

469

VICTORIA, B.C.

FILE NO. 469

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

To be completed by persons of the Japanese race having property in any protected area. The proper administration of this property requires such persons to give full particulars as requested in this form.

PERSONAL INFORMATION

NAME: HEMMI (or Memmy) SokichiHOME ADDRESS: 938 Caledonia Ave., Victoria, B.C.REGISTRATION NUMBER 02552SEX: MaleAGE: 47OCCUPATION: Dyer & Cleaner

(If any business or businesses carried on, state where, under what name and whether carried on by yourself or in partnership with anyone; if partnership, give partner's name.)

EMPLOYER: Own business/doing business under the name of Central Cleaners & Dyers, 790 Fort St., Victoria, B.C.

MARRIED?

YesNAME OF WIFE ~~OR HUSBAND~~: TatsuADDRESS OF WIFE ~~OR HUSBAND~~: 938 Caledonia Ave., Victoria, B.C.NAMES OF ANY LIVING CHILDREN: Jack (M); Bobby (M);EXHIBIT NO. 1355-6DATE 4 June 1948FILED BY J. W. G. MartinADDRESS OF CHILDREN: 938 Caledonia Ave., Victoria, B.C.AGE OF CHILDREN: 18 yrs; 13 yrs.

STATEMENT OF ALL REAL PROPERTY (Each parcel must be mentioned and particulars given)

1. LOCATION AND DESCRIPTION: Lot 9 - S.L. 7 - Map 23 in City of Victoria, B.C.situated being 938 Caledonia Ave., Victoria, B.C.2. BUILDINGS AND OTHER IMPROVEMENTS: 7 room frame bungalow - no basement - garage - green house and shed, and wood-shed & chicken-house.3. INSURANCE (Give particulars; state where policies are) \$1,500. Connecticut Fire Insurance Co. #80348 - expires Oct. 22/44.4. TAXES (Amount and where payable) \$56. approximately.
1939 taxes paid.5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed) Mortgage in favor of the Estate of Robt. Musgrave - balance owing \$250. (prin)6. OCCUPANCY AND LEASES (If vacant so state) Occupied by owner - tenancy arranged Mrs. Gurnsey ? Apt. Govt. St. \$25.00 per month from date of owner's evacuation.

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: Land Registry Office, Victoria, B.C.
8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: None
9. IF FARM LAND STATE CROPS SOWN: None

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: None
2. LANDLORD'S NAME AND ADDRESS: None
3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: None
4. STATE WHEREABOUTS OF LEASE: None
5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid)
None
6. IF FARM LAND, PARTICULARS OF CROPS SOWN: None

STATEMENT OF PERSONAL PROPERTY OWNED:

1. GIVE BRIEF DESCRIPTION AND STATE LOCATION OF FURNITURE, FIXTURES, EQUIPMENT AND MACHINERY, STOCK IN TRADE AND PERSONAL EFFECTS:
~~Warranting and repairing of machinery and equipment.~~
Piano, Sewing Machine (Pedal), Chesterfield and chairs; tables, beds, bureaus, heater, kitchen stove, floor lamps, china and kitchen utensils, etc. located at 938 Caledonia Ave., Victoria, B.C.
2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS
None
3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY: None

4. INSURANCE CARRIED ON ABOVE PROPERTY: None5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF
OTHERS: None

6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom)

\$600⁰⁰ from John Mar (Chinese) Caledonia Ave
being balance payment for Dry Cleaning business7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts)
None8. BANK ACCOUNTS: Acct. No. 2412 - Canadian Bank of Commerce, Government St.,
Victoria, B.C. \$ 3.809. LIFE INSURANCE: None10. INTEREST IN ANY ESTATES OR TRUSTS: None11. SAFETY DEPOSIT BOX: None**LIABILITIES:**1. PERSONAL DEBTS: None2. TRADE DEBTS: NoneNote - Declarant wishes to sell his household goods before
departure - If not will leave same in house for tenant.The Dyeing & Cleaning business was sold for cash to John Mar
(Chinese) Caledonia Ave Victoria previous to his registration.REMARKS: This declarant has instructed Swinterton & Co. Ltd., 620Broughton St., Victoria, B.C. to collect his rents andapply same to insurance in arrears, interest on Mortgage in
arrears, ~~and taxes and interest~~I certify that the above information is true and complete and fully discloses all my property of
every description in any protected area in British Columbia and sets forth all my liabilities direct
and indirect.Dated this 31st day of March 1942[Signature]

Witness

(Signature)

Sakichi Henry

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

DATE August 17/43

Cur. 469

Full HEMMI. (or Hemmy) Sokichi
(Surname in Block Letters)

Res. No. 02552

Male - Female
(Check) ☒

Age Oct. 23, 1894

For Address 938 Caledonia Ave.,
Victoria, B. C.

De vacuanted May 17/42

Naturalized - Canadian-Born - National
(Check) ☒

Present Address Sandon, B. C.

Nov. 6: Lemon Creek, B.C.
26-5-'45. 2679 St. Zotique E., Montreal, Que.

Single
(Check) ☐

Name of Wife ^{nee} UTSUMI, Tatsa 10113

Name of Husband -

Name of Mother OKUDA, Toyo 10080

Name of Father HEMMI, Kanekichi dec'd

Name of Children under 16 Hiroshi (M) 13.

Son "Itano" 19, at Clenceae, Ontario

ated by G.M.

Registered with Custodian yes
(Yes or No)

ation Dyer & cleaner at Central Cleaners

Victoria, B. C.

938 Caledonia Ave. Car

72/344/24

6th May 1942.

Office of the Custodian,
506 Royal Bank Building,
VANCOUVER, B. C.

Attention Mr. C. L. Drewry.

Dear Sir:

re: Sokichi Hammi (or Hemmy). Registration No. 02552.
My File No. 78.

In accordance with your request I have investigated and taken control of the following property as recorded on the above man's registration form dated 31st March 1942.

Real Property:

Lot 9, S.L.7, Map 23, in the City of
Victoria, B. C., being 938 Caledonia Avenue,
Victoria, B. C.

7-room frame bungalow, no basement,
garage, greenhouse and shed, and wood shed
and chicken house.

Personal Property:

Piano, sewing machine (pedal), chester-
field and chairs, tables, beds, bureaus, heater,
kitchen stove, floor lamps, china and kitchen
utensils, etc., located at 938 Caledonia Avenue,
Victoria, B. C.

Moneys Owning:

\$600.00 from John Mar (Chinese) Caledonia
Avenue, being balance payment for dry cleaning
business.

*Paul set
Correspondence
220*

In connection therewith I have to report as follows:

1. Location:

This property is a city lot 50' x 140' in a working
class and low rental district about three-quarters of a mile
from the centre of the city.

2. Land and Buildings:

The house is old, possibly twenty-eight or thirty years; is a seven-room frame bungalow with no basement. It contains a living-room 13' x 12', dining-room 12' x 12', one bedroom at the front 10' x 10', and two bedrooms at the side of the house, one 10'6" x 13' and the other 8'6" x 13'. The kitchen measures 12' x 8'6" and the bathroom 7' x 12'. There is a separate toilet measuring 8' x 4'.

The rooms, without exception, are in a dirty condition. The plaster on the living-room walls is badly cracked and the whole house needs cleaning and painting or papering.

The property also contains a garage 15' x 10' in fair condition, a roofed shelter for wood, a greenhouse 28' x 12' in very good condition, a tool shed 11' x 8' in good shape, and a chicken-house 7' x 3'.

There is a fair garden at the front of the house and room for a good vegetable garden in the rear.

The assessed value is \$750.00 for the land and \$780.00 for improvements. The estimated sale value is \$1,500.00.

Rental Value: Tenancy has been arranged with a Mrs. Ora Gurnsey at \$25.00 per month, partly furnished with furniture left by the owner as from 1st May 1942.

3. Personal Property - Inventory of Household Furniture:

I have prepared an inventory of the contents of the house, receipt of which has been acknowledged by the tenant, Mrs. Ora Gurnsey, per Schedule attached. The amounts shown are estimated realizable values. On reference to the Schedule, it will be noted that certain articles therein enumerated have been subsequently disposed of by Hemmi prior to evacuation.

4. Personal Property, Book Debts, etc.:

I am informed by John Mar, the Chinaman who has purchased the Dry Cleaning business of Hemmi, that the balance of \$600.00 due for the purchase price of the business was paid by him to Hemmi before evacuation.

6. Liabilities: (continued)

Swinterton & Co. Ltd. have written to us to state that Hemmi has instructed them to collect rentals and apply same towards insurance premiums, interest on mortgage, and reduction of principal of mortgage.

The current year's taxes amounting to approximately \$56.00 have not been paid.

7. Recommendations:

I recommend:

1. That Swinerton & Co. Ltd. be allowed to continue as agents for this property and be accountable to the Custodian.
2. That Swinerton & Co. Ltd. be authorized to collect the trade debts owing to this Japanese.

Yours faithfully,

H. G. Hinton

HGH:LMS

Enclosure:

SOKICHI HEMMI (OR HEIMY)

INVENTORY OF CONTENTS OF HOUSE

	Estimated Realizable Value
<u>Living-room:</u>	
1 Heintzman & Co. piano in fair condition	\$ 125.00
1 Piano bench or seat	2.50
3 Common chairs	2.25
1 Small wicker chair	2.00
1 Heater (coal or wood)	8.00
1 Linoleum	10.50
1 Iron floor lamp	1.00
<u>Dining-room:</u>	
1 Common table	5.00
1 Electric iron (good condition)	3.00
1 Heater (coal or wood)	8.00
1 Sewing machine (pedal)	18.00
6 Common chairs	4.50
1 Mahogany seat (poor condition)	8.00
<u>Bedroom:</u>	
1. 2 Old iron beds	6.00
3 Old chairs	2.25
2. 1 Small tubular iron bed	12.00
1 Pine clothes press (or closet)	7.00
2 Common chairs	1.50
3. 1 Iron bed	3.50
1 Pine bureau	6.00
2 Common chairs	1.50
1 Ash tray (pedestal)	1.00
<u>Kitchen:</u>	
1 Portsmouth Range (old)	20.00
1 Gas plate or heater (2 burners)	5.00
1 Small table	3.00
3 Earthen pickle jars	7.00
Sundry kitchen utensils	10.00
<u>Bathroom:</u>	
1 Bath tub, enamel	35.00
1 Basin	10.00
1 Toilet bowl and seat	10.00
<u>Hallway:</u>	
1 Oak hat rack	3.50
1 Small Commode (door broken)	1.00
1 Brass bowl (small)	4.00
1 Cheap wooden bureau	4.00
<u>Miscellaneous Articles:</u>	
x Blankets, sheets, pillows, bedspreads, etc.	40.00
<u>Articles in Shed:</u>	
x Sundry odd tools, old books, used bed-spring of little value and odd dishes	15.00
	<u>\$ 406.00</u>

Chesterfield and chairs had been sold and were not on property.

x The above articles, amounting to \$216.00, are no longer on the premises, having been sold or otherwise disposed of prior to evacuation.

CHATELAIN SCHEDULE

File 469.

Sokichi HEMMI

Reg. No. 02552.

(*JP* Form: Mar. 31/42).

(Inventoried: May 6/42).

(Evacuated: May 17/42).

Disclosed	Shipped	Sold	Stored	Remarks
(1) Piano		(11)		
(2) Sewing Machine		(21)		
(3) Chesterfield and chairs			(C)	Sold by owner -
(4) Tables		(18 + 35)	(C)	see 25/3/46.
(5) Beds	type		(C)	24 + 24
(6) Bureau	Form	6/3/46	(C)	
(7) Heater			(C)	
(8) Kitchen Stove		(33)	(C)	
(9) Floor Lamps		(17)	(C)	
(10) China & Kitchen Utensils		(27)		
(11) Piano (Reintman)		(A)		
(12) Piano bench		(A)		
(13) Chairs (3)		6/3/46		
(14) Chair (wicker)		(A)		
(15) Heater			(C)	Discarded (5/3/46)
(16) Linoleum		6/3/46	(C)	
(17) Floor Lamp		"	(C)	
(18) Table		"	(C)	
(19) Electric Iron		(A)		
(20) Heater			(C)	Discarded (5/3/46)
(21) Sewing Machine	7/3/46		(C)	
(22) Chairs (6)		6/3/46	(C)	
(23) Seat (Mahogany)			(C)	Discarded (5/3/46)
(24) Old Beds (2)			(C)	
(25) Old Chairs (3)	Agent's			
(26) Small Bed	(H. G.	6/3/46	(C)	
(27) Closet	Hinton)	"	(C)	
(28) Chairs (2)	Report	(A)		
(29) Bed	dated	(A)		
(30) Bureau	May 6/42.			
(31) Chairs		6/3/46	(C)	
(32) Ash Tray (pedestal)		(A)		
(33) Kitchen Range			(C)	Discarded (5/3/46)
(34) 2-burner Gas Plate		5/3/46	(C)	
(35) Table			(C)	(D)
(36) Pickle Jars		(A)		
(37) Kitchen utensils		(A)		
(38) Enamel Bath				(B)
(39) Basin				(B)
(40) Toilet				(B)
(41) Bat rack		6/3/46	(C)	
(42) Commode		(A)		
(43) Brass Bowl		(A)		
(44) Bureau		(A)		
(45) Blankets, Sheets, etc.		(A)		
(46) Tools, Books, etc.		(A)		

(Over)

CHATTLES SCHEDULE....Page 2.

	Disclosed	Shipped	Sold	Stored	Remarks
(47)	Small Dressers (2)	}	6/2/46	(G)	(D) Discarded (5/2/46)
(48)	Book case			(G)	
(49)	Bag			(G)	

Note: (A) = Sold or otherwise disposed of prior to evacuation.

(B) = Fixtures.

(C) = Signed for by tenant (June 1st, 1942), this inventory including other items (blinds, curtain rods, lamp shades and globes) not listed here, to be treated as fixtures.

(D) = Transferred to custody of Mrs. R. Cantwell, 224 Robertson St., Victoria (5/3/46).

E. & O. E.
25th February, 1946.

[Signature]

RCB/P.

MEMORANDUM RE SALE OF CHATTELS

(Apart from Auction Sales)

FILE NO: 469

NAME: HENMI, Sokichi

DATE ADVERTISED:
(or other information)

APPRAISER'S NAME: Maynard & Sons.

VALUATION: \$4.00

PURCHASE PRICE: \$4.00

COMMITTEE'S APPROVAL: 3/10/46

PURCHASER'S FULL NAME: Harley Johnson

ADDRESS: 938 Caledonia Ave., Victoria, B.C.

OCCUPATION:

BILL OF SALE REQUIRED:

YES

NO

(state if purchase
price already paid or
arrangements made)

Paid in full (March 7, 1946)

ENCUMBRANCES, IF ANY:

NIL

LIST OF CHATTELS SOLD:

Two burner gas plate

\$4.00

MAYNARD & SONS

AUCTIONEERS AND APPRAISERS

731-733 JOHNSON ST.

VICTORIA, B. C. March 5, 1946.

I have appraised a gas plate with two
burners in the kitchen at 938 Caledonia Avenue, Victoria
B. C., and value it at the sum of Four Dollars.

*Paid in full
7/2/46*

Maynard & Sons

R. H. Selby

File 469 - Reg. No. 02552.
HEMMI, Sokichi.

Sold to Tenant - H. Johnson

*Approved by Rural Advisory Committee.
3/10/46.*

C.G.

✓

REAL PROPERTY SUMMARY

Catalogue No. 890.

File No. 469.

Name: Sokichi HEMMI.

Reg. No. 02552.

Address: 938 Caledonia Avenue, Victoria, B. C.

Legal Description: Subdivision 9 of Suburban Lot 7, VICTORIA CITY, Plan 23.

Classification: 7-room Bungalow (no basement); Greenhouse and Outhouses.

Registered in the name of: SOKICHI HEMMY.

State of Title: Clear.

Sold to: MRS. SYBIL RUTH CREED for \$1500.00 (Cash).

As at: March 8th, 1945.

Title (No. 151405-I) delivered to new Registered Owner on: May 28th, 1945.

Net proceeds (\$1,411.62) released to credit of Sokichi HEMMI on: May 9th, 1945.

Completed statement to Evacuee sent on: May 10th, 1945.

Chattels: Articles left for use of tenant listed in Schedule dated Feb. 25/45.

Insurance: Transferred to Purchaser (Apr. 26/45).

Administration: This property consists of a 50' x 140' lot in a working-class low-rental district. The buildings are old and were reported by our Agent to be in a dirty condition.

Evacuee made his own arrangements, appointing Swinerton & Co. Ltd. his rental agents and renting the premises @ \$25.00 per month, which included use of furniture as per inventory (June 1/42) signed by tenant. Tenant refuses to vacate and under existing regulations cannot be evicted, this arrangement therefore remains in force at the present time in spite of the real property having been sold as above.

The above summary is certified to be in accordance with the information on file.

25th February, 1946.

[Signature]

STATEMENT RE SALE OF:

Name: **HEMMI, Sokichi**

File No: **469**

Catalogue No: **890**

Street Address:

938 Caledonia

Reg. #02552

Legal Description:

Victoria, B.C.

Subdiv. 9 of S.L. 7/23

Date of Sale and Adjustments **March 8th, 1945**

Sale Price

\$ 1500.00

Real Estate Agents Commission

\$ 75.00

Charge for Valuation

5.00

Charge for Advertising

4.00

Land Registry Office Transmission Fee

2.50

~~Escrow charges~~

~~Unpaid Vendor~~

~~Mortgage~~

~~Amount of Taxes~~

~~Other charges~~

Adjustments:

Fire Insurance

7.22

Taxes

9.10

~~Water~~

95.60

\$ 1507.22

Net Proceeds credited to your account
as of March 8th, 1945

\$ 1411.62

Date:..... **May 10th, 1945**

Compiled by:..... **Mr. George Peters**

02552

NAME

Salvador RIVERA

FILE NO.

469

COMPANY	POLICY NO.	AMOUNT	EXPIRATION			PROPERTY
			MONTH	DAY	YEAR	
Connecticut Fire Insurance Company	B.C. 80045 <i>Renewed under the</i>	\$1000. <i>Albino</i>	Sept. 4	1942	1942	Furniture at 938 Caladonia Avenue, Victoria, B. C.
Connecticut Fire Insurance Company	B.C. 440090 <i>Renewed under the</i>	\$1000. <i>Albino</i>	Sept. 4	1942	1942	Furniture at 938 Caladonia Avenue, Victoria, B. C.
Connecticut Fire Insurance Company	B.C. 80348 <i>Renewed under the</i>	\$1500.00 <i>Albino</i>	Sept. 4	1942	1942	Dwelling—938 Caladonia Ave., Victoria, B. C.
Connecticut Fire Insurance Company	B.C. 44043 <i>Renewed under the</i>	\$1500.00 <i>Albino</i>	Sept. 4	1942	1942	Dwelling—938 Caladonia Avenue, Victoria, B. C.
Connecticut Fire Insurance Company	B.C. 80348 <i>Renewed under the</i>	\$1500.00 <i>Albino</i>	Sept. 4	1942	1942	Furniture at 938 Caladonia Avenue, Victoria, B. C.
Connecticut Fire Insurance Company	B.C. 80348 <i>Renewed under the</i>	\$1500.00 <i>Albino</i>	Sept. 4	1942	1942	

✓
LIABILITIES SUMMARY

File 469.

Sokichi HEMMI.

Reg. No. 02552.

THERE ARE NO CLAIMS RECORDED IN THIS FILE.

The above summary is certified to be in accordance with the information on file.

15th May, 1947.

[Signature]

REB/P.

GENERAL SUMMARY

File 469.

Sakichi HEMMI

Reg. No. 02552.

This 47-year old Dyer and Cleaner, a Naturalized Canadian, from Victoria, B. C., signed a Custodian "JP" declaration form on March 31st, 1942.

He was evacuated on May 17th, 1942.

He declared his wife (File 2465) and 2 children to be in Canada.

The following is a summary of the contents of this file as disclosed by a review made today.

Real Property: See Real Property Summary.

Personal Property: See Chattels Schedule (Feb. 25/46). Real Property sold but tenant will not release chattels (included in rent) until he can obtain possession of his own property. *Sold 6/21/46*

Accounts Receivable: Declared \$600.00 to be owing by John Mar for Dry Cleaning business. Paid direct to Vendor prior to registration with Custodian (see April 1st, 1942).

7 small accounts totalling \$11.10 for dry cleaning work done (and delivered) and 7 totalling \$12.80 for work done and not delivered, were declared in Agent's (H. G. Hinton) report (May 6th, 1942).

Bonds, Shares, etc.: None.

Bank Accounts: Declared a balance of \$3.80 in an account with the Canadian Bank of Commerce, Victoria, which was not disturbed by this office.

Life Insurance: None.

Liabilities: There are no claims recorded in this file.

Funds: Statements of account sent to Evacuee on November 17th, 1944 and May 10th, 1945. Balance at credit of this account today is \$44.77.

The above summary is certified to be in accordance with the information on file.

25th February, 1946.



File No. 169.

CLAIMS DEPARTMENT

July 26th, 1943.

Sokichi HEMMI - Reg. No. 02552.

CREDITORS:

No Claims on file.

/DE

Catalogue No. 890
File No. 469
938 Caledonia Avenue,
Victoria/9/S.L. 7/23
Certificate of Title No. 151405

Control of property covered by Certificate of Title No. 151405 is by me hereby acknowledged and I agree that all adjustments and incidents connected with the sale to me of this property have been settled.

Receipt is also acknowledged of The Connecticut Fire Insurance Company, Policy No. 440413 which has been assigned to me.

Receipt is also acknowledged of cheque for \$13.02 representing closing adjustments on sale to me of the above property.

Dated at Kimberly B. C., this 17 day of May 1945.

Signed Sybil R. Creed.

Return to the Custodian

Catalogue No. 890
File No. 469

To The Office of the Custodian,
506 Royal Bank Building,
Vancouver, B. C.

Dear Sirs:-

Re: 938 Caledonia Avenue, Victoria

I understand that any Japanese effects and furniture on the premises are not included in the sale. These will be removed by the Custodian as soon as possible but in cases where the furniture is included in the lease to the present tenant it cannot, of course, be removed until he is ready to vacate the premises. I undertake to give the Custodian at least two weeks notice of the date on which the tenant is vacating the premises and to allow the Custodian access to the premises in order to remove the furniture at a reasonable and convenient time following the termination of the lease.

Yours faithfully,

Sybil R. Leitch...Signed

Return to the Custodian

469.

Mailed 19/5/47.

May 15th, 1947.

REGISTERED MAIL.

Mr. Sokichi HIRAI,
Registration No. 02552,
2679 St. Zotique East,
Montreal, Quebec.

Dear Sir:

Your file is up for review and we take advantage of this opportunity to give you below a brief resume of our administration of your affairs.

As you know, the policies in regard to the management and subsequent liquidation of your property were decided upon by the Government of Canada, and while the problem was a difficult one for all concerned, we can assure you that it has been the aim of this office to carry out those policies in as careful and fair a manner as possible.

Real Property: Your Victoria property (Cat. 890--938 Caledonia Avenue) was sold (Mar. 8/45) for \$1500.00, as advised you at the time. Net proceeds (\$1,411.62) were credited to your account on the 9th May, 1945, and a complete statement of the transaction was mailed to you on the 10th May, 1945.

Personal Property: Under the rental arrangements made by you with your tenant the use of household effects left on the premises was included in the rent (\$25.00 per month). This arrangement delayed liquidation of the chattels as the tenant refused to vacate the premises when the property was sold, and to release the chattels for sale by auction. However, this difficulty was overcome when the property was re-sold by first purchaser in February, 1946, and all chattels having any sale value were subsequently sold and proceeds credited to your account.

Accounts Receivable: In the Custodian "JP" declaration form signed by you on the 31st March, 1942, you stated that balance (\$600.00) of sale price of your dry cleaning business was still outstanding but our records show that your buyer effected a full settlement with you direct in April, 1942.

You also recorded certain small trade accounts as outstanding but this office is not a collecting agency and no action has been taken with regard to these small items.

Bank Accounts: You declared a balance of \$3.80 in an account with the Canadian Bank of Commerce. This remained under your control and did not come under Custodian administration.

(Over)

Mr. Sokichi HEMMI.

Page 2.

May 15th, 1947.

Liabilities: Your file shows that no claims have been filed against you.

Funds: The bulk of your funds were remitted to you on the 7th June, 1945, in the sum of \$1,400.00. The balance standing at the credit of your account at the present time is \$49.12, made up as follows:

June 7/45	Balance as per last statement		\$51.27
Oct. 10/45	Fire Insurance premium on Chattels	\$ 6.50	
March 7/46	Gas Plate--sold to tenant		\$ 4.00
March 9/46	Proceeds of auction sale of Chattels	\$ 2.40	\$19.25
March 13/46	Stocker's Transfer, removal of chattels from Caledonia Avenue to Auction Rooms	\$ 4.50	
Apr. 11/46	G. O. Cumpston, Agent, charge for services interviewing tenants, checking, and supervising removal and sale of chattels, etc.	\$12.00	
Today	Balance at your credit	<u>\$49.12</u>	
		<u>\$74.52</u>	<u>\$74.52</u>

We enclose our cheque in your favour for \$49.12 but will not close your account until we have received, and remitted to you, return premium on cancelled fire insurance policy.

This would appear to account for all property of every kind left by you in the protected area which vested in the Custodian, and in order that you may confirm this, we enclose a stamped addressed envelope for your convenience.

Yours truly,

R. G. Bell,
Office of the Custodian.

RGB/P.
Encl. 2.

Name of Claimant **HEMPT, Solichi**Case **1355**Custodian File **469**

<u>REAL PROPERTY</u>										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village			
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Amount Total	Sale Price	Total Award 125% of all Sale Prices % of Amount Total		
		1500.		150.00	12.50 75.00					237.50
<u>PERSONAL PROPERTY</u>										
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			
<u>NETS</u>										
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
<u>MISCELLANEOUS CHATTELS</u>										
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		
84.50	19.25	5.77		22.70%	397.05	90.44		96.21		
TOTAL RECOMMENDATION										333.71

CASE NO. 1355.

JAPANESE PROPERTY CLAIMS COMMISSION

Montreal, P.Q.,

June 4th, 1948.

24
IN THE MATTER OF THE CLAIM OF

SONICHI (HISAKI) HIRAI

PROCEEDINGS AT HEARING.

IN THE MATTER OF THE "INQUIRIES ACT"
PART I. REVISED STATUTES OF CANADA 1927. CHAPTER 92.

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E
(THE HONOURABLE MR. JUSTICE H.I. BIRD, COMMISSIONER).

10

Montreal, P.Q.,
June 4th, 1948.

IN THE MATTER OF THE CLAIM OF
HEMMI (HEMMY) SOKICHI.

PROCEEDINGS AT HEARING.

20 APPEARANCES:

* J.W.G. HUNTER, Esq., appearing for the
Dominion Government.

ROGER QUINET, Esq., K.C., appearing for the
Claimant.

A A. WATSON, Esq., Secretary.
MRS. F.L. HANDFORD, Official Interpreter.
T.P. HORROBIN, Esq., Official Reporter.

30

H. Sakichi,
in Chief.
(S. Henmi)

MR. QUINCY: The next claim is Henmi, No. 39, my lord.

My lord, the original claim for real estate was \$2500.00, less amount at which Custodian sold the property, \$1500.00, leaving a net of \$1300.00.

The claim for personal chattels is \$1754.00, no credit, and the claim for personal chattels left in house, \$503.55, less \$19.25 credit to Custodian, leaving a net claim of \$484.10.

10

HONICHI HENMI, the claimant herein, being first duly sworn, testified through the interpreter as follows:

DIRECT EXAMINATION BY MR. QUINCY:

Q Mr. Henmi, you are the claimant in this case?

A Yes.

Q Would you take communication of a real estate form for \$1300.00 bearing your signature and file this claim as Exhibit No. 1 after identifying same?

A Yes, it is my signature.

(STATEMENT MARKED EXHIBIT NO. 1).

20 Q Would you take communication of a personal chattels claim form bearing your signature and identify your signature?

At Yes.

Q Would you also identify the inventory of personal chattels which is attached thereto?

A Yes.

Q This claim being for \$484.10?

A Yes.

MR. QUINCY: Would you file it as Exhibit 2?

(STATEMENT MARKED EXHIBIT NO. 2).

30 MR. QUINCY: Would my learned friend tender the analysis

M. Henmi,
In Chief.

of personal property claim?

MR. HUNTER: I tender the analysis of personal property claim as Exhibit 3.

(ANALYSIS MARKED EXHIBIT NO. 3).

MR. QUINCY: Q: Would you take communication of a personal chattels form for a claim of \$1754.00 bearing your signature, identify the same and file it as Exhibit 4?

A: Yes.

(STATEMENT MARKED EXHIBIT NO. 4).

10 Q Now, I see that the goods were left packed in wooden boxes and trunks and were locked in a shed on the premises and left?

A: Yes.

Q And I take it that your agent was given instructions to deliver the goods to the Custodian?

A I locked the trunks and closed the boxes and handed the keys to the agent with instructions to hand them to the Custodian.

Q Have you seen those personal chattels since?

20 A I haven't seen them since, but I asked a friend to go in and have a look at them, but when he got there there was nothing to be found excepting a few broken records and clothing.

Q You are claiming among other things 12 framed Japanese prints at a thousand dollars, at an estimated value of \$500.00 at the date of evacuation.

A I don't know the real value of these pictures, but I estimate them at \$500.00.

30 Q I am showing you here what appears to be a Japanese print (producing). Were these similar to that print I am exhibiting to you?

S. Hammi,
In Chief.

A The pictures are not the same, but this is a similar type of picture, and this (indicating) is valued at \$200.00.

Q \$200.00, and similar types of picture of a similar value?

A: They are all different

prices.

Q All different prices. Are they made by the same people?

A: They were painted by the

same person, but the pictures themselves are different.

10

Q So you are, I take it, exhibiting this to his Lordship for his Lordship's consideration? I can't file it.

A My lord, he says that he doesn't mean \$200.00, he means value in yen which makes it about \$100.00.

Q Now just a minute. He talks too much. He should answer the questions. Mr. Hammi, this wasn't a lithograph, it was actually hand painted, was it not?

A: Yes.

20 Q Would you say who signed it? Can you read the signature?

A: Sohkin is the name of

the artist.

Q He is a well known Japanese artist, I take it?

A Yes, he is.

Q I am exhibiting to you a second print or picture (producing).

MR. HARTER: My lord, I will have to object to this.

If they are going to file these, we can call people who can also give opinions on them, but if

30

they are not filed, it is just gratuitous infer-

mation which we cannot verify.

THE COMMISSIONER: I think your objection is well taken.
I would like some information or some evidence
from someone who is competent to pass upon such
prints. Frankly it does not mean very much to me
because I have not the knowledge to determine whether
they are good or bad.

MR. QUINCY: Neither have I, your Lordship, but I must
say they look beautiful to me.

10 THE COMMISSIONER: Perhaps you can tell me, Mr. Quincy, is
there anyone here in Montreal who could be called to
express an opinion as to the value of the prints
that you have in your hand?

MR. QUINCY: I know quite a few experts in painting,
but I don't know whether they would be experts
who could give their opinion of Japanese art.
The only thing is we might suspend that part of
the claimant's evidence, if my learned friend has no
objection, and within the next few days I could
make inquiries.

20

THE COMMISSIONER: Could these be left here for a few
days and Mr. Henmi could return at a later date to
pick them up?

MR. QUINCY: I don't think Mr. Henmi would have any object-
ion to that.

THE WITNESS: Yes.

THE COMMISSIONER: I would suggest that you do that and
perhaps counsel might be able to find someone here
who could express an opinion on them who is properly
qualified.

30

S. Hamai,
In Chief.
Discussion.

MR. QUINCY: So subject to this postponement of examination of an expert, that is all the evidence I have at the present time.

THE COMMISSIONER: How many such prints had the claimant?

MR. QUINCY: He claims 12, my lord.

THE COMMISSIONER: And how much money does he claim?

MR. QUINCY: \$500.00 for the 12.

THE COMMISSIONER: What relation does that bear to his evidence that this print was worth \$100.00?

10 THE INTERPRETER: He, he said 200 yen.

MR. QUINCY: 200 yen for that particular print, but there are others, naturally, of different value as he says. So there were some that were most likely estimated at a smaller value, and others at a higher value.

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

It is submitted that chattels sold in Exhibit 2 were sold for their fair market values.

20 It is submitted that claims made for chattels not sold are grossly exorbitant.

In regard to chattels claimed in Exhibit 4, these chattels were not declared and were never found.

THE COMMISSIONER: Let me see now, I have not seen Exhibit 4 yet.

THE SECRETARY: We haven't an Exhibit 4 in this case.

MR. QUINCY: No, there is no Exhibit 4. We didn't file these prints.

30 THE COMMISSIONER: I thought you filed a personal property statement that was just put in as Exhibit 4.

MR. QUINCY: Oh yes, it is Exhibit 4.

THE COMMISSIONER: Yes, proceed, Mr. Hunter.

MR. HUNTER: It is submitted that they were not declared, not found, and it is submitted in any event the values claimed are very exorbitant.

THE COMMISSIONER: Now this last submission relates specifically to the articles claimed under Exhibit 4, is that correct?

MR. HUNTER: Correct, my lord.

10 THE COMMISSIONER: There was a declaration in respect of the articles shown on Exhibit 2, is that so?

MR. QUINCY: Yes, my lord.

MR. HUNTER: Well, some of them, my lord.

I tender the appraisal of F.R. Brown & Sons, Limited, dated May 22nd, 1944, appraising Lot 9 of suburban Lot 7, plan 23.

20 "As requested in your favour of the 15th ultimo, we have now had an opportunity of inspecting the above mentioned premises which are known as 938 Caledonia Avenue and have pleasure in reporting as follows.

"This parcel has a frontage of 50' on Caledonia Avenue by a uniform depth of 141'.

"The land is assessed at \$750.00 and the improvements at \$750.00, while the taxes for the year just past amounted to \$50.31.

30 "This is a one storey frame dwelling of six rooms, shingle roof, foundation consists of posts with rock bases, no basement,

"separate bath and toilet, separate garage
and small greenhouse.

"It is our considered opinion that the
property at the present time is worth \$1500.00."

I tender that as Exhibit 5.

(APPRAISAL MARKED EXHIBIT NO. 5).

CROSS-EXAMINATION BY MR. HUNTER:

Q Is that your signature (producing)?

10 A Yes

Q The information in this J.P. form is according to
your instructions? At Some of these
articles were sold by me before departure.

Q Some of them were sold by you before departure?

A Yes.

Q Which ones were sold before departure? The piano,
the chesterfield and chairs? At Yes.

Q Anything else? At No.

Q And the information given here is information given
20 to the people who made out this form at the time you
signed it? At After I gave those in-
structions, I sold the piano, the chesterfield and
the chairs.

Q And the information contained in this form was
information given by you? At Yes.

MR. HUNTER: I file the J.P. form as Exhibit 6.

(J.P. FORM MARKED EXHIBIT NO. 6).

MR. HUNTER: I tender for filing the appraisal of Harold
G. Hinton, dated the 6th of May, 1942. In this
30 appraisal, or in this report, rather, he gives a

list of the contents of the house. He also states on page 2 of the report, "The house is old, possibly 25 or 30 years", and then in paragraph 2 on page 2, he says, "The rooms, without exception, are in a dirty condition. The plaster on the living room walls is badly cracked and the whole house needs cleaning and painting or papering."

10 The third paragraph, "The property also contains a garage 15 feet by 10 feet in fair condition, a roofed shelter for wood, a greenhouse 25 feet by 12 feet in very good condition, a tool shed 11 feet by 8 feet in good shape, and a chicken house 7 feet by 3 feet."

Mr. Hinton will, of course, be called, my lord, but I point out the tool shed is mentioned and he says it is in good shape, and if my recollection is correct, that is the place where the claimant stated he left these valuable items which means, I would think, Mr. Hinton must have inspected the shed.
20 I will file that report as Exhibit 7.

(REPORT MARKED EXHIBIT NO. 7).

MR. HUNTER: I have some correspondence here which I would like to file as one exhibit between George A. Touche & Company, Hinton, and the Custodian, my lord. The first is a letter dated March 5th, 1946, "Chattels at 938 Caledonia Avenue".

30 "In accordance with the instructions contained in your letter of the 1st instant, the articles listed in the inventory dated the 1st June, 1942, have this day been disposed

S. Henni,
Cross-Exam.

"of as follows:

Removed to Maynard & Sons to be sold
by auction".

Then it gives a list of the things that were sold.

That is under "A". Then "B", "Sold to tenant as
per attached appraisal by Maynard & Sons".

That was a gas plate with two burners.

"(C). Given to Mrs. K. Cantwell of 224
Robertson Street, Victoria, B.C., as authorized
by your letter of the 22nd of May, 1945."

10

And he lists four items.

"(D) Fixtures and left on the premises:
Bathtub, sink, Detachable Cupboard and a toilet.

"(E) Declared as of no value by Appraiser
and left on premises."

And then he gives a list of things.

"(F) Held by Stocker's Security pending
instructions from the Custodian: 1 Sewing
Machine.

20

It is expected that the auction of
articles mentioned in (A) on previous page,
will take place in a few days when a full
report of all articles so disposed of will be
rendered."

Then by a letter dated the 9th of March, 1946,
from George A. Touche & Company to the Custodian, it
says:

"With further reference to your letter of
the 1st instant, please find enclosed cheque
for \$15.85 being the proceeds of an auction
sale held by Maynard & Sons of effects removed

30

S. Hamel,
Gross-Sum.

"From the above premises.

"It is pointed out that, with the exception of the articles given to Mrs. Gantwell of 224 Robertson Street in accordance with your instructions, the chattels sold at auction were in very poor condition. This accounts for the low prices realized.

"Auctioneer's statement of sale, in duplicate, is enclosed as well as account from Stocker's Transfer Company."

10

And attached thereto is a statement of sale by Maynard & Sons Limited.

"The next is a letter dated March 13th, 1946, from the Custodian to George A. Touche & Company. They acknowledge receipt of the letters of the 5th and the 9th and then say:

12

"While the different lists on file cannot be brought into balance we have just completed a careful tally, which, with the exception of the following two items, appears to account for everything of value. The exceptions referred to are: (1) 'Chesterfield and chairs' (original JP's declaration--March 31st, 1942) and (2) one item of 'Chairs' in Mr. Hinton's inventory dated May 6th, 1942. Have you any information on your files that would account for these two items?

13

"You have made no comment regarding the prices realized by Maynard & Sons at their auction on the 6th instant but we cannot

S. Hemmi,
Cross-Exam.

"pass some of these prices without having on record the reason why, for instance, the item described as 'Din. Table, 6 chairs and a hat tree' were sold for .75¢. If usable as a dining table and chairs they would appear to be worth not less than ten times that figure. Another item in this category is '5 chairs, table and sewing basket' which realized .50¢. Messrs. Maynard & Sons will doubtless be able to supply the necessary information.

"We enclose our cheque for \$4.50 in favour of Messrs. Stecker's Transfer Co., Ltd., cost of removing goods from 938 Caledonia Avenue to Auction Rooms."

And a reply from G.A. Touche & Company, dated the 25th of March, 1946.

"In reply to your letter of the 13th instant I wish to report as follows:

"It will be noted on further reference to Mr. Hinton's inventory dated the 6th May 1942 and to which you refer, that the following notation appears at the bottom of the list:

(Chesterfield and chairs had been sold and were not on the property'.

"In this connection, I would draw your attention to your letter of the 10th June 1942 by reference to which you will note that the 'Chesterfield and chairs' item does not appear in the inventory prepared by Messrs. Swinerton & Co. Ltd. thus corroborating Mr. Hinton's above

S. Hami,
Gross-Myan.

"mentioned observation. Finally I am informed by Colonel Pope, who has several times visited the premises, that he at no time saw any cheaterfield.

"It is stated in the second paragraph of your letter under reply that our reports to you of the 5th and 9th instant contained no comment respecting the low prices realized at the auction. This is not understood in view of the fact that in my letter of the 9th instant the following statement appears:
' the chattels sold at auction were in very poor condition. This accounts for the low prices realized.'

"As regards the sale of 'Din. Table, 6 chairs and Hot Tree' and '5 chairs, table and sewing basket' which sold for 75¢ and 50¢ respectively, I would point out that the auctioneer who was present with Colonel Pope when the effects were removed from 938 Caladenia Avenue, stated that these particular articles were junk and would be sold as such. Pieces of wood from the table might be used by a cabinet maker for some other purpose, but as a table it had served its purpose. The chairs, likewise, might be of some use in a camp but could not be classified as having any sales value."

I file that correspondence as Exhibit 8, my lord.

(CORRESPONDENCE MARKED EXHIBIT NO. 8).

S. Hami,
Cross-Exam.

THE COMMISSIONER: Mr. Hunter, with reference to Exhibit 7, this Hinton report, I observe that in his inventory he refers under the heading of "Articles in shed" to sundry odd tools, old books, used bed spring, of little value, and odd dishes. There is no reference to anything of value. Obviously he must have gone in there if he could make an inventory.

MR. HUNTER: It would appear so, my lord.

10 Q Mr. Hami, you have claimed \$1754.00 for items left in a toolshed. Why did you not declare those to the Custodian? A: I had no

time as I was in a hurry, so I handed the goods to Mr. Campbell, the agent, with instructions that he should report to the Custodian.

Q What do you mean you had no opportunity? You signed a J.P. form which is dated the 31st of March, 1942. Where were you, when you signed that J.P. form? The question was, where was he when he signed that J.P. form? A: I don't recollect exactly

20 where I was at the time, but this was signed in Victoria.

Q Why didn't you at that time when you signed that document and gave that information--why did not you give information about the property which you now value at over \$1700.00?

A He thought the war wouldn't take so long and he would be able to get back some time soon, so he left the place and told the agent to report.

Q What agent? A: Mr. Campbell.

30 Q What Campbell is that? A: Mr. D.

S. Hammi,
Cross-Exam.

Campbell of Swinerton & Company, Limited, 620
Broughton Street, Victoria, B.C.

Q And whose agent was he? A: My agent.

Q I see. And did you ever during the period of your
evacuation notify the Custodian that these items
were in that shed? A: No, I

didn't. I just told the agent about it.

Q Didn't you think they were worthwhile notifying the
Custodian about? A: Well, I

10 thought that looking my place and telling Mr. Campbell
was sufficient and was safe enough.

Q In other words, you relied entirely upon your agent,
Mr. Campbell, and upon looking them up? You were
not relying on the Custodian to look after these at
all? A: I just relied on Mr.

Campbell to report them to the Custodian.

MR. QUINCY: Q To the Custodian?

A To the Custodian.

MR. HUNTER: Q And did you ever ask Mr. Campbell whether
20 he had ever reported to the Custodian?

A No, I didn't.

Q Were you not interested? A: I have
been informed that my property had disappeared and
had been stolen and therefore I didn't think there
was any use reporting it to the Custodian.

Q Who informed you that your property had disappeared?

A I wrote to my friend asking him to send the goods to
me and I got this reply. Would you like to see it
(producing)?

30 Q When was this letter written?

D

17

S. Henni,
Cross-Exam.

A I can't see the postmark, it isn't very clear.

THE COMMISSIONER: You better get his answer on the record.

The witness hands an envelope, which, I take it, is the envelope in which a letter was enclosed.

Is that right?

A: Yes.

MR. HUNTER: Q: It seems to be January 4th, 1943,

stamped on the envelope. Is that about the time you wrote to the man, some time about the end of 1942?

A: Yes.

10 Q And you asked him to ship these things out of the shed to you? Is that correct?

A Yes.

Q Why did you not ask the Custodian to ship them to you?

A: Mr. Campbell had the keys and so my friend apparently went to Mr. Campbell and he thought that was what happened.

Q Why did you not ask Mr. Campbell to ship them to you?

A I asked my friend because he lived closer to my house than Mr. Campbell did.

20 Q How much further did Mr. Campbell live away?

A Mr. Campbell was about a mile and a half away from my place and my friend was only 2 or 3 blocks away.

Q And did you expect your friend to carry them in his arms?

A: No, I didn't think so. I thought he would ship them by express.

Q What difference did that make if you were going to use transport? Why didn't you write to Mr. Campbell, he was your agent? Why didn't you have him send these?

A: I told my friend what I wanted shipped, and what I didn't want shipped, and he knew what I would want sent to me.

B. Hunt,
Cross-Exam.

Q And while this was going on, had you intended to tell the Custodian you were removing property?

A I thought we might be returning within a year or so, but as I couldn't do so I had these things shipped.

Q Had you intended notifying the Custodian you were removing property from the protected area?

A When I evacuated, I really had no intention of having them shipped to me because I hoped to return shortly.

10 Q At the time you asked for this property, did you intend to notify the Custodian that you had asked for it and received it, if it were there?

THE COMMISSIONER: I am afraid I do not understand your question.

MR. HUNTER: Very good, my lord, I will phrase it differently.

Q At the time you asked for this property, if you had received it, did you intend to notify the Custodian?

20 A If it had to be done, I would have reported to the Custodian, but I didn't think it was necessary.

Q Isn't it true you had no intention of ever telling the Custodian about this property?

A I didn't think it was necessary to report them as I had left them in my own house. If they had been sent or stored somewhere else, then I would report them to the Custodian.

Q You reported your furniture to the Custodian? That was in your own house, wasn't it?

30 THE COMMISSIONER: The cross-examination is becoming somewhat argumentative, Mr. Hunter.

S. Homi,
Cross-Exam.

A The furniture was left in the house, as I reported it, but the things that had been left in the shed were not reported.

MR. HUNTER: Well, my lord, there is probably not much point in pursuing this.

THE COMMISSIONER: I do not think you will get any further. I may say this, Mr. Guimet, you may be able to clear it up, it is a matter for comment, it appears to me, that the claimant should have declared the least valuable of his chattels, namely the household goods, which he says had a value of \$503.00. He failed to declare goods which according to the claim are of a much greater value, \$1754.00, and more than that when he filed his original claim form, he claimed in addition to chattels for the goods that are shown on Exhibit 4, only an addition of some Japanese books and classics in Japanese and English phonograph records. He made no claim at that time for his household goods and furnishings. Now I find it difficult to reconcile his evidence with his earlier actions.

MR. HUNTER: Do you wish this letter filed, my lord?

THE COMMISSIONER: I think you better file it.

MR. HUNTER: I file the original letter, identified by the claimant as having been received from a friend of his in Victoria.

(LETTER MARKED EXHIBIT NO. 9).

THE COMMISSIONER: I make that comment, Mr. Guimet, as you may, if you wish, pursue it.

MR. HUNTER: My lord, I would point out, although it is

S. Henni,
Discussion.
Re-Direct Exam.

possibly a question of argument, that goods which are valued in a house at \$1754.00 that he doesn't consider them important enough to report.

THE INTERPRETER: My lord, he says that Mr. Campbell has a list of the goods he left with him in his care and if necessary he could supply you with the information as to what it was.

THE COMMISSIONER: Yes, very well.

20 RE-DIRECT EXAMINATION BY MR. QUINET:

Q Mr. Henni, when you made the original claim which was signed before the notary in Montreal, you mentioned only the goods amounting to \$1754.00.

A Yes, that is correct.

Q How did you consult anyone concerning the making of that claim?
A: No, I didn't. I made it up myself.

Q You made it up yourself?
A: The only item I don't quite understand is that No. 1, English classics, poetry, and psychology books, estimated value \$200.00.

Q Why can't you understand it?

A They are not mine. They are my sister's. She left them in my care.

Q So there is a sum of \$200.00 claimed there that should not be claimed?
A: If they are lost, I am responsible.

THE COMMISSIONER: I think we may treat the claim as for himself and as trustee for the sister.

S. Henni,
Esq.-Direct Exam.

MR. QUINCY: Q: They had been left in your care by your sister? A: Yes.

Q: Now, did you discuss the claim for personal chattels for \$484.10? A: No, I didn't. I know

the value myself.

Q: Now, why did you not put these values in your original claim? A: Is this it (indicating)?

Q: Yes, that is the original claim you are holding.

There is no mention of these personal chattels?

10 There is only mention of the chattels amounting to \$1754.00.

A: I thought if he made a claim for the things in the house, it would be sufficient. I had this prepared before —

Q: When you say "this", you mean the inventory of personal chattels? A: I wasn't

certain that I should include the personal chattels in the original claim.

Q: I see, and are you absolutely sure that everything that is listed in your original claim, as well as

20 in the claim you have filed, that these articles were contained in your shed?

A: Yes, everything listed here. Everything listed on this sheet.

Q: Was it inside some packages or parcels or boxes?

A: Yes, they were contained in packing boxes and trunks in the shed.

Q: When you went and made your J.P. form, were you asked if there was anything in your shed?

A: No, I wasn't asked.

30 Q: How long after you signed the J.P. form were you

B. Henni,
ReDirect Exam.

evacuated?

THE COMMISSIONER: What is the date of the J.P. form,
Mr. Secretary?

THE SECRETARY: The 31st of March, 1942.

A About a week later.

MR. QUINET: Q: In that time were you advised by anyone
you had to list everything you had?

A No, I wasn't informed.

Q Did you think it was sufficient to list only what was
in the house? At Yes.

Q Is there anything else you wish to add?

MR. QUINET: There is no picture of the house?

MR. HUNTER: There doesn't appear to be.

A Only that I just wish to add that I asked Mr. Campbell
to look after the place, and therefore I thought
everything would be all right.

THE COMMISSIONER: Q: What was the date of your evacuation,
Henni?

MR. HUNTER: It shows on the analysis, my lord, as the
27th of May.

A April 8th or 9th, I am not quite sure.

THE COMMISSIONER: Q: That was when you left Victoria?

A Yes.

MR. HUNTER: The other probably was when he left the
protected area.

My lord, I will file a letter from Swington
& Company Limited, D. Campbell, in which he contains
an inventory of goods in the house as certified by
the tenant. I think that should be filed.

(LETTER MARKED EXHIBIT NO. 10).

S. Nemmi,
Discussion.

MR. HUNTER: I don't remember, but I don't think it was brought out that the furniture was rented with the house, was it?

THE COMMISSIONER: No, I do not think it was. Perhaps Mr. Quimet can concede that.

MR. QUIMET: I have no instructions on that. I haven't found any base.

MR. HUNTER: Perhaps I can ask the claimant, my lord.

THE COMMISSIONER: Yes.

10 MR. HUNTER: Q: Mr. Nemmi, did you rent this property before you left? A: Yes, before I left.

Q And you rented your household furniture with it?

A Yes, I did.

MR. HUNTER: I would point out, my lord, that when we sold this house, we had to sell it subject to the existing tenancy. The tenant refused to vacate, being protected under the Rental Regulations at that time.

THE WITNESS: May I say something?

20 THE COMMISSIONER: Yes.

THE INTERPRETER: He says he wishes to say that at the time he should have made out the lists, he was very busy helping the other Japanese to evacuate, therefore he had very little time to look after his own business.

THE COMMISSIONER: All right. Mr. Secretary, we will adjourn until 2:45.

(PROCEEDINGS ADJOURNED UNTIL 2:45 P.M.)

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

T. P. Horrobin
"T. P. HORROBIN"
OFFICIAL REPORTER.

Montreal, P.Q.,

June 4th, 1948. 2:30 P.M.

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

MR. HUNTER: I do not know whether this is the time, but in the last case we had this morning, the case of Hapui, I failed to make a submission which I should have made. I do not think it prejudices my friend.

10 I should have submitted that the property was left under the custody, control or management of some person other than the Custodian appointed by the owner and that accordingly only those chattels which came under the custody, control or management of the Custodian, are within the terms of reference. I am referring there to the property left in the shed.

MR. QUINET: I cannot say that I did not expect my friend to make that submission and under the circumstances, if your Lordship will be ready to make a decision, we might dispense with the necessity of bringing an expert with respect to the works of art.

20 THE COMMISSIONER: As to whether it was left in the custody of the agent, I think it is obvious it was.

MR. QUINET: I will not make any adverse submission but then I might declare that my case is closed on that point, as well.

THE COMMISSIONER: Yes. I would like you to leave these etchings here for a day, in any case.

30 MR. QUINET: Pardon, my lord?

THE COMMISSIONER: I would like you to leave those etchings here, in any case until Monday, if you would.

MR. QUINCY: Yes. I am afraid the claimant took them with him, my lord.

THE COMMISSIONER: He took them with him?

MR. QUINCY: Yes.

THE COMMISSIONER: All right; never mind. It was purely as a matter of interest I mentioned it.

10 MR. QUINCY: I was told by the claimant, as a matter of fact, after recess that those were works of art painted by his own mother-in-law, who resides in Japan, in Tokyo and Hosaka, who is very well known for similar works.

(PROCEEDINGS ADJOURNED SINE DIE)

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

A. G. Veitch
"A. G. VEITCH, C. S. R."
OFFICIAL REPORTER.