Name of Claimant **KOSAKA, Sam** Case 572

Custodian File 3423

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	
250.00	12.50 4.17										16.67

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	16.67

CASE NO: 572.

JAPANESE PROPERTY CLAIMS COMMISSION

Lethbridge, Alberta,

August 13th, 1948.

IN THE MATTER OF THE CLAIM OF

SAM KOSAKA.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 572.

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 L.H. STACK, SUB-COMMISSIONER)

Lethbridge, Alberta,
August 13th, 1948.

IN THE MATTER OF THE CLAIM OF
SAM KOSAKA.

PROCEEDINGS AT HEARING.

APPEARANCES:

G.E.A. RICE, Esq., K.C.,	appearing for the Dominion Government.
SIAMU KOSAKA, Esq.,	appearing for himself as claimant herein.

MISS LILLIE THOMAS,	Secretary.
MRS. LUCIE HANDFORD,	Official Interpreter.
S.R. HOWARD, Esq.,	Official Reporter.

SAM KOSAKA, the claimant herein, being first duly sworn, testified as follows:

THE SECRETARY: Case No. 572, Sam Kosaka.

MR. RICE: Q: Just as a matter of clearing the record, your Honour. Is your name Sam?

A Siamu is my proper name.

Q But you go by Sam? A: Yes, known as Sam. Shall I go on with this claim now?

THE SUB-COMMISSIONER: Q: Is this your personal claim?

A Yes, this is my personal claim.

Q Yes, proceed. A: This claim is for Lots 27, 28 and 29 / 229 / 526, G.P. 1, N.W.D. Plan 590. These lots we bought at $750.00 at the time, around $750.00, I am not sure of the figure, and then we had to level the ground, gravel it and fence it in with a highboard fence, and it took a lot of gravel to fill those holes in those lots, and we figure a one-third value on them would be $1000.00. The Custodian credited me with $250.00 and I put in a claim for $750.00.

Q Why do you say one-third value?

A Because in this business we were three of us on a partnership basis, you see, three equal shares and these lots were in conjunction with the shop that we had in there.

MR. RICE: I wish to take a preliminary objection here, your Honour. The Custodian did not sell this property and it is therefore outside the terms of

reference; neither the real estate nor the truck.

THE SUB-COMMISSIONER: Well he isn't making any claim for a truck, is he?

MR. SHEARS: He is claiming truck equipment $7000.00.

THE WITNESS: I am dealing only with the lots now.

THE SUB-COMMISSIONER: With the lots only right now?

A Yes, with the lots only.

Q You have a third interest in these lots?

A I did have.

Q And that is what you are claiming for?

A Yes.

Q And you value your one-third interest at $1000.00? A: Yes.

Q Proceed. A: Well, that would be about all unless there are some questions to be asked.

THE SUB-COMMISSIONER: All right, Mr. Rice, have you any questions?

CROSS-EXAMINATION BY MR. RICE:

Q The Custodian did not sell this property, did he, the Custodian's office?

A No, they didn't; I sold the property.

Q You sold the property? A: Yes.

Q You never declared it in your J.P. form either?

A What is the J.P. form?

Q What is the address, the civic address of this property? A: It was in the 1600 block on 3rd Avenue West in Vancouver.

The Custodian did sell it; I have letters here to

prove it.

THE SUB-COMMISSIONER: Q: You said before that you sold it. Now you say that the Custodian sold it! A: May I read this letter, your Honour?

Q Yes.

A February 23rd, 1948 --

MR. RICE: Q: A letter from whom?

A The Custodian.

THE SUB-COMMISSIONER: What date is it, please?

A February 23rd, 1948.

"For your information we enclose herein copy of the appraisal made by Johnson, Reeve & Watson of the real property which was sold by the Custodian, in regard to which you have filed a claim with the Commissioner. The one-third interest held by you in the above property was sold for the sum of $250.00.

"With reference to the other two properties mentioned in your letter of February 18, 1948, to Mr. A. Watson, Secretary, to the Commissioner, the valuations thereon are being forwarded direct to the persons in whose names the properties were registered."

MR. RICE: That is the other property, is it not?

A Pardon?

Q Isn't that the other property?

A It refers to Lots 27, 28 and 29, Block 229, D.L. 526.

THE SUB-COMMISSIONER: File that letter as an exhibit.

(LETTER MARKED EXHIBIT NO. 1).

THE SUB-COMMISSIONER: Have you any other correspondence relating to it?

A No, I think that will be all on that. Is there any questions on these lots?

MR. RICE: Q: I show you a letter addressed to the Custodian, dated April 18, 1944, and signed by yourself apparently before me as a notary; is that your signature?

A It looks like my signature.

MR. RICE: I wish to tender this as an exhibit, your Honour. It is a letter signed by the claimant addressed to the Custodian of Evacuee Japanese property, Royal Bank Building, Vancouver, B.C., dated April 18th, 1944, which reads:

> "With respect to the application made to your office by my solicitor, Mr. Stuart H. Gilmour, for leave to sell my undivided one-third interest in Lots 27, 28 and 29, Block 229, District Lot 526, Vancouver, B.C., to the Triangle Equipment & Parts Limited, the price which has been offered of $250.00 cash is satisfactory to me and I wish the matter to be closed on that basis."

I tender that as an exhibit.

(LETTER MARKED EXHIBIT NO. 2).

THE WITNESS: The reason I did that, my partners claimed that they could not do business with the Custodian coming down there and poking their noses in their

business affairs.

MR. RICE: I wish to tender as an exhibit, your Honour, a letter addressed by Stuart H. Gilmour, Barrister and Solicitor at Vancouver, B.C., and this letter is addressed to the Custodian.

(LETTER MARKED EXHIBIT NO. 3).

MR. RICE: This letter reads:

"Further to my conversation with you and your letter of the 3rd of April, 1944, and also your letter of the 15th of April addressed to V.H. Akerman and signed by your Mr. P. Douet, I beg to advise you that I have had Lots 27, 28 and 29, Block 229, District Lot 526, valued by Messrs. Johnson, Reeve & Watson, estate agents, and enclose herewith original copy of their valuation. You will note that they have valued the three lots at $750.00, of which Mr. Kosaka had an undivided one-third interest.

"I have also received from Mr. Kosaka an authority addressed to yourself to accept the sum of $250.00 from my client, the Triangle Equipment & Parts Limited, for a conveyance of the property which I am enclosing herewith.

"I also have an executed quitclaim deed signed by Mr. Kosaka and witnessed and acknowledged before a Notary Public in the Province of Alberta.

"I shall be glad if you would now consider this matter and if it meets with your approval,

"let me have the necessary dispensation, so that the quitclaim deed can be registered."

I also wish to tender as an exhibit, your Honour, the appraisal of Johnson, Reeve & Watson addressed to Mr. Gilmour which was received in the Custodian's office.

(APPRAISAL MARKED EXHIBIT NO. 4).

MR. RICE: The land in that appraisal is valued at $750.00. I should point out, your Honour, that the letter filed by the claimant is a mis-statement of a letter addressed to him by the Custodian's office saying that the Custodian sold the property. The Custodian did not sell the property. The money representing the purchase price for the claimant's third share came into his hands.

Q You signed a quitclaim deed, did you not, Mr. Kosaka? A: Pardon?

Q You signed a quitclaim deed of your interest in the property, did you not?

A I believe I did.

Q And you forwarded that to Mr. Gilmour?

A Yes.

Q Along with a letter, Exhibit 2, authorizing the Custodian to sell your interest for $250.00?

A I believe I did.

Q And it was on the strength of that deed and your letter that the Custodian permitted Mr. Gilmour to make a sale of that property, isn't that right?

A I believe that is correct.

MR. RICE: I wish to tender an analysis of the real

property claim.

(ANALYSIS MARKED EXHIBIT NO. 5).

THE WITNESS: Your Honour, may I give an explanation of why I did this?

THE SUB-COMMISSIONER: Yes, you may if you wish.

A The reason I did this; I have still two partners operating this business down at the Coast and if the Custodian were to come in there, on an undivided property, it is a very valuable storage space for their business and they told me to clear their property so that it will be out of the hands of the Custodian.

Q Well you exercised your own choice in the matter?

A I was forced to. I was still partners with them.

MR. RICE: Q: Forced to by your partners?

A Yes, forced to by my partners on account of the Custodian.

Q What did the Custodian do? Did the Custodian say anything to you that you had to sell, or forced you to sell in any manner?

A I had a letter from my partners saying that the Custodian was down there looking over the property.

Q To protect your interest?

A And they figured they might sell a part of that property.

THE SUB-COMMISSIONER: Anything else?

A That will be all on the lots.

Q Now have you a further claim?

A I have a further claim on the business. In this building that we had there we were selling truck

equipment and parts and we had a stock of truck equipment and parts to a rough valuation of $7000.00 of my part, that would be one-third. Also, I left a 1941 Chev. which had only gone 4000 miles with a radio, heater and seat covers, valued at $1500.00, which I only got $1000.00 for. The business I had to sell it for $3500.00, and the car I got $1000.00 and that makes $4500.00, deducting off $8500.00 makes my claim--

10 pardon me -- yes, that will be $85,000.00 so that with the $45,000.00 the forced sale --

Q --you mean $8500.00?

A Yes, $8500.00, and with the forced sale, both of them for $4500.00,that makes my claim $4000.00.

MR. RICE: If it please your Honour, the claimant has not made himself clear. However, I say that this claim is outside of the terms of reference. Neither the Chev. truck nor the stock of truck equipment and parts ever came into the hands of

20 the Custodian. Neither of these items were declared by the claimant at any time and they are outside of the terms of reference.

RE-CROSS EXAMINATION BY MR. RICE:

Q You say that you were compelled to sell? Who compelled you to sell?

A Pardon?

Q Who compelled you to sell, your partners?

A My partners.

30 Q Your partners? A: Yes.

Q The Custodian didn't make you sell?

A Pardon?

Q The Custodian didn't make you sell. He didn't come to you and tell you you had to sell?

A The Custodian forced my partners.

Q How do you know the Custodian forced your partners?

A Because they come down there.

Q You give us a statement that you can swear to. You don't know whether the Custodian went down there or not?

A I don't know because I wasn't allowed to go down there to see.

Q Why do you make statements if you don't know what you are talking about?

A I have just to go by the letters my partners sent.

THE SUB-COMMISSIONER: Q: Have you letters from your partners pertaining to it?

A I am sorry, but I haven't got any with me, I don't think.

MR. RICE: Q: You have no letters from your partners saying that the Custodian came down and made you sell? A: I have some letters at home, I think, I forgot to bring.

Q Did the Custodian ever write you and say that you had to sell your interest in the truck or these parts and stock?

A The Custodian never at any time told us that we had to sell. They just sold it and told us about it later on.

Q You wrote a letter to the Custodian asking the

Custodian to sell your interest for $250.00?

A Y es, that is right, on the property.

Q On the property? A: Yes.

Q And then you went ahead and dealt with your lawyer, Mr. Gilmour, and then fixed a quitclaim deed and other documents so that he could complete the transaction for you?

A Yes.

Q Now did you have any correspondence with the Custodian regarding the sale of the truck or the sale of the stock, the truck equipment and the parts? A: That is the car you are referring to.

Q Excuse me, the car. I thought it was a truck, the Chevrolet.

A '41 Chevrolet sedan.

Q Now did you have any correspondence with the Custodian's office regarding the sale of the sedan or the stock of parts?

A No, not with the Custodian on the sale of the car.

Q Well did you have any correspondence with the Custodian's office regarding thesale of the stock of truck equipment and parts?

A Yes, I wrote them a letter, and this is the answer I got.

Q Have you got a copy of the letter you wrote to the Custodian?

A No, not the one I wrote to the Custodian but I have an answer.

Q What date is it?

A April 7th, 1948.

Q Oh, April 7th, 1948. A: Yes.

Q It is hardly worthwhile referring to that. This stock of parts wassold, was it not, some time previous to that?

A Yes.

MR. RICE: I wish to tender, your Honour, an analysis of the personal property claim as an exhibit.

(ANALYSIS MARKED EXHIBIT NO. 6).

THE SUB-COMMISSIONER: Q: Who were your partners?

A B.D. Morgan -- here is our agreement.

Q Who? A: B.D. Morgan, Benjamin Morgan, and Victor Harold Akerman.

Q Do you wish to file that as an exhibit?

A Yes, I can file that as an exhibit.

(AGREEMENT MARKED EXHIBIT NO. 7).

THE WITNESS: May I explain how I arrived at this $7000.00?

THE SUB-COMMISSIONER: Q: Yes.

A A year after we started business, the bank manager Anderson told us to take stock of our parts of the truck parts and equipment, and he told us on the secondhand parts, we had a lot of secondhand parts as well as new parts, and he told us to take stock of all the parts that we had and equipment that we are sure of selling and split that in half and split that in half again and after the first year I know the stock at that time, the second hand stock alone was $10,000.00, and since then we havebeen operating in business up

until 1942 which was approximately, I think, 7 years and the stock was accumulating and our new parts were accumulating at that rate, so that I think that $7000.00 for my part would be a very conservative figure.

MR. RICE: That is all I have.

THE SUB-COMMISSIONER: Have you anything further to state?

A No, that will be all.

THE SUB-COMMISSIONER: Any questions, Mr. Rice?

MR. RICE: No questions.

THE SUB-COMMISSIONER: Thank you.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

"S.R. HOWARD"
OFFICIAL REPORTER.

Certified correct.

SUB-COMMISSIONER:

COPY (Original letter in file 571)

May 28/49.

" Dear Sirs,

We received your letter of May 18, and we do not intend to submit further evidence or argument.

Yours truly,

SAM KOSAKA
#572
#571 "

NOV 27 1947

Case No. 572.

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

3423

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

(1) NAME KOSAKA (Print) Surname SAM Given Name (RCMP) Reg. No. 03297

(2) Pre-Evacuation Address 750 CORDOVA ST. EAST. VANCOUVER, B.C.

(3) Present Address 601 - 2ND AVE. A. NORTH. LETHBRIDGE. ALTA.

(4) REAL ESTATE

(a) Street Address (if any) 1669 - 3RD AVE. WEST. City or Municipality, VANCOUVER. Province B.C.

(b) Legal description (lot number, block number, section number, etc.)
LOTS 27, 28, 29. 1229 1526.
G.P. 1 N.W.D. PLAN 590

(c) Type of Real Property (cross out words which do not apply):
(i) ~~Farm~~
(ii) ~~Residence~~ Type of business Truck Wrecking & Truck Equipment
(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.) One third interest.

(e) Fair market value at date of sale (estimate this to the best of your ability):
(i) Land - - - - - $
(ii) Buildings - - - together - - - - - $ 1000.00
(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) - - - - - $ 1000.00
(v) Amount at which ~~Custodian~~ sold property and credited your account - - $ 250.00
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 750.00

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation
1669 - 3rd Ave. West Van. B.C.

(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") J. Ackerman & B. D. Morgan

1669-3rd Ave. West, Vancouver, B.C.

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

1.	Stock of Truck Equipment & Parts	Estimated Value $	7000.00
2.	1941 Chev. goneonly 4000 miles	Estimated Value $	
3.	unit Bldg, Heater, Seat Covers	Estimated Value $	1500.00
4.		Estimated Value $	
5.		Estimated Value $	
6.	$8500.00	Estimated Value $	
7.	Forced to sell bulk at 4500.00	Estimated Value $	
8.	$4000.00	Estimated Value $	
9.		Estimated Value $	
10.		Estimated Value $	

TOTAL CLAIM FOR PROPERTY LOSS $ 8500.00

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) - $ 5000.00

(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)
of)
TO WIT:)

I, Sam Kosaka of the City of Lethbridge in the Province of Alberta, Welder,

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 Province of Alberta this 24th day of November A.D. 1947.

Sam Kosaka

A Commissioner &c. for Oaths in and for the Province of Alberta

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.

CANADA
DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN
JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131
PLEASE REFER TO
FILE NO. 3423

506 ROYAL BANK BLDG.
HASTINGS AND GRANVILLE
VANCOUVER, B. C.

REGISTERED MAIL

February 23, 1948

Mr. Sam KOSAKA,
Reg. No. 03297,
1601 - 2nd Avenue A. North,
Lethbridge, Alta.

Dear Sir: Re: Lots 27, 28 and 29, Blk. 229,
D.L. 526, Gp. 1, N.W.D., Plan 590.

For your information we enclose herein copy of the appraisal made by Johnson, Reeve & Watson of the real property which was sold by the Custodian, in regard to which you have filed a claim with the Commissioner. The one-third interest held by you in the above property was sold for the sum of $250.00.

With reference to the other two properties mentioned in your letter of February 18, 1948 to Mr. A. Watson, Secretary fo the Commissioner, the valuations thereon are being forwarded direct to the persons in whose names the properties were registered.

Yours truly,

E. Robertson,
Office of the Custodian.

/ER
Enc. - 1

1

EXHIBIT No. 572-1
DATE Aug. 13/48
FILED BY Claimant.

C
O
P
Y

JOHNSON, REEVE AND WATSON
Estate Agents

Bank of Nova Scotia Building,
602 West Hastings Street,
Vancouver, B. C.

April 6th, 1944.

Stuart H. Gilmour, Esq.,
410 Seymour Street,
Vancouver, B. C.

Dear Sir:-

re Lots 27-28-29 Block 229 D.L. 526

In accordance with your instructions, we have examined the above property and beg to report as follows:-

LOCATION On the North side of Third Avenue between Fir and Pine Streets. This locality is partly built up with old houses and manufacturing and storage buildings.

The property is of a poor class and there is no prospect of a speculative increase in values.

LAND 75 feet frontage by 120 feet in depth to a lane. There are no buildings.

SALES The property opposite this land, comprising three similar lots with a frame building worth about $2,000., was sold in 1942 for $2,500.

APPRAISAL

We are of the opinion that the present market value of this property is not more than Seven Hundred and fifty dollars ($750.)

Yours faithfully,

Johnson Reeve and Watson

per G.A. Watson

ey

EXHIBIT NO. 572 - 2

DATE Aug. 13/48

FILED BY G.E.A.Rice

Box 48,
Picture Butte, Alta.

April 18th, 1944.

The Custodian of Evacuee Japanese Property,
Royal Bank Building,
Vancouver, B. C.

Dear Sir,-

With respect to the application made to your office by my solicitor, Mr. Stuart H. Gilmour for leave to sell my undivided one-third interest in Lots 27, 28 & 29, Block 229, District Lot 526, Vancouver, B.C., to the Triangle Equipment and Parts Limited, the price which has been offered of $250.00 cash is satisfactory to me and I wish the matter to be closed on that basis.

Yours truly,

"S. Kosaka"

WITNESS:

"Geo.E.A.Rice"
A Notary Public in and for the
Province of Alberta.

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

September 25, 1948. G.E.A. Rice

mad

EXHIBIT No. 572 - 3

DATE Aug. 13/48

FILED BY G.E.A.Rice

STUART HUGH GILMOUR
Barrister & Solicitor
Notary Public

The Bank of Toronto Bldg.,
410 Seymour Street,
VANCOUVER, B.C.

April 24, 1944.

The Custodian,
Department of Secretary of State,
509 Royal Bank Building,
Vancouver, B. C.

Attention: Mr. K.W. Wright.

Dear Sir,- Re: Your File 3423 - Evacuee Section.

Further to my conversation with you and your letter of the 3rd of April, 1944, and also your letter of the 15th April addressed to V. H. Akerman and signed by your Mr. P. Douet, I beg to advise you that I have had Lots 27, 28 & 29, Block 229, District Lot 526, valued by Messrs. Johnson, Reeve & Watson, Estate Agents, and enclose herewith original copy of their valuation. You will note that they have valued the three lots at $750.00, of which Mr. Kosaka had an undivided one-third interest.

I have also received from Mr. Kosaka an Authority addressed to yourself to accept the sum of $250.00 from my clients, the Triangle Equipment and Parts Limited for a Conveyance of the property, which I am enclosing herewith,

I also have an executed Quit Claim Deed signed by Mr. Kosaka and witnessed and acknowledged before a Notary Public in the Province of Alberta.

I shall be glad if you would now consider this matter and if it meets with your approval, let me have the necessary dispensation, so that the Quit Claim Deed can be registered.

Yours truly,
STUART H. GILMOUR,

per: (initials illegible)

SHG:B.
Encls.

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

September 27, 1948. G/Hyde m.d.

EXHIBIT No. 572 - 4
DATE Aug. 13/48
FILED BY G.F.A.Rice

JOHNSON, REEVE and WATSON
Estate Agents

Bank of Nova Scotia Building
602 West Hastings Street
VANCOUVER, B.C.

April 6th. 1944.

Stuart H. Gilmour, Esq.,
410 Seymour Street,
Vancouver, B.C.

Dear Sir;-

re Lots 27-28-29 Block 229 D.L. 526

In accordance with your instructions, we have examined the above property and beg to report as follows:-

LOCATION On the North side of Third Avenue between Fir and Pine Streets. This locality is partly built up with old houses and manufacturing and storage buildings.

The property is of a poor class and there is no prospect of a speculative increase in values.

LAND 75 feet frontage by 120 feet in depth to a lane. There are no buildings.

SALES The property opposite this land, comprising three similar lots with a frame building worth about $2,000., was sold in 1942 for $2,500.

APPRAISAL

We are of the opinion that the present market value of this property is not more than Seven Hundred and fifty dollars ($750.)

Yours faithfully,

Johnson Reeve and Watson

per "G. A. Watson"

GAW

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

September 27, 1948. G. A. Hyde mud.

572 - 5

EXHIBIT No.

DATE Aug. 13/48

FILED BY G.E.A.Rice

ANALYSIS OF REAL PROPERTY CLAIM

April 27, 1948.

CLAIMANT: Sam KOSAKA Reg. No. 03297 File No. 3423

SUBJECT of CLAIM: Lots 27, 28 and 29, Block 229, D.L. 526, Group 1, N.W.D., Plan 590.

ADDRESS: 1600 Block, 3rd Avenue West, Vancouver, B. C.

REGISTERED OWNERS: Ben Morgan, Victor Harold Akerman, and Isamu KOSAKA.

ASSESSED VALUE: 1943 - Land $1500.00
Improvements Nil

Private Sale by Sam Kosaka.

APPRAISAL $750.00 - Johnson, Reeve & Watson, April 6th, 1944.

SALE: The above property was not declared by Mr. Kosaka in his JP Registration Form.

In their letter of April 24, 1944, the firm of Stuart Hugh Gilmour enclosed an Authority addressed to the Custodian from Mr. Kosaka to accept the sum of $250.00 from their clients, The Triangle Equipment & Parts Limited for a Conveyance of Kosaka's interest in the above real property.

The above-mentioned Authority is on file dated April 19, 1944 and signed by S. Kosaka. (See also letter of Apr. 18/44 signed by Mr. Kosaka before a Notary Public).
Cheque for $250.00 was received from Stuart H. Gilmour with their letter of May 1, 1944, and Mr. Kosaka so advised by the Custodian in our letter of June 3, 1944.

CLAIM:

Estimated value of land and buildings as given by Claimant	- $1000.00
Less amount at which Mr. Kosaka sold his property	- 250.00
Loss claimed	- $ 750.00

NOTE: Mr. Kosaka held an individed 1/3rd interest in the above property and it is not clear from the claim if Mr. Kosaka is claiming a loss of $750.00 or if it should be a loss of 1/3 of $750.00.

"E.Robertson"

I hereby certify the foregoing words are a true copy of the original whereof they purport to be a copy.
Sept. 27/48. [signature]

mw

572-6

EXHIBIT No.

DATE Aug 13/48

FILED BY G.E.A. Rice

ANALYSIS OF PERSONAL PROPERTY CLAIM

CLAIMANT: Sam KOSAKA Reg. No. 03297 File No. 3423

SUBJECT of CLAIM:

Stock of Truck Equipment and Parts	- $7,000.00
1941 Chev. gone only 4000 miles with Radio, Heater, Seat Covers	- 1,500.00
	- $8,500.00
Forced to Sell both at	- $4,500.00
Loss	- $4,000.00

The claimant states these were left in care of V. Akerman and B. D. Morgan, 1669 - 3rd Ave. West, Vancouver, B. C.

NOTE: The above Stock and Automobile were never declared by Mr. Kosaka and the Custodian had no record of these at any time.

/ER
April 27, 1948.

"E. Robertson"

I hereby certify the foregoing words are a true copy of the original whereof they purport to be a copy.
September 27, 1948. [signature]

mcw

MEMORANDUM OF AGREEMENT made the day of

A. D. 1935.

EXHIBIT NO. 572-J
DATE Aug 13/48
FILED BY Sam Kosaka

BETWEEN:

BENJAMIN MORGAN of 4626 West 8th Avenue, Vancouver, British Columbia, Buyer,

OF THE FIRST PART:

HEREINAFTER CALLED "MORGAN":

AND:

SAM KOSAKA of 750 Cordova Street East, Vancouver, British Columbia, Mechanic,

OF THE SECOND PART

HEREINAFTER CALLED "KOSAKA":

AND:

VICTOR HAROLD AKERMAN of 274 East 20th Avenue, Vancouver, British Columbia, Salesman,

OF THE THIRD PART

HEREINAFTER CALLED "AKERMAN":

WHEREAS the Parties hereto are the sole shareholders and present directors of TRIANGLE EQUIPMENT AND PARTS LIMITED, a Company incorporated under the Laws of the Province of British Columbia, hereinafter called the "Company":

AND WHEREAS the said Morgan is the largest shareholder in the Company holding One Thousand Seven Hundred (1,700) shares:

NOW THIS AGREEMENT WITNESSETH:

1. The Parties mutually covenant and agree each with the other that they will all vote the shares owned and/or controlled by them so as to ensure the election of each other as the sole directors of the Company, for a period of ten years from the date hereof.

That for a period of one year from the date hereof the said Kosaka and the said Akerman shall have the right to purchase further shares from the Treasury of the Company so as to bring their shareholding each up to One Thousand Seven Hundred (1,700) shares, the equivalent of the number of shares held by the said Morgan; and the Parties hereto covenant and agree each with the other that they will vote as directors of the Company to pass such resolutions as to allotment and issue of shares so as to carry out to the full extent, the agreement contained in this clause.

THIS AGREEMENT SHALL ENURE for the benefit of and be binding upon the Parties hereto and their respective heirs, executors, administrators and assigns.

IN WITNESS WHEREOF the Parties hereto have hereunto set their hands and seals the day and year first above written:

SIGNED, SEALED and DELIVERED)
IN THE PRESENCE OF:)

B. D. Morgan

Sam Kosaka.

Nic Akerman

DATED THE DAY OF
A. D. 1935.

BETWEEN:

BENJAMIN MORGAN

- And -

SAM KOSAKA

- And -

VICTOR HAROLD AKERMAN

MEMORANDUM OF AGREEMENT

STUART H. GILMOUR,
Barrister and Solicitor,
VANCOUVER, B. C.

COPY.

1601 - 2nd Ave. A. North,
Lethbridge, Alta.
March 17, 1948.

Mr. A. Watson,
Sec. to the Commission,
Court House,
Vancouver, B.C.

Dear Sir,

I hear you have forms for questions to be asked at the Claims Court.

If you have them, I would like three copies, so we could go prepared and not delay the case.

Yours truly,

SAM KOSAKA

Claim # 294

COPY OF LETTER FEB.28/50 FROM D.T.BRAIDWOOD TO COMMISSIONER

ORIGINAL FILED IN CLAIM #570.

Re 570, 571, 572.

I beg to advise you that in the above amended cases the claimants appeared in person. I have had award sheets prepared on the material procured from the Custodian and I am proposing to file these on the lines of general settlement.

If you have any other directions to give me in this matter I will be pleased to hear from you.