Name of Claimant AKAZAWA, Matsushiro & MIYOMOTO, Sachiko

Case 1346

Custodian File 1468 & 9627

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	
1500.00	75.00 12.50										87.50

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	87.50

CASE NO: 1346.

JAPANESE PROPERTY CLAIMS COMMISSION

Montreal, P.Q.,

June 3rd, 1948

IN THE MATTER OF THE CLAIM OF

SACHIKO MIYAMOTO.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 1346.

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).

Montreal, P.Q.,

June 3rd, 1948.

IN THE MATTER OF THE CLAIM OF

SACHIKO MIYAMOTO.

PROCEEDINGS AT HEARING.

APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
ROGER OUIMET, Esq., K.C.,	appearing for the Claimant.

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

(MRS.) SACHIKO MIYAMOTO, the claimant herein, being first duly sworn, testified as follows:

MR. OUIMET: This, my lord, was an original claim of $4500.00 which was reduced to $3000.00 and when a credit was taken into account of $1500.00, it leaves a net claim for $1500.00 for real estate. There is no personal chattels claim.

DIRECT EXAMINATION BY MR. OUIMET:

Q Mrs. Sachiko Miyamoto, you are the claimant in this case? A: Yes.

Q I understand that you are the wife of the previous claimant? A: Yes.

Q Since when? A: 1946.

Q Would you take communication of a real estate claim for $3000.00 less $1500.00 receivedfrom the Custodian, leaving a net claim of $1500.00 bearing your signature, and file this claim as Exhibit No. 1? Do you understand English well enough? You are filing it as Exhibit No. 1 and identifying your own signature?

A Yes.

(STATEMENT MARKED EXHIBIT NO. 1).

Q Mrs. Miyamoto, when did you buy that property?

A In 1930 my dad bought it.

Q Oh, your dad bought it?

A Yes.

Q So you inherited it, I take it?

A Yes.

Q And no other person is interested in the property,

but yourself? A: Iam the executrix, you see.

Q And you are claiming as heir and executrix?

THE COMMISSIONER: There is no question of title, Mr. Hunter.

MR. OUIMET: There are some titles here.

MR. HUNTER: It is just a little complicated, my lord.

MR. OUIMET: That is why I wanted to elucidate it in case some questions might arise later on.

Q When did yourfather die? A: May 1st, 1945.

Q You were single then, were you not?

A Yes.

Q You were appointed executrix by your father's will, I take it? A: Yes.

Q Were there other heirs than yourself?

A It isn't mentioned in the will.

Q Who is mentioned as heir in your father's will, that is sole heir? A: I am.

Q So you are the sole heir and executrix of your late father? A: Yes.

Q And what was the name of your late father?

A Matsushiro Akazawa.

THE COMMISSIONER: Where was the will admitted to probate?

MR. OUIMET: In British Columbia. I have it here, my lord, so we will tender it.

Q What was your maiden name?

A Sachiko Akazawa.

MR. HUNTER: Yes, it appears to be. This is a very elaborate one by R.J. McMaster including copies of

Succession Duty papers also. I don't know whether they are of any value to your Lordship.

MR. OUIMET: They might be.

THE COMMISSIONER: Perhaps you can concede the fact that this claimant is the registered owner of the property, and that will eliminate all question.

MR. HUNTER: I don't think that would be strictly accurate, my lord. I don't think she ever became the registered owner. I think the Custodian does have it vested in him onher account. The father was the registered owner.

THE COMMISSIONER: There will have to be a transmission from the father's estate to this claimant.

MR. OUIMET: My lord, it seems to me if the will appoints her executrix and heir and if the person who made the will died, she became vested with the property, whether or not the Custodian took it afterwards.

THE COMMISSIONER: Not under the land title registration in British Columbia. She would have to file the probate and a transmission from herself as executrix to herself in her personal capacity.

MR. OUIMET: And the receipt from the Succession Duties Department, I take it.

THE COMMISSIONER: That would have to be filed in addition.

MR. HUNTER: It may be they never transmitted it, my lord. They just put it in the Custodian's name because it was already in a Japanese name.

THE COMMISSIONER: In any case the Custodian concedes he holds it for the beneficial interest of this

claimant.

MR. HUNTER: Yes, correct.

MR. OUIMET: If that is conceded, I have no further proof to adduce.

THE COMMISSIONER: That is all right.

MR. OUIMET: Thank you very much.

MR. HUNTER: It is submitted, my lord, that this property was sold for its fair market value. I tender the appraisal of Loewen & Harvey Limited, Dated November 18, 1944. It is a fairly detailed appraisal valuating the house and lot at $1200.00.

(APPRAISAL MARKED EXHIBIT NO. 2).

CROSS-EXAMINATION BY MR. HUNTER:

Q I produce a photograph. Is that aphotograph of your house? A: Yes.

MR. HUNTER: I submit a photograph of the premises, identified by the claimant.

(PHOTOGRAPH MARKED EXHIBIT NO. 3).

MR. HUNTER: The assessed value for 1942 was land, $550.00, improvements $550.00, a total of $1100.00.

This was advertised under catalogue No. 71. There appears to have been only one offer made by the Pemberton Realty Corporation on August 27th, 1943, on behalf of Jure Farak and Rosei Gudzey for $1500.00. This was approved by the Advisory Committee on September 1st, 1943, and it was sold to these two persons as of September 3rd, 1943.

It appears to be entirely a question of value, my lord. No questions.

MR. OUIMET: My lord, I think --

THE COMMISSIONER: Just one moment, if you please, Mr. Ouimet. If I may direct attention to the date of the Lowen & Harvey appraisal, it is dated November 18th, 1944. It is a valuation as at the date of inspection, namely August 27th, 1943.

MR. HUNTER: Yes, my lord.

THE COMMISSIONER: I found it a little difficult to understand that the appraisal should be a year after the sale. Now, Mr. Ouimet, you had something?

RE-DIRECT EXAMINATION BY MR. OUIMET:

Q Mrs. Miyamoto, had you been living in that house prior to your father's death?

A Yes, before evacuation.

Q And are you aware personally of all the improvements made? A: I beg your pardon?

Q Have you a personal knowledge of all the improvements made that you mention in your claim?

A Yes.

Q You have. Do you know who made those improvements?

A My father.

Q Did he have anyone to help him make those improvements? A: My brothers.

Q Now you have mentioned that the cost price of this house was $1500.00 for lot and building, but I see here that on May 14th, 1930, one Matsushiro Akazawa and Shizuko Akazawa, joint tenants, acquired a right to purchase for the sum of $1800.00, so was the original price you paid $1800.00 or $1500.00?

A I think it was $1800.00. I think I made a mistake.

Q So would you wish to amend your real estate claim No. 1 by stating that the original cost price was $1800.00 and not $1500.00 as stated?

A Yes.

Q Now, do you know who was the Shizuko Akazawa described as joint tenants with your father?

A It was my mother.

Q You bear the same name as your mother?

A Well, she is Shizuko.

MR. OUIMET: My lord, I believe it would be transferable. I would wish my learned friend if he has no objection to tender the analysis of real property claim which will complete the record.

THE COMMISSIONER: Yes.

MR. HUNTER: I tender the same as Exhibit 4.

(ANALYSIS MARKED EXHIBIT NO. 4).

MR. OUIMET: Q: Is there any other matter you wish to speak about in relation to your claim, Mrs. Miyamoto?

A No.

MR. OUIMET: That is all, unless my friend wishes to cross-examine again.

THE COMMISSIONER: That is all, thank you, Mrs. Miyamoto.

(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 1346 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

9627

24

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

(1) NAME MIYAMOTO SACHIKO (RCMP) Reg. No. 00274
(Print) Surname Given Name

(2) Pre-Evacuation Address 665 CORDOVA ST. E. VANCOUVER, B.C.

(3) Present Address 10727 EMILE ST. MONTREAL, QUE

(4) REAL ESTATE

(a) Street Address (if any) 665 CORDOVA ST. E VANCOUVER, B.C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
LOT #19, BLOCK #52 SUBDIVISION OF LOT AS 181 & 196

(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.) THIS PROPERTY GRANTED TO MYSELF NEE SACHIKO AKAZAWA, THE SOLE EXECUTRIX - 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) - - - - - - - - - - - - - - - $ amends.
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - $ 3000.00
(v) Amount at which Custodian sold property and credited your account - - $ 1500.00
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 1500.00

(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) - $ 3000

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

(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:)

S. Mijamoto

I, Jachiro Mijamoto of the city
of Montreal in the Province of Quebec

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 Evi[illegible]

DECLARED before me at the city)
of Montreal)
in the Province of Quebec)
this 2nd day of November)
A.D. 1947.) A Commissioner &c.

N.B. — THIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONE[illegible]N, MAILED BY REGISTERED MAIL TO THE COMMISSIONER, c/o THE OFFICE OF THE [illegible], 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.

_____

_____

_____

_____

MIYAMOTO, Sachiko (Mrs.)
(Claimant's Name)

REAL ESTATE
(Other than farm)

00274
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
House	6	Frame	Residence	25 x122	1930	May 6th

Type of Locality	Cost Price
Residential	~~$1500~~ #1800. (lot & building)

Improvements made by Claimant

		Estimated Value Date of Sale
Making room upstairs and stairway	1932	$400.
Reroofing	1932	100.
Redecoration interior including plastering	1938	150.
Additional lighting fixtures	1932	50.
Painting outside	1941	100.

Comments re upkeep of premises:

Comments re Appraiser's report not covered above:

Rented at $25.00 monthly at time of evacuation 1942.

Assessed Value 1942

Land	$550.00
Improvements	550.00
	$1100.00

Summary

Estimated Value	$3000.
Sold bu Custodian	1500.
Claim	$1500.

EXHIBIT No. 1346-1
DATE 3 June 1948
FILED BY R. Onimel

S. Miyamoto
Signature

EXHIBIT No. 1346 - 2

DATE 3 June 1948

FILED BY

J. W. G Hunter

LOEWEN & HARVEY LIMITED
751 Dunsmuir St.,
Vancouver, B. C.

November 18th, 1944.

The Department of the Secretary of State,
Office of the Custodian,
(Japanese Evacuation Section)
506 Royal Bank Bldg.,
Vancouver, B. C.

Dear Sir: Re: Catalogue No. 71, 665 E. Cordova Street,
Lot 19, Block 52, District Lot 196

The above lot is on the North side of Cordova Street adjoining the building on the 50 foot North West corner of Heatley Avenue. The lot is 25 x 122 feet and is level with both street and lane. There are cement walks to front and back entrances.

On this is a 1½ storey frame bungalow with full basement. The foundation is cement and centre posts on cement footings, but the basement floor is plank in good condition. There is no furnace, but there are laundry tubs and a Japanese bath (steam). The overall length of the foundation is 51 feet, but in width the front portion is 21 feet - the back 18 feet. Basement walls and ceiling are wood lined.

The exterior is of 6 inch drop-siding with shingle roof. The front portion of the roof is poor but the back good. Paint is in fair condition. The front verandah is glassed in at both ends. Metal eaves are in need of repair.

The ground floor contains living room with double arch to dining room, and off each of the above rooms is a bedroom. The toilet is on the back porch which is under the main roof. An extended open floor is built beyond the house and the back steps, in dangerous dondition, lead from it. There is no bathroom or other plumbing. Inside entrance to the basement is through a trap door in the kitchen floor. The attic is reached through a trap door in the centre bedroom ceiling - a make shift stair being built against the wall of the room. The attic is floored and lined with "V" joint. The main floor is all plastered and in good condition.

In my opinion a fair valuation as at the date of inspection August 27th, 1943 is $1,200.00.

Yours faithfully,

Loewen & Harvey Limited.

"A. Rout Harvey"

Director.

ARH/F.

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

August 3, 1948

C. McClughan

AKAZAWA, Shizuo
AKAZAWA, Matsushiro
665 Cordova St., Vancouver, B.C.
Evac. File3252
1468



Picture Taken April 8, 1943

EXHIBIT No. 1346-3
DATE 3 June 1948
FILED BY J. W. G. Munter

EXHIBIT No. 1346 - 4

DATE 3 June 1948

FILED BY J. W. G. Hunter

ANALYSIS OF REAL PROPERTY CLAIM

FILE NO: 1468 CATALOGUE NO: 71

CLAIMANT: Sachiko MIYAMOTO (nee Akazawa) Executrix and Sole Heir of the Estate of Matsushiro AKAZAWA, Deceased.

PROPERTY ADDRESS: 665 East Cordova Street, Vancouver, B. C.

LEGAL DESCRIPTION: Lot 19, Block 52, District Lot 196, Group 1, New Westminster District, Plan 196

DETAILS OF CLAIM:

Land and Buildings	$4500.00
Less Custodian sale price	1500.00
Loss Claimed	$3000.00

TITLE: In the name of Thomas Wapshott, Certificate of Title 70191-K

ENCUMBRANCES: (1) 80187-H - Mortgage dated May 7, 1930 in favour of John R. Ross (Trust Filing 3116 - appointment of John R. Ross as executor of the Estate of Duncan Rowan) $800.00 at 8%. This mortgage was extended April 28, 1933 in the amount of $700.00, $25.00 payable on the 26th of November 1933 and the balance May 6, 1934.

(2) 80379-H - Right to purchase dated May 14, 1930 to Matsushiro AKAZAWA and Shizuko AKAZAWA, Joint Tenants, for the sum of $1800.00, terms $400.00 cash, purchaser to assume mortgage of $800.00 and to pay $600.00 in 30 consecutive monthly payments of $20.00 each from June 12, 1943 until fully paid.

(3) Vesting 35320 - December 2, 1942 - interest of Matsushiro AKAZAWA and Shizuo AKAZAWA.

ASSESSED VALUE: 1942

Land	$550.00	
Improvements	550.00	
	$1100.00	Taxes $42.97

ADMINISTRATION: The property was occupied by the owner up to date of evacuation, September 9, 1942. On September 15, 1942 the property was rented through Pemberton Realty Corporation to D. White at $25.00 per month, the tenant to have the use of specified articles of furniture as indicated in letter from Pemberton Realty Corporation on the Claim File, dated September 4, 1942, signed by D. White and S. Akazawa (the claimant.) Mr. White continued to occupy the premises up to date of sale, vacating on September 30, 1943. Rental received for this period was $312.50.

The Administration & Trust Company, representing the mortgagee, reported on the 24th December, 1942, as owing on the mortgage, $300.00 on principal and $12.00 interest to November 6, 1942. From funds at credit the Custodian paid $24.00 on account of interest and on January 6, 1944, paid off the balance of principal with interest to date, $324.50. A discharge of mortgage dated January 8, 1944 was received from the mortgagee's agents and registered January 25, 1944.

In proceeding to clear title and convey, it was learned thatShizuko Akazawa, wife of Matsushiro Akazawa and one of the joint purchasers, had died on March 15, 1939. A certificate of death was obtained and also a statutory declaration by Matsushiro Akazawa that the Shizuki Akazawa named in the death certificate was the Shizuki Akazawa named in the Agreement for Sale. These were filed in the Registry Office and the interest of the deceased was transmitted to the surviving purchaser, Matsushiro Akazawa.

We were advised by Loewen & Harvey on September 13, 1943, that they held an executed deed from the registered owner, Thomas L. Wapshott to Matsushiro Akazawa and Shizuko Akazawa. At the request of the Custodian Office a new Deed was executed from Thomas L. Wapshott to Matsushiro Akazawa.

APPRAISAL: Loewen & Harvey, Limited- August 27, 1943 - $1,200.00 (see their letter on Claim File dated November 18, 1944)

ADVERTISED: Included in Catalogue of Real Property advertised for sale by public tender on June, 19, 1943. Tenders closed July 19, 1943.

OFFERS: $1500.00 - August 27, 1943 - Pemberton Realty Corporation Limited on behalf of Jure Farak and Rosei Gudzey.

Approved by the Advisory Committee September 1, 1943.

SOLD:

To Jure Farak and Rosie Gudzey for $1500.00 as at September 3, 1943.

NOTE: Matsushiro AKAZAWA died at Tashme, B. C. on May 1, 1945, leaving a Will in which he named his daughter, Sashiko Akazawa sole beneficiary and executrix of his estate. The Will dated March 12, 1945 was submitted for probate by R. J. McMaster, acting for Sashiko Akazawa, and Letters Probate issued July 7, 1945. A cheque payable to Sashiko Akazawa, Executrix of the Estate of Matsushiro Akazawa Deceased, was sent to Mr. McMaster on August 1, 1945, the sum of $160.00 being retained by the Custodian to pay creditors, at the request of the Solicitors of the Estate.

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

August 3, 1948