Name of Claimant HAMAGUCHI, Mitsujiro Case 268

Custodian File 13564

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	

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	
373.25	114.75	34.42	30.76%	137	42.14			76.56

TOTAL RECOMMENDATION	76.56

CASE NO: 268

JAPANESE PROPERTY CLAIMS COMMISSION

Grand Forks, B.C.

May 25, 1948

IN THE MATTER OF THE CLAIM OF

MITSUJIRO HAMAGUCHI

PROCEEDINGS AT HEARING

Original

CASE NO: 268

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

(HIS HONOUR, JUDGE ERIC P. DAWSON, SUB-COMMISSIONER)

Grand Forks, B.C.

May 25, 1948

IN THE MATTER OF THE CLAIM OF

MITSUJIRO HAMAGUCHI

PROCEEDINGS AT HEARING

APPEARANCES:

HAROLD W. McINNES, Esq.,	appearing for the Dominion Government.
A.E. COBUS, Esq.,	appearing for the Claimant.
L.A. DODD, Esq.,	Secretary to Grand Forks Sub-Commission
MRS. I.C. SMITH,	Official Interpreter.
G. HAMBLETON, Esq.,	Official Reporter.

MR. COBUS: The claim, your honour, of Mitsujiro Hamaguchi, No. 6 on the original list.

THE COMMISSIONER: Have you got the claim number on this one?

MR. COBUS: This will be case No. 268, your honour.

THE COMMISSIONER: 268, thank you. Will you swear the witness, Mr. Dodd.

MITSUJIRO HAMAGUCHI, the claimant herein, being first duly sworn, testified through the official interpreter as follows:

MR. COBUS: I would ask leave, your honour, to amend the claim, which was originally shown under 4 (e), sub-section (iii), at $4,000.00; that now refers to fixtures only in the amount of $430.00. We are crediting the Custodian with $76.25, leaving a net claim for fixtures, $353.75.

MR. McINNES: What was that credit again, please?

MR. COBUS: $76.25.

MR. McINNES: Thank you.

THE COMMISSIONER: The net claim is $353.75.

MR. COBUS: That is correct, your honour. And under (5)(e), the itemized description of personal property, we have deleted item 1, the coffee table; we are amending item 2, the tri-lite lamp to read one instead of two and estimating the value at $15.25 rather than $36.00; items 3 and 4 are deleted, that is, the sofa set and dining room table set; item 5 becomes two beds and springs rather than three beds at the valuation

of $40.00 instead of $30.00; item 6, a mirror case with stand is now valued at $25.00; and items 7 and 8 are deleted.

MR. McINNES: That is 7 and 8?

MR. COBUS: 7, miscellaneous house goods, and 8, life insurance, are both deleted.

The total claim for the three remaining items now becomes $80.25, with credit to the Custodian of $38.50, leaving a net claim for personal chattels of $41.75. The total claim now becomes $395.50.

DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I produce to you a statement concerning the personal chattels for which you are claiming, which is broken down into two headings: (a) store fixtures and equipment, (b) household articles. Did you instruct Mr. Leckie to prepare this statement for you and is that your signature? A: Yes.

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

A: Yes.

MR. COBUS: I would ask to file that statement as the next exhibit, or the first exhibit, your honour.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. COBUS: Referring to the statement, your honour, we have indicated under the description of "major items", sub-section (a), all of the store fixtures and equipment for which a claim is being

submitted, and under (b) three items which remain under the personal chattels portion of the claim. The total, $510.25, is the total of all the items for which the claim is being made.

The claimant says that the store fixtures and equipment were left in his grocery store at 54 Moncton Street, Steveston; the household articles claimed were left in the River Garage, Moncton Street, opposite his grocery store. He adds that all of the articles claimed were declared by his wife with a few exceptions, but any articles not so declared were sold by the Custodian. A few of the store fixtures declared in August, 1942, were not sold by the Custodian. "My wife declared the articles in August '42 for me as I was in the road camp at that time."

If my learned friend will allow me to take the Analysis of Personal Property Claim?

MR. McINNES: Yes.

MR. COBUS: There is an item shown under "miscellaneous house goods" of $76.25 under "auction sales." That item, in fact, I think, if my friend will refer to the auction sheets, should have been described as store fixtures. Is that admitted?

MR. McINNES: With the exception of a wall clock. It may have been a store clock, at that.

MR. COBUS: Yes. I think the amount of $76.25 can safely be said to have been.

MR. McINNES: That is correct, your honour.

MR. COBUS: Your witness.

MR. McINNES: If it please your honour, it will be submitted that any of the goods declared and sold by the Custodian were sold for their fair market value. It will be further submitted that there was no record of any personal chattels, household goods, and furniture; the same were never declared; and with reference to any articles which were declared and not accounted for, that the claim of the claimant is exhorbitant.

CROSS EXAMINATION BY MR. McINNES:

Q: Your wife filed the J.P. form in your case, is that correct? A: Yes.

Q: And her name is Ruth? A: Yes.

Q: She has no claim independent of yours?

A: No.

Q: And the claim we are now dealing with represents the entire claim of you and your wife together?

A: Yes.

Q: When you left Steveston you left your personal goods and chattels with a Mr. or Mrs. Shimisu, is that correct? A: His wife had put all those things at the Shimisu's house.

Q: Yes. And they were to look after them for you?

A: I can't say that definitely, as I was not there myself.

Q: You sold certain goods to a Mr. Taylor, Mr. C.S. Taylor? A: Yes.

Q: That consisted of a chesterfield set, a dish cabinet. A: I sold the

settee, that is a long couch, but not the dish cabinet; I lent that to him.

Q: You lent that to him? A: Yes.

Q: What about a flower stand? A: I don't know the details because I was not there.

Q: You got $60.00 from him? A: Yes.

Q: You are making no claim for those now?

A: I am not quite sure, but I think they are included in the claim that I am making now.

Q: Well, in fairness to you, clearly the chesterfield suite is not, because your counsel has deleted it. What about the other two?

MR. COBUS: Your honour, the only three articles that may be described as personal chattels for which the claim is now being made are one tri-lite, which in fact was sold by the Custodian, two steel beds, which in fact were sold by the Custodian, and one bureau with mirror, which was in fact sold by the Custodian. That is all.

THE COMMISSIONER: There is no object, then, in going into these outside articles.

MR. McINNES: Has the Analysis been filed?

MR. COBUS: I thought I had filed it.

MR. McINNES: You borrowed mine, but I don't think you filed it. What is your last exhibit, Mr. Secretary?

THE SECRETARY: There is just one.

MR. McINNES: Well, I would like to file the Analysis of Personal Property Claim as Exhibit 2.

THE COMMISSIONER: Yes.

(ANALYSIS MARKED EXHIBIT NO. 2)

MR. McINNES: Q: Mr. Hamaguchi, in your claim you have a meat slicing machine for which you claim an original value of $150.00 as the price you paid? A: Yes.

Q: Who did you buy that from? A: I bought it second hand.

Q: And you bought it second hand in 1936, is that correct? A: Yes, the man came to sell it.

Q: So that you would have used it for possibly six years prior to being evacuated, is that correct?

A: Yes.

Q: What sort of a store were you running?

A: Grocery, meat, etc.,

Q: You claim for a table scale? A: Yes.

Q: You say that you bought that new for $150.00. Who did you buy it from? A: From wholesale.

Q: From what wholesale? A: I have forgotten the name.

Q: That was in 1933, was it? A: Yes.

Q: So you used it steadily for nine years, then.

A: Yes.

MR. COBUS: Eight.

MR. McINNES: 1933 to 1942.

MR. COBUS: Yes.

MR. McINNES: I think that is all.

MR. COBUS: No further questions, your honour.

THE COMMISSIONER: All right, that is all for this claim.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

Gordon Hambleton

G. Hambleton
Official Reporter

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

Eric P. Dawson

E.P. Dawson,
Sub-Commissioner

DEC - 2 1947

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

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

ACKNOWLEDGED

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

(1) NAME HAMAGUCHI (Print) Surname Mitsujiro (Mr.) Given Name (RCMP) Reg. No. 04254

(2) Pre-Evacuation Address STEVESTON, B.C.

(3) Present Address GREENWOOD, B.C.

(4) ~~REAL ESTATE~~ BUSINESS

(a) Street Address (if any) Moncton Street, STEVESTON, B.C. City or Municipality, Province

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

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

(i) ~~Farm~~
(ii) ~~Residence~~ Type of business Grocery
(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) - - - - - - - - - - - - - - - $ ~~4000.00~~ Final 430.00
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - $ ~~4050.00~~
(v) Amount at which Custodian sold property and credited your account - - $ ~~656.30~~ 76.75
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ ~~3393.70~~ 353.75

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
Mr. T. Shimizu, STEVESTON, B.C.

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

(c) How stored or packed at time of evacuation
Unpacked

(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'S CARE

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

1.	COFFEE TABLE	Estimated Value $~~28.00~~ 25
2.	TRI-LITE LAMP (~~two~~) One.	Estimated Value $~~36.00~~ 15
3.	~~SOFA SET~~	Estimated Value $~~59.00~~
4.	~~DINING TABLE SET~~	Estimated Value $~~30.00~~
5.	2 BED & 5 springs	Estimated Value $~~30.00~~ 40
6.	MIRROR CASE WITH STAND	Estimated Value $~~30.00~~ 25
7.	~~MISCELLANEOUS HOUSE GOODS~~	Estimated Value $~~315.00~~
8.	~~LIFE INSURANCE~~	Estimated Value $~~300.00~~
9.	Total-------- $~~810.00~~ 80 25	Estimated Value $
10.	Rec'vd from Custodian $ ~~50.00~~ 35 50	Estimated Value $ 75

TOTAL CLAIM FOR PROPERTY LOSS $~~769.00~~ 41

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) - $~~1,154.79~~ 394 50

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

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

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

DOMINION OF CANADA)
of)
TO WIT:)

I, Mitsujiro Hamaguchi of the city
of Greenwood in the Province of British Columbia

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 Greenwood)
in the Province of B.C.)
this 21 day of November)
A.D. 1947.)

Mitsujiro Hamaguchi

A Commissioner &c. Wm. L. Draper

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.

REGISTRAR COUNTY COURT

M Hamaguchi —
(Claimant's Name)

PERSONAL CHATTELS

(a) Store Fixtures and Equipment
(b) Household articles

0425 4

EXHIBIT No. 268 Reg. No.
DATE 25/5/48
FILLED BY Claimant

	Description of Major Items (and particularly of goods lost, stolen or destroyed)	Approximate Date Purchase	New or Used When Purchased	Price Paid (appx)	Condition when Evacuated	Estimated value at Date of Evacuation
(a)	1 showcase (meat) 6x3 —	1938 —	used —	40 00	good.	25 00
	1 " " (biscuit) 5x3 (high)	1936 —	new —	15 00 —	good	10 00
	5 tables (counters) — (1) in	1936	used	(1) 20 00		15 00
	(4) in	1940	new	(4) 30 00 = 120 00 each	good —	80.00
	1 meat slicing machine —	1936 —	nearly new —	150 00	very good	100 00
	1 table scale (25 lb)	1933 —	new —	15 00	good —	75.00
	1 cash register (old style)	1933 —	used —	25 00.	good —	12.50
	1 wall clock —	1936 —	new —	15 00	"	10.00
	1 Coca cola cooler -	1939 —	new —	18 00	"	12.50
	1 long case table 12x4 -	1940 —	new —	50 00	very good	40 00
	1 meat saw —	1940 —	new —	3 00	" "	2 00
	4 meat knives and 1 steel -	different times —	new —	knives 6 00 / steel 3 00	good	4.50
	1 meat grinder	1938 —	new	7 00 —	"	4.00
	1 coffee machine (without motor)	1936 —	used	25 00.	"	15 00
	Description of Storage of Goods:					
	1 bicycle —	1938 —	new	45 00 —	"	25.00
(b)	1 tri-lite lamp —	1939 —	new	16 50	very good	15.25
	2 steel beds (double) with springs —	1931 —	new	70 00	good	40.00
	1 Bureau with mirror —	1931 —	new	45 00	"	25 00.
						$510.25

General Statement as to Chattels not Described above: — none claimed —

Storage The store fixtures and equipment were left in my grocery store at 54 Moncton St Stevston. — The household articles claimed were left in the River Garage, Moncton, opposite my grocery store.

Additional Comments, if any:

all of the articles claimed were ~~other~~ declared by my wife with a few exceptions, but any articles not so declared were sold by the custodian. a few of the store fixtures declared in Aug 1942 were not sold by the Custodian. My wife declared the articles in Aug 1942 to me as I was in the road camp at that time

M Hamaguchi
SIGNATURE

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No 13564 EXHIBIT No.

NAME HAMAGUCHI, Mitsujiro REG. No. 04254

DATE (Wife's) Declaration Aug.19/42 (Husband) Evacuation 10/5/42

INVENTORY Taken by Date

DETAILS OF CLAIM		SALES: AUCTION		SALES: TENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND
Declared on wife's (File 11771) J.P. Form Aug. 19/42. Grocery Store, 54 Monckton St., Steveston, B.C.						
2 Showcases	Coffee Table	28.00				
5 Tables	Tri-lite Lamp (2)	36.00		15.25		
1 Slicing Machine	Sofa Set	50.00				
1 Scale	Dining Table Set	30.00				
1 Cash Register	3 Bed	30.00		7.00 (2)		(1)
1 Clock	Mirror Case with stand	30.00		16.25		
1 Coca-Cola Cooler	Miscellaneous House goods	315.00	(M)	76.25		
1 Long Cake Table	Life Insurance	300.00				
1 Meat Saw						
4 Meat Knives	Grocery Business	4000.00		450.00		
1 Meat Grinder		4819.00		564.75		
1 Coffee Machine						
1 Bicycle for delivering						
Everything in store with stock of $450.00						
Goods reported left c/o Mr.C.S.Taylor, 56 Monckton St., Steveston. Letter received Jan. 13/43 from Mitsujiro HAMAGUCHI.						
1 Set of Chesterfield						
1 Dish Cabinet						
1 Flower Stand						
Letter from Mrs. Hamaguchi, received Jan. 8, 1947, states the following goods left in River Garage at Steveston, B.C.						
2 Large boxes Japanese Dolls						
1 Large floor lamp						
3 Boxes of dishes						
3 Beds - 2 double, 1 single						
5 Walnut tables, 2 round 3 square.						
1 Large floor rug						
1 Box Hamaguchi statement book						
1 Box showcard paint set						
1 Mahogany dresser with mirror						
1 Round wicker chair						
1 Rocking chair						

RECAP OF CLAIM:

$ 58.00	No record at anytime	
411.00	Sold for	$114.75
300.00	Life Insurance	
4000.00	Sold under B/S by HAMAGUCHI	450.00
$4769.00		$564.75

No. 13564

EXHIBIT No.

CASE No.

No. 04254

VENUE Grand Forks

SALES TION	SALES TENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD	REMARKS
				28. 00				
15.25				(1)				Only 1 declared & found.
				30. 00				XX Sold to Mr. C.S.Taylor - see below.
7.00	(2)		(1)					
16.25								
76.25								
450.00								Sold under Conditional Bill of Sale - Mrs. Ruth Hamaguchi to John Ellwood Webb, Steveston
564.75				58. 00				
.75								
.00								
.75								

XX) Bought by Mr. C.S.Taylor, 1944, $60.00.
) No record on our books of receiving
) this amount in our office at anytime.

EXHIBIT No. 268-2
DATE 25/5/48
FILLED BY Crown

J. Spratt.