

521

OFFICE OF THE CUSTODIAN

EXHIBIT NO. 1825-N

JAPANESE SECTION

DATE NOV 8 - 1942

FILLED BY

K. A. Blair

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: TABATA Mrs. Kaichi (Nobu).

HOME ADDRESS: Port Alice, B.C.

REGISTRATION NUMBER 09844. SEX: Female. AGE: 44.

OCCUPATION: Housewife.

(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: None.

MARRIED? Yes.

NAME OF WIFE OR HUSBAND: Kaichi.

ADDRESS OF WIFE OR HUSBAND: Port Alice, B.C.

NAMES OF ANY LIVING CHILDREN: Alice Keiko (F)

Peter Takashi (M)

ADDRESS OF CHILDREN: as above.

AGE OF CHILDREN: 7, 1.

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

1. LOCATION AND DESCRIPTION:

2. BUILDINGS AND OTHER IMPROVEMENTS:

3. INSURANCE (Give particulars; state where policies are)

4. TAXES (Amount and where payable)

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed)

6. OCCUPANCY AND LEASES (If vacant so state)

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: _____

8. STATE IF ANY OTHER PERSON HAS ANY INTEREST: _____

9. IF FARM LAND STATE CROPS SOWN _____

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION: Port Alice, B.C.

Dwelling House.

2. LANDLORD'S NAME AND ADDRESS: Pulp Company (B. C. Pulp Co. ?)

Port Alice, B.C.

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: _____

\$2.50. per month. paid up to date.

4. STATE WHEREABOUTS OF LEASE: _____

5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid) _____

6. IF FARM LAND, PARTICULARS OF CROPS SOWN: _____

STATEMENT OF PERSONAL PROPERTY OWNED:

1. GIVE BRIEF DESCRIPTION AND STATE LOCATION OF FURNITURE, FIXTURES, EQUIPMENT AND MACHINERY, STOCK IN TRADE AND PERSONAL EFFECTS: _____

Left in the Japanese Hall in the care of the Police, at Port Alice.

Silver Plate Set, \$50.00. Kitchen Set, \$100.00. Wool (150 lbs) \$50.00.

Canned Goods and other Food Stuffs including Rice and Soy Sauce, \$150.00

2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS _____

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY _____

Supplementary Report.

Mrs. Kaichi TABATA (Nebu).

No. 09844.

Port Alice, B.C.

The above registered on April 4th. States she has had a letter from her husband at Hope to ask her to register his

Carpenter's Tools, value \$600.00

which he forgot to register.

The above tools are at Hastings Park with his wife's luggage.

Details of Life Insurance Policy not given when registered.

1,000.00 Twenty Year Endowment Policy No. 2301771. Sun Life Assurance Co. Vancouver Branch. Beneficiary, husband, Kai/chi. Policy in own possession.

Witness. Dorothy M. Chope.

Signature.

N. Tabata

April 11. 1942.

LIABILITIES:

1. PERSONAL DEBTS:

2. TRADE DEBTS:

REMARKS:

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 4th day of April 1942.

(Signature)

N. Tabata

Dorothy M. Chope.
Witness

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

DATE Aug. 6/43

Our File No. 521

Full Name TABATA, Nobu (Mrs. Kaichi)
(Surname in Block Letters)

Registration No. 09844 ^V Male - Female
(Check) Age Aug. 15/1897

Former Address Port Alice, B.C.

Date Evacuated 1/9/42 ^V Naturalized - Canadian-Born - National
(Check)

Present Address Lemon Creek, Slocan, B.C.

^V Married - Single
(Check)

Name of Wife ----

Name of Husband Kaichi #09748

Name of Mother nee (IKEDA) Chise (Japan) Name of Father IDA, Taichi (Dec'd)

Names of Children under 16 See Husbands Sheet

Requested by Violet Scott

Registered with Custodian (Yes or No)

Additional Information

C
O
P
Y

EXHIBIT No. 1225-4

DATE NOV 8 - 1948

FILLED BY

K A Golding

File No. 2512

PERSONAL PROPERTY SUMMARY

November 3, 1947

Re: Kaichi TABATA - Reg. No. 09748

This man was employed as a mill worker by the B.C. Pulp and Paper Co., Port Alice, B.C. He signed a declaration to the Custodian March 21, 1942, and was evacuated on March 23, 1942.

Kaichi TABATA and his wife declared the chattels listed in the Chattel Schedule. These were left in the care of the B. C. Police at Port Alice. From Port Alice, on March 24/42 a shipment was made to TABATA at Vancouver. It is possible that there were other shipments made to him or to his wife, but neither the Department of Labour shipping records, now in this office, nor Custodian records show further shipments. However, it would appear from the letter of May 22/42, from the B.C. Police, Port Alice, that nothing belonging to TABATA or Mrs. TABATA remained in the hall at Port Alice on that date. No inquiries have been received from this couple since their evacuation, so it would seem that their chattels have been shipped to them or disposed of by themselves.

TABATA reported an in-board engine and an out-board engine taken by the Navy. One of these engines was placed on his boat at the time of its sale, the other was sold through this office and the net proceeds in the amount of \$24.94 was credited to his account. This amount was remitted to him July 6/46.

The records of the Japanese Fishing Vessels Disposal Committee show that a 14-foot vessel was sold and the net proceeds paid to K. TABATA on Nov. 10/42, the engine for which vessel was in custody and delivered to the purchaser. TABATA declared that his 14-foot row boat has been sold.

TABATA reported \$200.00 in Victory Bonds, \$112.00 in War Savings Certificates and a \$3,000.00 life insurance policy with the Sun Life Assurance Co., all in his own possession. These items were not brought under the control of the Custodian.

The account of this man was credited with the sum of \$9.96 received as refund of 1% wage deduction for 1941. This amount was remitted to TABATA Oct. 8/42.

This file reveals no other property of any kind.

This summary is certified to be in accordance with information on file.

"M. Golding"

November 3, 1947.

File No. 521.

CLAIMS DEPARTMENT

July 29th, 1943.

Mrs. Kaichi TABATA - Reg. No. 09844

CREDITORS:

NO CLAIMS on file.

/DE

GENERAL SUMMARY

File No. 521

November 12, 1947

Rai Nobu TABATA, Reg. No. 02844

Prior to her evacuation, this woman was a housewife (husband, Kaichi, File 2512) living at Port Alice, B. C. She signed a declaration to the Custodian on April 4, 1942, and was evacuated on September 1, 1942.

In her declaration to the Custodian she reported chattels left in the Japanese Hall, Port Alice, in the care of the police. These chattels are dealt with in the Chattel Summary and Schedule directly behind this summary. No goods identified as the property of this woman or her husband were sold by the Custodian and none are in storage at Port Alice at this time. It would appear that everything of value was shipped to Mrs. Tabata or her husband.

Mrs. TABATA declared a Sun Life Assurance Co. policy. This was not brought under the control of this office.

This file reveals no liabilities.

This file reveals no other property of any kind.

*Except Engine #110
as per receipt # 5980 in claim
file.*

This summary is certified to
be in accordance with information
on file.

J. Macdonald

November 12, 1947.

/FM

CHATEL SUMMARY AND SCHEDULE

File Nos. 2512

521

October 31st, 1947

Re: Kaichi TABATA - Registration No. 09748
Nobu(Mrs. Kaichi) TABATA - Reg. No. 09844

Kaichi TABATA - File No. 2512-declared the following left in care of Police at Port Alice:

1 heater (No record of disposition)
4 boxes food
1 tool box
4 tubs food

Goods shipped from Port Alice to Vancouver Mar. 24/42:

4 boxes household effects
1 box tools
3 tubs soy
1 wash tub effects
1 pail jam
1 crt. sewing machine

Nobu (Mrs. Kaichi) TABATA declared the following left in care of Police at Port Alice April 1/42:

1 silver plate set
1 kitchen set
wool (150 lbs.)
Canned goods and other food stuffs
including rice and soy sauce.

(It is possible that these items were included in the articles shipped to Mr. TABATA - as shown above)

Mrs. TABATA declared April 11/42:

Carpenter's Tools - which her husband had forgotten to register and which were with her luggage at Hastings Park at that date.

It is possible that there were other shipments made to TABATA or to Mrs. TABATA other than the one listed above, but neither the Department of Labour shipping records, now in this office, nor Custodian records show further shipments. However, it would appear from the letter of May 22/42, from the B. C. Police, Port Alice, that nothing belonging to TABATA or Mrs. TABATA remained in the hall at Port Alice on that date. No inquiries have been received from this couple since their evacuation, so it would seem that their chattels have been shipped to them or disposed of by themselves.

This summary is certified to be in accordance with information on file.

M. Golding
M. Golding
Nov. 3, 1947.

/MG

SUMMARY TAKEN FROM VESSELS RECORDS

Date: May 9, 1944

Name: TABATA, Kaichi

Reg. No. 09748

File: 2512

Boat File No.: JFVDC445

Name of Vessel: "K.T." 14' caravel-built, 2 HP Briggs & Stratton engine

Lic. or Reg. No.: Unlicensed

Naval No.: None

Owner's Valuation: None

JFVDC Valuation: None

Custodian Valuation: None

Date of Sale: March 19, 1942

Purchaser: Harwick Hansen

Signature on Sales Papers: K. Tabata

Selling Price: \$50.00

Paid to JFVDC ~~on 11/10/42~~ 50.00

Supervision Costs: 3.00

Balance due Owner: 47.00

Paid to: K. Tabata, November 10, 1942

Location of Boat at Sale: Port Alice - Engine was in custody and
was delivered to purchaser.

Claims Against Canadian Govt.:
None

Additional Information:

J. M. Watson
July 6, 1946

1
2
3
4
5
6 CASE NO. 100
7
8
9

10 JAPANESE PROPERTY CLAIM COMMISSION
11
12
13

14
15 Toronto, Ontario,
16 November 5, 1945.
17
18
19

20
21 IN THE MATTER OF THE CLAIM OF
22 MRS. JOE VANDER.
23
24
25

26 PROCEEDINGS AT HEARING
27
28
29

30 K.A. Christie, Esq., K.C.

IN THE MATTER OF THE "IMMIGRATION ACT"

PART I. REVISED STATUTES OF CANADA 1957. CHAPTER 12.

JAPANESE PROPERTY CLAIMS COMMISSION

REPORT

HIS HONOUR, JUDGE H.A. MILLER, SUB-COMMISSIONER.

Toronto, Ontario,
November 2, 1948.

IN THE MATTER OF THE CLAIM OF

MR. JOE TABATA

PROCEEDINGS AT HEARING

APPEARANCES:

H.A. CHRISTIE, Esq., K.C.,

appearing for the
Dominion Government,

C.P. OFFER, Esq.,

appearing for the
Claimant.

A. SMITH, Esq.,

Secretary,

B.J. HANFORD, Esq.,

Official Interpreter,

A.C. VITCH, Esq.,

Official Reporter.

J. Tabata,
Dkt. no.

1 MRS. JOE TABATA, the claimant herein, being first
2 duly sworn, testified through
3 the interpreter as follows:

4 DIRECT EXAMINATION BY MR. OFFER:

5 Q. I am showing you a sheet entitled Personal
6 Chattels. There is a signature at the bottom. Is
7 that your signature? A. Yes.

8 Q. And was this statement prepared under your
9 instructions? A. Yes.

10 Q. And is what is stated in there true?

11 A. Yes.

12 Q. You are claiming for one outboard motorboat
13 engine, another outboard motorboat engine and one out-
14 board motorboat. Is that correct?

15 A. Yes.

16 THE SUB-COMMISSIONER: You may sit down, if you
17 wish, Mrs. Tabata.

18 THE WITNESS: Thank you.

19 MR. OFFER: That will be Exhibit 1, your honour,
20 if you please.

21 (PARTICULARS OF PERSONAL PROPERTY marked
22 EXHIBIT NO. 1)

23 MR. CHAIRMAN: I tender as Exhibit 2 the Analysis
24 of Personal Property Claim.

25 (ANALYSIS OF PERSONAL PROPERTY CLAIM, MARKED
26 EXHIBIT NO. 2)

27 MR. OFFER: Looking at Exhibit 2 it will be noted
28 that there are five items. The first two of the items
29 are abandoned at the present time. They are inboard
30 motorboats, one boat and one engine, which were sold by
other means; so that the claim at the present time

T. Roberts,
DIP. 22.

1 refers only to the last three items. The last item
2 under "details of claim" shows one outboard motorboat
3 and "engine" in brackets. This word "engine" in
4 brackets is a mistake on the form. Actually she is
5 claiming for one outboard motorboat, just the hull,
6 the last item, making in all two engines and one boat
7 for which she is claiming.

8 MR. CHRISTIAN: Then, your original claim is
9 wrong?

10 MR. OFFER: Yes. The original claim took some
11 designating but actually the items in the original
12 claim dropped would be Item 1 and Item four. There
13 would appear to be a mistake in Item 3 which refers to
14 one inboard boat. That should read "one outboard motor-
15 boat." We are claiming with respect to just one
16 outboard motorboat engine, another outboard motorboat
17 engine and one outboard motorboat, that is, the hull.
18 These are the last three items shown in the Personal
19 Property Claim in which we see that the last of the
20 items shown in the claim is incorrect, in that the word
21 "engine" should be deleted.

22 THE SUB-COMMISSIONER: All right. Your total
23 claim is for \$320.?

24 MR. OFFER: Yes.

25 Q. Now, with respect to these two engines,
26 and a boat for which you are claiming, were they taken
27 over by the R.C.M.P. or what happened to them at suc-
28 cussion? A. They were handed over to the Mounted
29 Police.

30 Q. Tell me the circumstances under which they

T. Yokota,
H.K.M.

1 were loaded over? A. At Port Allen there are
2 about 20 Japanese and all these boats were collected to-
3 gether and placed on a truck and taken away by the
4 Mounted Police.

5 Q. Were you present when they were taken away?

6 A. Yes.

7 Q. And what did they tell you they were going
8 to do with the boats? A. We were not advised as to
9 what they intended to do with them.

10 Q. Did they give you any receipts?

11 A. No. We received no receipts.

12 Q. Did you receive any notification from them
13 subsequently about them? A. No. We received no
14 word at all.

15 THE SUB-COMMISSIONER: Q. What relation are you
16 to Akira Yokota?

17 A. He is my husband.

18 Q. What is that? He is - who? A. My husband,
19 sir.

20 MR. OFFER: Q. Did you buy these boats with
21 your money? A. Yes.

22 Q. And the two engines? A. Yes.

23 Q. Was it your money which purchased them?

24 A. Yes.

25 Q. So that you were the owner? A. Yes. That
26 would be correct.

27 Q. That is all.

28 THE SUB-COMMISSIONER: Mr. Christie?

29

30

T. Tokata,
DET. CL. - CR. SE.

CROSS-EXAMINATION BY MR. CHRISTIE:

Q. Mrs. Tokata, why did you not mention these boats in this J.P. Form dated April 4, 1942?

A. I think that is when I was in Hastings Park. I more or less gave up hope of keeping our things at that time and did not report it.

Q. You did sign an additional registration of carpenter tools on April 11, 1942. Is that your signature?

A. Yes, that is my signature.

Q. The first one was April 4 and there was an additional registration signed by the claimant on April 11, 1942, but the only thing mentioned here is carpenter tools. How did you come to make the ---

A. I cannot read English.

Q. What I am interested in is how did you come to make the additional registration of carpenter tools a week later than your first registration and not mention the boats or engines in that registration?

A. Well, at the time I thought they would be broken and I more or less gave up hope that they would be of any use as I did not report them.

THE SUB-COMMISSIONER: Q. Why did you bother reporting tools, the carpenter tools?

A. Did I report that under my signature, over my signature?

Q. Yes. I think your husband requested it, as a matter of fact. There is your explanation up there, if you wish to see it. (indicating) If you do not know you just do not know, that is all?

A. It is a long time ago. I do not remember.

T. Tolson,
Ct. Cl.

Q. Here is a J.P. form dated March 21, 1945.
Is that your husband's signature? A. Yes. That is
my husband's signature.

MR. CHAIRMAN: I will put that in as the same
evidence.

--- (See Ex. 20, 21)

Q. To whom did these boats belong?

THE SUB-COMMISSIONER: The engines and boats?

MR. CHAIRMAN: And boats, your husband.

THE WITNESS: Mine and my husband's.

Q. Well, now, which boats belonged to you and
which belonged to your husband - and engines, too?

A. It is all the same.

Q. You mean they were jointly owned?

A. I paid the money for all of them.

Q. There seems to be two missing, one outboard
motorboat and engine and one outboard motorboat engine.
There were two engines missing. Have you any explanation
why neither of these engines were listed on your
husband's form or on your own form?

A. At that time when we were put into Hastings
Park I was crying every night and every day.

THE SUB-COMMISSIONER: Q. Do you remember making
a claim in the first place?

A. (No audible answer).

Q. Do you remember making your claim in the
first place in the form you signed?

A. Yes, I remember.

Q. Where did you sign that? A. In Hamilton.

MR.

Q. Was your husband there then?

A. Yes.

Q. And did you and your husband talk over the things which you had, behind you at the time you signed that form?

A. Yes.

Q. Then, do you remember signing the second form a week or so afterwards, one week afterwards?

A. There is a misunderstanding here. This is the J.P. Form, not the claim.

Q. It is the supplemental form which she signed on to the --

MR. CHRISTIE: I think she is referring to the proof of claim form filed when she said she signed it at Hamilton.

THE SUB-COMMISSIONER: Q. I mean the J.P. Form. I do not suppose she calls it a J.P. Form. Show her the original form.

THE HUSBAND: That, the original claim was signed Hamilton.

MR. CHRISTIE: I thought she said before that she was so broken up and crying she did not remember that.

THE SUB-COMMISSIONER: With respect to the original J.P. Form she signed, show her the form and ask her if she signed that.

What exhibit number is that?

MR. CHRISTIE: Exhibit 3.

THE SUB-COMMISSIONER: Q. Now, then, where did you sign that, Exhibit 3? A. This was in Hastings

E. T. T. T. T.
E. T. T. T. T.

1. I signed this when I was in Hastings Park.

2. Q. And was your husband there when you signed
3. that? A. No. All the men had gone to camp.

4. Q. How then? A. Just the women and
5. children were there.

6. Q. What is the next one, a week later? What
7. exhibit number is that?

8. THE EXHIBIT: Part of the same exhibit.

9. THE SUB-COMMISSIONER: Show her the other part
10. of the exhibit.

11. Q. Do you remember signing that a week later?

12. A. I remember signing something twice, but
13. what was there I do not quite remember.

14. Q. Who made out the second one which you signed?
15. Who wrote it out?

16. A. I do not know.

17. Q. Well, who was it who signed a claim for
18. carpenter's tools? Did you, yourself, do that, or did
19. somebody suggest that? A. I do not remember this,
20. sir.

21. Q. Did you, after you signed the first form,
22. get to thinking about it and remember you had left
23. out the carpenter's tools?

24. A. I think my husband must have written me a
25. letter from camp saying something about that at
26. the time.

27. MR. CHRISTIE: Q. Where were those outboard
28. engines which apparently are not accounted for here?

29. A. They were always brought up to the house
30. from the wharf.

T. Takita,
Dr. M.

Q. And were they at the house when seized by the R.C.M.P.? A. Yes. There were two of them in the house.

Q. And were you present when the R.C.M.P. came there? A. Yes.

Q. And did you ever make any claim subsequently to the Custodian apart from the one made in Hamilton about those two engines which appear to be missing?

A. No.

Q. There were these boats - referring to the one for \$150., first of all ---?

A. There was a Japanese gentleman, agent, from some company in Vancouver came to Port Alice.

Q. And sold you the one for \$150.?

A. Yes.

Q. What about the one which you estimate at \$120.? Where was that bought?

A. That was bought from the same agent.

Q. What was the occupation of your husband?

A. He was a mill-wright.

Q. Why would he require all these different boat engines? A. He was a great sportsman. He was always out fishing. He never stayed home.

Q. How many boats did you or he have?

A. We had three engines and two boats.

Q. Do you know whether your husband ever communicated with the Custodian about the seizure of the engines by the R.C.M.P.?

A. No, he never did.

Q. All right, thank you.

THE SUB-COMMISSIONER: Is that all?

MR. OPPER: I have a little re-examination, your
witness.

THE SUB-COMMISSIONER: Very well.

RE-EXAMINATION BY MR. OPPER:

Q. Do you remember approximately what date the
R.C.M.P. took your engine and boat?

A. (No audible answer.)

Q. How long before you were evacuated?

A. About two months, I think.

Q. Before you were evacuated?

A. Before April.

Q. And, when were you evacuated? A. (No
audible answer).

Q. At the time you signed a J.P. Pardon the
R.C.M.P. took your engine and boat?

A. Yes, about two months before.

Q. They had taken it about two months before.

Then, did you consider the engine and boat were property
which you no longer owned?

THE SUB-COMMISSIONER: That is pretty leading,
Mr. Opper.

MR. OPPER: In the ordinary course one could
ask a question and get the answer, but we might be here
all day and come to the same conclusion.

THE SUB-COMMISSIONER: She explained before she
had given up all hope. She did not think she would get
anything.

11/7

MR. OPPER: I am suggesting that she probably considered that —

THE SUB-COMMISSIONER: You can ask the question but the weight the answer gets is for the commission to give.

MR. CHRISTIE: She made this declaration April 4, 1944. Is my friend suggesting it was two months before that the R.C.M.P. came there?

MR. OPPER: That is what I understood from her answer.

MR. CHRISTIE: I thought she said in April once.

THE SUB-COMMISSIONER: I think she said about two months before that.

MR. CHRISTIE: I would like to get that clear.

THE WITNESS: Yes. The Mounted police took the boats about two months before I went to Hastings Park in April.

MR. OPPER: Q. I presume you mean the engine?

A. Yes.

Q. About two months before you went to Hastings Park. I do not know whether I can put that leading question or not.

THE SUB-COMMISSIONER: I will not stop your putting it; all I can say is that you, yourself, know the weight to be given to an answer to a question as leading as that is not as great as where the witness gives an unprovoked answer. You can ask her again why when she was asking her claim she did not put in for these engines.

15
J. Tabata,
H.M.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
MR. OFFER: Q. What explanation did you get
at the time you made out your J.P. Form as to what to
put in?

A. They were calling everybody from all over
the place into the office and having them sign these
things.

Q. Do you read English? A. Not very
much, no.

THE HON. COMMISSIONER: Q. Well, who made out the
Form who wrote it out?

A. The people in the Custodian's office.

Q. And who told them what to put in it?

A. They put down the things I told them, I
suppose.

Q. Have you any explanation of why you did not
tell them about the motorboat engines?

A. About that time I did not care what happened.
I was crying all day, every day. I did not care what
happened.

MR. OFFER: Q. Is the answer that you were
upset and you did not remember to put them in? Would
that be true? A. Yes.

RE-EXAMINATION BY MR. CHRISTIE:

Q. Well, was it less upsetting to put in the
suspender tools than the engines? A. I believe
my husband must have written to me from camp about the
suspender tools.

Q. Have you any explanation why your husband
who is a joint owner and who is not here today, did not

J. J. J. J. J.
10.00.00

1 tell you to put in the engine when he told you to
2 put in the suspension tools? The engine was more
3 valuable? A. [No audible answer].

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
FURTHER EXAMINATION BY MR. OFFER:

Q. Did you consider those engines were your
property?

MR. CHRISTIAN: Surely that is a leading question.

MR. OFFER: In many cases automobiles were taken
away from people and they thought they were out of their
control and they did not bother to report them as
property.

MR. CHRISTIAN: The witness is giving evidence,
not counsel for the claimant.

THE SUB-COMMISSIONER: She has been taken over it
pretty thoroughly. I do not think a suggestion on your
part would be of much assistance.

MR. CHRISTIAN: I tender as Exhibit 4 the Personal
Property Summary, your honour.

[PERSONAL PROPERTY SUMMARY, DATED MARCH 10, 1941]

It is submitted that this subboard machine
which was sold for \$25. was sold at its fair market
value.

It is further submitted that the custodian is
not responsible for any articles of Personal Property
of which he had no record at any time and which were not
sold by him.

That concludes the defence, your honour.

13
J. Tsubota, claim.

(PROCEEDINGS ADJUDICATED SINCE 1915)

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

A. O. Vitch

A. O. VITCH,
Official Reporter.

I, H. A. Miller, Deputy Commissioner, appointed to hear a Commission to investigate claims of Japanese Canadians for property loss, do certify the foregoing is a true copy of the evidence heard on the within claim.

H. A. Miller

H. A. Miller,
Deputy Commissioner.

DEFENCE BRIEF

Toronto, Ontario.
November 8, 1948.

Mrs. Nobu TABATA

File No. 521

Case No. 1225

PERSONAL PROPERTY CLAIM
(All claims shown are Gross)

Amended Chattel Claim

\$320.00 - see Transcript P.2&3.

(a) Chattels valued by claimant
at \$120.00 (Tender, etc.) Sold for
\$30.00

Reference:- Receipt #5990, August 9/43,
on claim file.

(b) Chattels valued by claimant
at \$200.00 No record at any time.

Submission:

Transcript P.14, lines 22-28:

"It is submitted that this outboard motor-
boat which was sold for \$30. was sold at
its fair market value.

It is further submitted that the Custodian
is not responsible for any articles of
Personal Property of which he had no record
at any time and which were not sold by him".

Note:- Submission states outboard motorboat
sold for \$30.00. This would seem to be in
error however, because receipt #5990 states
"sale of Engine #110 Champion S2A".
This error could quite possibly have occurred
due to the fact that originally the analysis
shows one outboard motor boat (engine) - \$50.00
sold for \$30.00. However, the word 'engine'
should be crossed out - see transcript P.3,
lines 2-6 therefore the analysis has been
changed accordingly.

Summary of Defence
Witnesses

Where Required

Summary of Documents
to be filed

Witness
Proving same.

November 16th, 1950.

Mrs. Nobu TARATA,
168 Bay Street, S.,
Hamilton, Ontario.

Dear ~~Sir~~ Madam:Re: Japanese Property Claims Commission

Case No. 1225

We have received from the Co-Operative Committee
on Japanese Canadians, our form of Release which has been
executed by yourself covering the award recommended under
the above Claims Commission for the sum of ... \$53.55.

Cheque in your favour is enclosed for \$50.45
and we have paid the Co-Operative Committee .. \$ 3.10
for legal fees as authorized by you.

Yours truly,

FGS/js
1 encl.

F.G. Shears
Director

Name of Claimant

TABATA, Nobu

Case

1225

Custodian File

321

REAL PROPERTY										Total
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 Amount Total	Sale Price	Total Award 125% of all Sale Prices % of Amount Total		
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			
		30.00		8.55		100.00	45.00		52.55	
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	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
TOTAL RECOMMENDATION										53.55