Name of Claimant MORITA, Tsuruno Case 296

Custodian File 13724

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	
85.00	40.00	12.00						12.00

TOTAL RECOMMENDATION	12.00

CASE NO: 296

JAPANESE PROPERTY CLAIMS COMMISSION

Grand Forks, B.C.

June 1st, 1948

IN THE MATTER OF THE CLAIM OF

(MRS) KATSUYOSHI MORITA

PROCEEDINGS AT HEARING

Original

CASE NO: 296

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.

June 1st, 1948

IN THE MATTER OF THE CLAIM OF

(MRS) KATSUYOSHI MORITA

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
G.N.R. UPTON, Esq.,	Official Interpreter
G.. HAMBLETON, Esq.,	Official Reporter

MR. COBUS: The claim, your honour, of Mrs. Katsuyoshi Morita. I am calling Mr. Katsuyoshi Morita. This is No. 46 on the Secretary's list, your honour. It will become Case No. 296.

KATSUYOSHI MORITA, a witness called on behalf of the claimant herein, being first duly sworn, testified through the official interpreter as follows:

DIRECT EXAMINATION BY MR. COBUS:

Q: Now, witness, I produce to you a claim form in the name of Mrs. Katsuyoshi Morita which purports to be signed by Mrs. K. Morita on the 19th day of November, 1947 at Greenwood. Do you recognize that signature?

A: This is my wife's signature.

MR. COBUS: Your honour, I would ask leave to amend the claim, which is a claim for personal property only, be deleting all items except item No. 1 for a 1940 Majestic radio.. The value for that item is reduced to $85.00 now.

THE COMMISSIONER: All the other items go out, do they, Mr. Cobus?

MR. COBUS: Yes, your honour. We add a new credit to the Custodian for the sale of the radio in the amount of $40.00, leaving a net claim of $45.00, and that is also the net claim in this case.

Q: Witness, I produce to you a statement concerning the radio for which your wife has submitted a claim. Did you instruct Mr. Leckie to prepare

this statement for you and is that your signature?

A: Yes.

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

A: Yes.

Q: Have you discussed the matter of your wife's claim with her? A: Yes.

Q: Did she wish you to represent her in this case?

A: Yes.

Q: And you of your own knowledge know the matters relating to this radio? A: Yes.

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

(STATEMENT MARKED EXHIBIT NO. 1)

MR. COBUS: Referring to Exhibit 1, your honour, the radio is described as an eight tube Majestic radio, No. B37240, Type 8M822. It was purchased in 1940 new at a price of $120.00. The condition of the radio on evacuation is described as good, and the estimated value at the date of sale, the witness says, would be $85.00. The radio was turned in to the RCMP in February, 1942. The witness says he knows all the facts pertaining to the radio and is representing his wife who was the owner of the same. He believes that the sale by the Custodian at auction for $40.00 in March, 1944, was much below a fair market value, and believes that the radio would be worth at least $85.00 when sold.

I have inquired as to the RCMP receipt which

very frequently is to be found in the Custodian's file, but my learned friend advises that it is not in his file. However, I think my learned friend will admit that the date of sale of the radio was the 2nd day of March, 1944.

MR. McINNES: The 2nd of March, 1944.

MR. COBUS: For $40.00, and that it was sold at auction.

MR. McINNES: That is correct.

MR. COBUS: I am wondering if there is any appraisal in the Custodian's file.

MR. McINNES: If it please your honour, the file shows a record of an appraisal at $35.00. I can't find that appraisal. I am just wondering whether there was an appraisal or whether that is the ceiling price, but I will assure my friend that if there was an appraisal and it is available it will be produced.

MR. COBUS: Thank you, Mr. McInnes.

THE COMMISSIONER: You haven't got any record as to what the ceiling price was, either, have you?

MR. McINNES: No, there was no indication; it just simply says, "Appraisal, $35.00."

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

MR. McINNES: If it please your honour, it will be submitted on behalf of the Crown that the goods were sold at their fair market value, or in the alternative at the ceiling price; as already stated, I am not sure whether the $35.00 was the appraisal value or the ceiling price. That is all, thank you

THE COMMISSIONER: All right.

(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.

10

E.P. Dawson
Sub-Commissioner.

20

30

46 DEC - 2 1947 296

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

13724

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

(1) NAME MRS. MORITA, KATSUYOSHI (RCMP) Reg. No. 03140
(Print) Surname Given Name

(2) Pre-Evacuation Address 330 POWELL STREET, VANCOUVER, B.C.

(3) Present Address GREENWOOD, B.C.

(4) REAL ESTATE

(a) Street Address (if any) _____ 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 _____
(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.) _____

(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) - $ _____

(v) Amount at which Custodian sold property and credited your account - - $ _____

(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ _____

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation MOUNTIE'S BARRACKS, Kelly's Piano Co., C.P.R.

(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.) BARRACKS, Kelly's WAREHOUSE

(c) How stored or packed at time of evacuation (MOUNTIE'S) WRAPPED IN BLANKET; (C.P.R.) CRATED

(over)

(1) 5M

(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") ① MOUNTED POLICE ② KELLY PIANO COMPANY ③ B.C. SECURITY COMMISSION

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

1.	1940 Majestic Radio	Estimated Value $	~~99.50~~ 85 00
2.	~~BLANKET WRAPPED AROUND RADIO $1.00; TAXI $.75~~	Estimated Value $	~~1.75~~
3.	~~STOVE, COIL TWO COVER~~	Estimated Value $	~~15 00~~
4.	~~RADIO STORAGE AT KELLY PIANO CO.~~	Estimated Value $	~~29.50~~
5.	~~TOTAL ESTIMATED VALUE~~	Estimated Value $	~~25.75~~
6.	~~MONEY RECEIVED FOR MAJESTIC RADIO AT~~	Estimated Value $	
7.	~~MOUNTIE'S BARRACKS FROM CUSTODIAN~~	Estimated Value $	~~3405~~
8.		Estimated Value $	
9.	CREDIT BY CUSTODIAN $40	Estimated Value $	
10.		Estimated Value $	85 00
		TOTAL CLAIM FOR PROPERTY LOSS $	~~14.70~~

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) - $ ~~14.70~~ 45

(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)
Province of B. C.)
TO WIT:)

I, Mrs. Katsuyoshi Morita 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 19th day of November A.D. 1947.

Mrs K. Morita

L A Dodd

~~A Commissioner &c.~~ *Notary Public in & for the Province of British Columbia, Canada.*

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.

Mrs K Morita
(Claimant's Name)

PERSONAL CHATTELS

03140
Reg. No.

Ken K Morita (husband)

Description of Major Items (and particularly of goods lost, stolen or destroyed)	~~Approximate~~ Date Purchase	New or Used When Purchased	Price Paid	Condition when Evacuated	Estimated value Sale at Date of ~~Evacuation~~
1-6 Tube Majestic Mantel Radio. B 37240 Type 811822	1940-	new —	120.00 —	good —	85.00 —

EXHIBIT No. 296-1
DATE 1 June 1948
FILED BY Claimant

Description of Storage of Goods: Turned in to the RCMP - in Feby 1942 —

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

Additional Comments, if any: I know all the facts pertaining to the Radio and am representing my wife who was the owner of same - I believe that the sale by the Custodian at auction for 40.00 March 1/44 - was much below a fair market value. I believe the radio would be worth at least $85.00 when sold —

K. Morita
SIGNATURE