicitors,
465 Bay St. at Albert,
Toronto, Ont.

Dear Sirs: Re: Claim of Ito Hamagaki, 07111.

Referring to your letter of 9th instant, the above claim will be heard on 20th May next at 10 a.m. in the Metropditan Church Hall, King St. E., Toronto.

Only the evidence of claimants is being taken at the hearings in Toronto and appraisals will be made at Vancouver when the Commission sits there in the fall of this year and when valuation experts will be called. The Custodian has sent his Toronto files to Messrs. Cameron, Weldon & Brewin, acting as counsel for the Co-operative Committee, and you can probably secure the file you require from them. If not, the Custodian will furnish the file to you on his arrival in Toronto on May 3rd next, which is the opening day of sittings in Toronto.

We trust this will meet with your requirements and we assume you will present the claim on the date set for hearing.

Yours truly,

A. WATSON,
Secretary.

AWW-s

TELEPHONE ADELAIDE 6227

KENNEDY & ROSS

BARRISTERS, SOLICITORS, NOTARIES

465 BAY STREET, AT ALBERT

TORONTO

CANADA

ROSS KENNEDY
O. JAMES D. ROSS

April 9, 1948.

Mr. A. Watson,
Secretary to the Commission,
Japanese Property Claims Commission,
Court House,
Vancouver, B. C.

Dear Sir:

Re: Claim - Mrs. Ito Hamagaki,
(RCMP) Reg. No. 07111

acknowledgment

Toronto
May 20th

Mrs. Hamagaki has brought us your letter to her of February the 16th, 1948, and instructed us to act for her in this matter.

The valuation report mentioned in your letter has not yet been received, and we presume we shall receive this document and other relative papers in due course.

We heard from Mrs. Hamagaki to-day and, of course, we have not had an opportunity to consider this matter. It would seem to us, however, that part of the Claimant's case would probably be a valuation of the property by a competent real estate authority in Vancouver, and we note that the hearing is to be near the residence of the Claimant, which, of course, is now Toronto. We would like to know whether your Commission limits the inquiry strictly to proper legal evidence, or whether affidavits and similar proofs of facts will be admitted. Where the expert concerned is miles away, it would be inconvenient and expensive to have first hand evidence given.

We should appreciate your comments on the proceedings before the Commission.

Yours very truly,

KENNEDY & ROSS

Per: J. D. Ross

RK/SH

AIRMAIL

HONOURABLE MR. JUSTICE H. I. BIRD
COMMISSIONER

A. WATSON
SECRETARY

JAPANESE PROPERTY CLAIMS COMMISSION

COURT HOUSE
VANCOUVER, B.C.

Negotiable at Par at any branch of
The Royal Bank of Canada in Canada
DOMINION GOVERNMENT FUNDS

April 12th 1948.

Mr. A. Watson,
c/o Fort Garry Hotel,
Winnipeg, Man.

Dear Mr.Watson,

As requested by you, I enclose list of the Vancouver claims, in duplicate.

Toronto
May 20th

You will note that in acknowledging transcript and exhibits of Vernon cases, No.166 was found missing. The Custodian's office suggest this may be the claim of Tsuchiya Hajime. Can you enlighten me on this question of the missing claim, transcript and exhibits?

I am enclosing a letter which came in today airmail from Messrs.Kennedy & Ross of Toronto, re claim of MRS.ITO HAMAGAKI.

Sorry, the Montreal claims with notifications will have to wait until tomorrow.

Yours sincerely,

Encs.
VW.

P.S. Also enclosing letter received today addressed to you, from A.G.Veitch of Toronto.