Name of Claimant YAMAOKA, Seijiro Case 1364

Custodian File 1745

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	
1200.00	60.00 12.50										72.50

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	
395.50	170.40	51.12	43.37%	12.50	5.42			56.54

TOTAL RECOMMENDATION	129.04

CASE NO: 1364.

JAPANESE PROPERTY CLAIMS COMMISSION

Montreal, P.Q.,

June 7th, 1948.

IN THE MATTER OF THE CLAIM OF

SEIJIRO YAMAOKA.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 1364.

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 7th, 1948.

IN THE MATTER OF THE CLAIM OF

SEIJIRO YAMAOKA.

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.

MR. OUIMET: In this case, my lord, my instructions are that the claimant, when he completed the original claim, was under the impression that only articles that were lost were to be included and not articles sold by the Custodian at auction. Now, he didn't give credit either for what was received from the Custodian, and that accounts for the fact that there is a discrepancy between the amended claims as we are filing them today and the original claim. The original claim was for land and building a total of $1700.00, less $1200.00 for which it was sold by the Custodian, leaving a net of $500.00. It remains the same as before.

As for personal chattels, the original estimated value is $483.00, less proceeds of auction sale $175.78, leaving a net claim of $307.22. This $175.78 had not been credited on the original claim.

SEIJIRO YAMAOKA, the claimant herein, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. OUIMET:

Q Mr. Yamaoka, you are the claimant?

A Yes.

Q Would you take communication of a personal chattels claim form, together with inventory of personal chattels for a balance of $307.22 bearing your signature, identify both the claim inventory and signature, and file these documents as Exhibit No. 1?

A Yes.

(STATEMENT MARKED EXHIBIT NO. 1).

Q Would you take communication of a real estate claim for $500.00 bearing your signature, and file this claim after identification as Exhibit No. 2?

A Yes.

(STATEMENT MARKED EXHIBIT NO. 2).

MR. OUIMET: Would my learned friend tender Mr. A.R. Harvey's appraisal of the real property of the 7th of September, 1943.

MR. HUNTER: I tender the appraisal of Loewen & Harvey appraising for $900.00 as Exhibit 3.

(APPRAISAL MARKED EXHIBIT NO. 3).

MR. OUIMET: Thank you. Government counsel has in his possession a photograph of the property which I would like to have identified and file as Exhibit No. 4.

(PHOTOGRAPH MARKED EXHIBIT NO. 4).

Q Mr. Yamaoka, would you take communication of a photograph of premises taken on April 9th, 1943, and say whether you are in a position to identify that building and the property reproduced on that photograph? A: Yes.

Q What is that building or house?

A The house.

Q Whose house was it? A: It was mine.

Q Yes, yours. A: Yes, and the lawns were nicely grassed. I don't know, I can't see very clear from this but it was almost just like velvet when I left.

Q Oh, the grass? A: The grass, when I left. In other words, I can't say.

Q Otherwise, did you say?

A I can't see anything there (indicating).

Q You can't see anything in there?

A No.

Q Does that give an idea of what your property was like or your house was like when you left it in 1942?

A Yes.

MR. OUIMET: Would my learned friend tender the summary relative to the claim of Seijiro Yamaoka as at the 7th of April, 1948?

MR. HUNTER: As requested, I tender same as Exhibit 5.

(SUMMARY MARKED EXHIBIT NO. 5)

MR. OUIMET: No further questions.

MR. HUNTER: It is submitted, my lord, that the real property was sold for its fair market value.

Your Lordship will observe from Exhibit 5 that in answer to the advertisement three tenders were received, the highest tender being for $1200.00, which was approved by the Advisory Committee and accepted.

The property was advertised under catalogue No. 144.

It is submitted that the personal property was sold for its fair market value. The analysis prepared is no longer suitable in view of the change, but I can give your Lordship some information on the things which were sold as shown on Exhibit 1. The three piece chesterfield suite sold for $51.00. There appears to be no record of the counter table. The declaration as shown in the J.P. form merely reads as follows: "Living equipment

and personal effects in owner's possession at 2261 McGill Street, Vancouver, B.C." and if your Lordship chooses to accept the counter table as having been declared under that general heading, then it would come under the category of "declared and not found". Otherwise there would be no record at any time.

The four pictures sold for 50 cents. The oak writing desk sold for $8.00. The five piece bedroom suite sold for $74.50. The two garden sprays were found but are now missing. The General Electric range sold for $12.00. The hose sold for $2.25. The garden tools sold for $2.05. The radio sold for $30.00. Your Lordship will observe the radio was purchased new in 1931. It was sold on January 27th, 1944. At that time it would have been 13 years old.

Most of the items sold were sold in a sale on January 20th, 1944, although the hose and the tools were sold on December 7th, 1944.

It appears to be a question of value, my lord. The only thing that is rather a bad discrepancy is the General Electric range, which was apparently purchased in 1941, and it was sold for $12.00.

THE COMMISSIONER: There does seem to be something wrong about that.

CROSS-EXAMINATION BY MR. HUNTER:

Q Where did you leave the range?

A The range? Right in the kitchen.

Q Right where it was being used? A: Oh yes, all

the time.

Q Did you have any other electric stove?

A No, just one.

Q There couldn't be any question of difference in the items sold? A: No, just the one we had.

Q When you left you gave Zackis a power of attorney to look after your affairs, didn't you?

A Yes.

Q And they leased the property to a Mrs. Whelan?

A Yes.

Q Do you know whether they leased it to her furnished?

A Yes.

Q She would have been using the stove, I presume?

A Oh yes, she did.

MR. HUNTER: The only thing I can suggest, my lord, is that the stove suffered from usage.

THE COMMISSIONER: You might ascertain whether it was new or secondhand when it was bought.

MR. HUNTER: It says new in the statement. No, I am sorry, it says "used slightly".

Q Do you know how old it was when you purchased the stove? A: I couldn't tell you exactly. One coil was repaired since.

Q That was after? A: They repaired that after I left.

THE COMMISSIONER: It was repaired after he left?

MR. HUNTER: Yes.

A I mean the coil. They put a new one in.

Q An element, you mean?

A Yes. Something happened to the element, or one of them.

Q You don't know how old the stove was when you bought it? A: I can't tell you exactly but it was in good condition. I checked it up myself and it was nice and clean inside, almost new.

Q Where did you buy it?

A From the lady we bought the house from.

Q You mean you bought it with the house?

A No, not at the same time, but from the same person.

MR. HUNTER: Unless your Lordship has something, that is all.

THE COMMISSIONER: That seems to be allwe can get. Is there anything further, Mr. Ouimet?

MR. OUIMET: Q: Is there anything you wish to add, Mr. Yamaoka?

A That is all.

MR. OUIMET: Thank you. That is all, my lord.

THE COMMISSIONER: Thank you, Mr. Yamaoka.

(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 1364 DEC - 5 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

1745

47

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

(1) NAME SEIJIRO YAMAOKA (RCMP) Reg. No. 00533
(Print) Surname Given Name

(2) Pre-Evacuation Address 2261 McGILL ST VANCOUVER B.C.

(3) Present Address 6861 MOLSON ST. MONTREAL P.Q.

(4) REAL ESTATE

(a) Street Address (if any) 2261 McGILL ST VANCOUVER B.C.
City or Municipality, Province

(b) Legal description (lot number, block number, section number, etc.)
LOT 13
BLK 4
D.L. 184
Group (1) NEW WESTMINSTER District

(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) - $1,700.00
(v) Amount at which Custodian sold property and credited your account - - $1,200.00
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 500.00

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation 2261 McGILL ST VANCOUVER B.C.

(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.) ~~VANCOUVER B.C.~~ HOUSE Some thing in Box and some out in Basement

(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") Mrs. Dave Jacks
Jacks Cleaner & Dyer Ltd
Corner Main and Fifth ave

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

1.	Tea Set for 8 21 piece	Estimated Value $	13.00
2.	Large dish 7	Estimated Value $	6.00
3.	Rice Bowl 6	Estimated Value $	1.50
4.	Japanese Teacups 12	Estimated Value $	3.00
5	Cocktail Set 7 piece	Estimated Value $	10.00
6.	Flower pots 7s	Estimated Value $	10.00
7.		Estimated Value $	
8.	Household goods —	Estimated Value $	483.18
9.		Estimated Value $	175
10.		Estimated Value $	307 22
	TOTAL CLAIM FOR PROPERTY LOSS	$	43.50

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) - $ 543.50

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

(b) Do you require the services of an interpreter at the hearing? Yes or 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, Yamaoka Seijira of the 6861 Molson,
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 Evidence Act".

DECLARED before me at the city)
of Montreal)
in the province of Quebec)
this 1st day of December)
A.D. 1947.) Yamaoka
) 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.

Mr. Seijiro YAMAOKA

INVENTORY OF PERSONAL CHATTELS

		Estimated Value
3 Piece Chesterfield suite	Sold at 51	$ 150.00
1 counter table	no record	10.00
4 pictures	50 cents	5.00
1 oak writing desk	8—	15.00
5 piece bed room suite	74.50	120.00
1 General Electric Range bought 1941	12.00	75.00 ?
2 garden sprays	missing	2.50
50 feet hose	2.25	2.50
Garden tools	2.05	3.00
Radio (combination radio and phonograph) bought new 1931	$30- sold Jan 27-44.	100.00
	Total	$483.00

YAMAOKA, Seijiro (Mr.)
(Claimant's Name)

PERSONAL CHATTELS

00533
Reg. No.

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 at Date of Evacuation
3 Piece chesterfield suite	1838	New	$275.	Good	$150.
5 piece bedroom suite	1937	"	185.	"	120.
1 General electric range	1941	Used (slightly)	95,	"	75.
Radio (combination General Electric radio and phonograph)	1931	New	275.	"	100.

The claimant is claiming on the chattels listed in the attached inventory valued at $483.

Description of Storage of Goods:

The chattels were left on the premises by the claimant, The radio was turned over to the R.C.M.P.

EXHIBIT No. 1364-1
DATE 7 June 1948
FILED BY R. Daniel

General Statement as to Chattels not Described above:

Summary

Estimated Value	$483.00
Proceeds of auction sale	175.78
Claim	$307.22

Additional Comments, if any:

S. Yamaoka
Signature

YAMAOKA, Seijiro (Mr.)
(Claimant's Name)

REAL ESTATE
(Other than farm)

00533
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	3	Frame	Residence	50' x 120'	1941	June 2nd

Type of Locality	Cost Price	Improvements made by Claimant		Estimated Value Date of Sale
Residential	$1200.00	Repairing plasters and applying 3 coats	$160.	$1800.00
		Repairs on roofs and front window	65.	
		Installing water line, radiators, and other plumbing	350.	
		Lawn and flower beds on front lawn	100.	

Comments re upkeep of premises:

EXHIBIT No. 1364-2
DATE 7 June 1948
FILED BY R. Onnied

Comments re Appraiser's report not covered above:

Assessed value

Land	$650.
Improvements	900.
	$1550.

Rent $18.00 a month to a friend of claimant

Summary Estimated Value		$1800.00
Original Claim	$1700.00	
Sold by Custodian	1200.00	
Claim	$ 500.00	

S Yamaoka
Signature

1364 - 3
EXHIBIT No.
DATE 7 June 1948
FILED BY J.W.G.Hunter

LOEWEN & HARVEY LIMITED
751 Dunsmuir Street,
VANCOUVER, B. C.

7th September 1943.

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

Dear Sir:

Re:- 2261 McGill St. Lot 13, Block 4,
District Lot 184 - Catalogue No.
Group "A"-141.

I have examined the above property and report as follows.

The lot is 49½ x 122 feet to a 20 foot lane on the North side of McGill Street between Wall Street and Garden Drive, and is three steps above the level of the sidewalk.

The house was built in 1910 and is situated at the back of the lot. The basement is 14 x 21 ft with cement floor and foundation. This would appear to have been the original house to which a bedroom and front verandah 17 x 12 ft have been added at the front - this is on stones on the surface of the ground and post foundation. At the rear a bedroom on cement foundation has been added 12 x 12 feet. In addition to these two bedrooms there is a living-room, bathroom with full standard plumbing and pantry, which is used as a kitchenette. It is plastered throughout and decoration is in fair condition. The house requires painting. Front and back verandahs are glass enclosed.

The property is all fenced.

A fair valuation in my opinion is $900.00.

Yours faithfully,

Loewen and 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 4th 1948

YAMAOKA, Seijiro
2261 McGill St., Vancouver.
Evac. File 1745



Picture taken April 9, 1943

EXHIBIT No. 1364 - 4
DATE 7 June 1948
FILED BY R. Onuma.

1364 - 5

EXHIBIT No.

7 June 1948

DATE

FILED BY J.W.G.Hunter

7th Apr. 1948

File No.1745

SUMMARY RELATIVE TO CLAIM OF
Seijiro YAMAOKA-Registration No.00533

REAL PROPERTY: Lot 13, Block 4, D.L. 184, Plan 178, D.N.W. known as 2261 McGill Street, Vancouver, B. C.

Property advertised for sale by Catalogue (No.144)

Appraised by A.R.Harvey of Loewen & Harvey Ltd., 7th Sept 1943 at $900.00.

3 tenders received

July 9/43 H.A.Roberts Ltd for a client	$385.00
July 17/43 W.Slacke	$1200.00
July 19/43 Moore & Moore Ltd	610.00

Sale to W. Slacke approved by Advisory Committee, 18th Aug 1943.

Sold as of 21st Aug. 1943 to W.F.P.Slacke & Z.M.Slacke for $1200.00.

	Assessed Value	Appraisal Sept 7/43	Sale Price	Claimant's Valuation
Land	$650.00			
Improvements	900.00			
	$1550.00	$900.00	$1200.00	$1700.00
			Less sale price	$ 1200.00
			Amount of claim	$500.00

Four room frame 1-storey dwelling on lot 49½' x 122'

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

August 4th 1948

M. Scott

J.J.