

1185

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: TOKAI (Haruko) Mrs Kanezo

HOME ADDRESS: Scottish Canadian Cannery.

REGISTRATION NUMBER 06989 SEX: Female AGE: 29

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: Self EXHIBIT No. 332-9

MARRIED? Yes DATE 8 June 1948

FILLED BY Chow

NAME OF WIFE OR HUSBAND: Kanezo 12451

ADDRESS OF WIFE OR HUSBAND: Mt. Robson Park, Nr., Rainbow

Red Pass B.C.

NAMES OF ANY LIVING CHILDREN: Yasuko (F) Hideko (F)

Naoyuki (M)

ADDRESS OF CHILDREN: Scottish Candian Cannery

AGE OF CHILDREN: 11, 7, 5.

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

1. LOCATION AND DESCRIPTION: Municipality of Richmond
Lots 16, 17, 18, Block 30,

Section 3, Block 3, North Range 7, West Map 249, District of

New Westminster. All in Husbands Name

2. BUILDINGS AND OTHER IMPROVEMENTS: Tool Shed on Lot No. 17

3. INSURANCE (Give particulars; state where policies are) none

4. TAXES (Amount and where payable) \$9.36 paid 1941, Payable at the
Town Hall, Brighouse.

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

none

6. OCCUPANCY AND LEASES (If vacant so state) Leased to John Blair,

Lots 16, 17, 18, Block 30, Sec. 4, B.3, North Range 7, West Map

249, District of New Westminster.

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: In owners Possession.
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: Municipality of Richmond
Lots 16, 17, 18, Block 30, Section 3,
Block 3, North Range 7, West map 249, District of New Westminster.
Scottish Canadian Cannery, Steveston B.C.
2. LANDLORD'S NAME AND ADDRESS: Mr. S. Morimoto Scottish

Canadian Cannery.

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: personal Effects as per list Attached.

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)

none

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts)

104.00 War Savings Certificate for son Naoyuki Takai8. BANK ACCOUNTS: Bank of Canada (Royal) \$00.88 No. of Account T1809. LIFE INSURANCE: Sun Life Assurance Co. \$1000.00 No of Policy
2283789. Policy in declarants possession. In sons Name Naoyuki10. INTEREST IN ANY ESTATES OR TRUSTS: none11. SAFETY DEPOSIT BOX: none

LIABILITIES:

1. PERSONAL DEBTS: none2. TRADE DEBTS: noneREMARKS: none

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)

Haruko TakaiA. M. C. M. S.
Witness

FOR DEPARTMENTAL USE

See file 12459 for Claim

INFORMATION FROM R.C.M.P.

Date Aug. 25/43.

Our File No. 1185

Full Name TOKAI, Haruko (Mrs. Kaneko)
(Surname in Block Letters)

Registration No. 06989 Male - Female
(check) Age Jan. 20, 1912

Former Address Panmy Bay, B.C.
P.O. Box 163, Steveston, B.C.

Date Evacuated 2/5/42 Naturalized - Canadian-Born - National
(check)

Present Address Kash, B.C. Greenwood

Married - Single
(check)

Name of Wife -

Name of Husband Kaneko #06989

Name of Mother Dead

Name of Father MORIMOTO, Seiichi
04506

Names of Children under 16

See husband's sheet.

Requested by [Signature]

Registered with Custodian
(Yes or No)

Additional Information

REAL PROPERTY SUMMARY

File No. 1185

July 4th, 1946.

RE: Haruko (Mrs. Kunezo) TOKAI
Reg.No.06989

This file reveals the above owned no real property in any protected area of British Columbia.

The file reveals the above carried no Fire Insurance.

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

July 4/46
RBM:LBM

R.B. Mackenzie
R.B. Mackenzie

File Nos. 1185 &
12459.

REAL PROPERTY SUMMARY FOR CLAIM

February 28th, 1948.

CLAIMANTS:

(Mr.) Kaneko TOKAI
(Mrs.) Haruko TOKAI.

Reg. No. 06990.
" " 06989.

**PROP. SUBJECT
OF CLAIM:**

Richmond & 6th Ave., Steveston, B.C. (Catalogue No. 793)
being
Lots 16, 17 & 18, Blk. 30 of Sec. 3, Blk. 3N.,
H.7W., Map 249, Mun. of Richmond, D.N.W.

CLAIM:

Estimated fair market value as per claim: \$450.00
Custodian Cr. 279.50
CLAIM \$170.50

NOTE: Kaneko TOKAI is sole owner of above property.

REFERENCES

HISTORY

JP

Mrs. TOKAI'S declaration signed 4th April, 1942. Mr. TOKAI did not complete JP Form.

RP.1

C of E #51565, dated April 1st, 1943, notes vesting in Custodian.

RP.2

J.D.Mather's report dated Apr.22/42 - 3 City Lots.

RP.3

Assessed Value (1942)

Land	\$312.00
Improvements	90.00
Taxable Value	357.00
Total Taxes	9.36

RP.4

Valuation rec'd. - Johnson, Reeve & Watson, 26/6/44, \$225.00.

RP.5

Valuation rec'd. - Coulthard, Sutherland & Co.Ltd., 22/4/44, \$375.00.

RP.6

Bid rec'd. from John Blair, 28/4/44, \$225.00 - Withdrawn.

RP.7

Bid Rec'd. from Exsimere Boire, 11/7/44, \$240.00 - Rejected.

RP.8

Bid rec'd. from W.A.Twaddell, 24/2/45, \$300.00 - ACCEPTED.

RP.9

Approved by Advisory Committee, 26/2/45, W.A.Twaddell, \$300.00.

RP.10

Kaneko TOKAI advised May 26/45, provided with Statement of Sale and Statement of Account. Statement of account brought up to date.

RP.11

Photograph of property taken 25 Aug 43.

/JS

LIABILITY SUMMARY

File No. 1185

July 4, 1946.

RE: Haruko (Mrs. Kaneko) TOKAI
Reg. No. 06989

This file reveals no claims against the above person.

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

July 4/46
RBM:JRM

R.B. Mackenzie
R.B. Mackenzie

PERSONAL PROPERTY SUMMARY

File No. 1185

July 4th, 1946.

RE: Haruko (Mrs. Kaneko) TOKAI
Reg. No. 06989

CHATELS: The above, who made her declaration to the Custodian on April 4/42 and was evacuated on May 20/42, declared chattels "as per list attached". However, the file does not reveal any list attached to the J.P. form. It is noted that on April 22/42, Custodian agent, Mr. J.D. Mather, made an inventory of household effects belonging to the above. These would appear to have been found in a small shack owned by the husband of the above on Lot 17, Municipality of Richmond. Some of these, together with a few chattels found at the Japanese church, identified as belonging to the above, were sold at Steveston auctions Nos. 24 and 34, for the net sum of \$7.49, and this sum credited to her account with this office. See memo of May 12/45 regarding the remaining chattels inventoried.

On file 12459
WAR SAVINGS CERTIFICATES: The above declared a \$10.00 War Savings Certificate for her son Naoyuki. This did not come under the control of the Custodian.

BANK ACCOUNT: The above declared a savings account in the Royal Bank of Canada in the sum of \$.88. This did not come under the control of the Custodian.

LIFE INSURANCE: The above declared a life insurance policy in the name of her son Naoyuki with the Sun Life Assurance Co. for the sum of \$1000.00. This did not come under the control of the Custodian.

This file reveals the above owned no specified articles.

No property interests other than those mentioned above are found on this file.

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

July 4/46
RBM:LBM

R.B. Mackenzie
R.B. Mackenzie

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MEMORANDUM

File Nos. 1185
12459

May 12th, 1945.

TO: The File
FROM: Mr. H. B. Mackenzie

RE: Mr. and Mrs. Kaneko TOKAI

Mrs. Kaneko TOKAI, who signed her J. P. Form on the 4th of April, 1942, was evacuated on the 30th of May, 1942.

On April 22nd, 1942, Mr. J. D. Mather made an inventory of her chattels. As these were not moved to storage by us nor any trace of them found either at the Scottish Canadian Cannery nor at the shack owned by her husband, nor any word received from either the husband or wife during the last three years, we may assume the chattels were taken with them when evacuated or otherwise disposed of.

REM:LHM

P. S. A few chattels were found stored in the Japanese church and sold at Steveston auction No. 34 on May 18th, 1945.

REM:

NAME TOKAI, Haruko (Mrs. Kaneko)

REGISTRATION NO. 06982

FILE NO. 1183

The following chattels were sold by public
auction at Steveston, B. C. on May 18, 1945.

Floor or door mat
Glassware
Sundry hardware
Wash board and parasol
Chinaware
Wash tub
Kitchen ware
Kitchen ware
4 Flat irons

\$ 0.30 -
0.80 -
0.35 -
0.25 -
✓ 0.50 -
✓ 0.50 -
✓ 1.25 -
✓ 1.00 -
0.25 ✓

Total (Auctioneer's Fee) \$ 0.52
Less Expenses: (Advertising) 0.27
(Moving) 0.69

Net Proceeds Credited:

\$ 5.20
\$ 1.48
\$ 3.72

Members of Custodian Staff Present.
Extracted from Auctioneering List No.

Mr. Harris
Steveston 34.

Remarks.

NAME TOKAI, Haruko (Mrs. Kaneko)

REGISTRATION NO. 06989

FILE NO. 1185

The following chattels were sold by public auction at Stevenson, B.C. on November 20, 1944.

- Bed spring

\$ 5.00 -

Total (Auctioneer's Fees \$ 0.50
Less Expenses: (Advertising 0.23
(Movings 0.50

\$ 5.00
\$ 1.23
\$ 3.77

Net Proceeds Credited:

Members of Custodian Staff Present.

Mr. Harris

Extracted from Auctioneering List No.

Stevenson 24.

Remarks.

File No. 1185.

CLAIMS DEPARTMENT

December 14th, 1943.

(Mrs. Kanezo) Haruko TOKAI - Reg. No. 06989

CREDITORS:

Sajiro WAKITA
(P. Drewe Pratt, Barrister)

\$10.00

*Copy of this claim
put in husband's
file #12459
n.d.*

*Paid 18/6/45
see letter 14/6/45 in
file 12459*

No account - Dec. 14/43

/DE

R.P. 2.

Registration Number 06989

TOKAI, (Haruko) Mrs. Kanezo

Scottish Canadian Cannery, Richmond, B. C.

LOCATION AND NATURE OF PROPERTY

Lots 16, 17 and 18, Block 30,
Sec. 3, Block 3 North, Range
7 West, Map 249, Dist. of
New Westminster, C of T #117437E.

I have examined the Certificate of Title and find the property is registered in the name of Kanezo Tokai, the husband of the above.

INSURANCE

There is no Fire Insurance.

LAND AND BUILDINGS

3 City Lots. There is a small shack on the property situated on Lot 17 as above. The shack is of little value, worth probably \$100.

FINANCIAL POSITION

He claims to have no liabilities. Inventory of personal effects attached hereto.

RECOMMENDATIONS

This property is now leased to John Blair of Steveston. I would recommend that the lease be allowed to stand.

April 22, 1942

W. Mather

EXHIBIT NO. 332-3
DATE 8 June 1948
FILED BY Crown

Registration No. 06989

TOKAI, (Haruko) Mrs. Kaneko

INVENTORY

2 Bed Sets Complete
1 Kitchen Stove
1 Heater
Sundry Chinaware (good) worth \$150.00
Sundry Kitchen Utensils
1 6 piece Dining Suite
Sundry Carpenters Tools
1 Gas Stove
2 Wash Tubs
1 Linoleum Rug
2 Buckets
1 Wash Board
Sundry Farm Tools worth about \$40.00
1 Kitchen Cupboard
1 Lantern
1 Coal Oil Lamp
1 Sewing Machine Treadle
1 Trunk containing sundry clothing
1 Bureau
1 Dinner Set

April 22, 1942.

COULTHARD, SUTHERLAND & Co., LTD.

ESTATE AND INSURANCE AGENTS
CAR FINANCING

713
TELEPHONE 106

609 COLUMBIA STREET,
NEW WESTMINSTER, B. C.

22nd. April, 1944.

Catalogue #793

File #12459

EXHIBIT NO.

DATE

FILLED BY

332-2

8 June 1948

Crown

Office of the Custodian,
Royal Bank Bldg.
Vancouver, B.C.

Dear Sir:

Re: Lots 16-18, Blk. 30, Sec. 5, B5N/7W, Map 249,
Steveston Townsite

This property located on the corner of
Richmond and 6th. Ave. consists of three lots 33 x 120',
on two hard surfaced streets. These lots are under
cultivation. Fence posts are up but there is no wire.

There is an old shack on this property, one
fruit tree and a few raspberry canes.

This property is located in the West end of
the town with good surroundings. Rented to J. Blair, \$1.00 and
taxes. (Duration Lease).

Valuation:

Shack	50.
Corner Lot #18	125.
Lots 16 & 17 \$100. each	200.
	<u>\$375.</u>

Yours very truly,

Coulthard, Sutherland & Co. Ltd.

F. H. Coulthard
F. H. Coulthard.

DOUGLAS W. REEVE, F.S.I.
CHARTERED SURVEYOR AND VALUER
GEORGE A. WATSON

TELEPHONE MARINE 8264
CABLE ADDRESS "JONREE" VANCOUVER

JOHNSON, REEVE AND WATSON
ESTATE AGENTS

VALUATIONS, ARBITRATIONS, INSURANCE, REAL ESTATE, MORTGAGES
MEMBERS VANCOUVER REAL ESTATE EXCHANGE

R.P. 4

BANK OF NOVA SCOTIA BUILDING
602 WEST HASTINGS STREET
VANCOUVER, B.C.

26th June, 1944.

The Custodian's Office,
506 Royal Bank Building,
VANCOUVER, B.C.

File No. 12459

EXHIBIT No. 332-2
DATE 8 June 1948
FILLED BY C. C. C.

Dear Sir:

Catalogue No. 793
Lots 16, 17, 18 Block 30 Section 3
Block 3 North Range 7 West
Map 249 Steveston

In accordance with instructions from Mr. Peters, I have inspected these lots.

The dimensions of each lot are 33 feet by 120 feet.

The lots are situated at the South West corner of Richmond Street and 6th Avenue and are good level lands suitable for the building of houses.

The land is cleared and in grass and fenced. There is a large hen house in the South West corner.

I understand that the lots are rented for the amount of the taxes.

I am of the opinion that the value of the property is \$225.

Yours faithfully,

D. W. Reeve

DWR

6/30/44

STATEMENT RE SALE OF:

Name: TOKAI, Kaneko

Catalogue No: 793

File No: 12459

Street Address: Richmond & 6th Ave.

Reg. #06990

Steveston, B.C.
Legal Description: 16-18/30/3/3/7/249

March 1st, 1945.

Date of Sale and Adjustments

Sale Price

300.00

~~Real Estate Agents Commission~~

\$

Charge for Valuation

12.50

Charge for Advertising

4.00

Land Registry Office Transmission Fee

2.50

~~Encumbrances:~~
~~Mortgage~~

~~Mortgage~~

~~Amount of Taxes~~

~~Other charges~~

Adjustments:

~~Fire Insurance~~

Taxes

1.58

~~Water~~

20.58

300.00

Net Proceeds credited to your account
as of March 1st, 1945

275.42

May 23rd, 1945

Date:.....

Mr. George Peters

Compiled by:.....

1185
12459

CASE NO. 232

JAPANESE PROPERTY CLAIMS COMMISSION

Grand Forks, B.C.

June 8, 1948

IN THE MATTER OF THE CLAIM OF
KANEZO AND HARUKO TOKAI

PROCEEDINGS AT HEARING

P.O. Shears

IN THE MATTER OF THE "INQUIRIES ACT"
PART 1. REVISED STATUTES OF CANADA 1927. CHAPTER 99

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E
(HIS HONOUR, JUDGE M.M. COLQUHOUN, SUB-COMMISSIONER)

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Grand Forks, B.C.
June 8, 1948

IN THE MATTER OF THE CLAIM OF
KANEZO AND HARUKO TOKAI

PROCEEDINGS AT HEARING

20 APPEARANCES:

HAROLD W. McINNES, Esq.,

appearing for the
Dominion Government

A.E. COBUS, Esq.,

appearing for the
Claimant.

L.A. DODD, Esq.,

Secretary to Grand
Forks Sub-Commission

MRS. I.C. SMITH,

Official Interpreter

G. HAMBLETON, Esq.,

Official Reporter.

30

H. Tokai
In Chief

MR. COBUS: The claim, your honour, of Tokai, Kanezo and Haruko. I am calling Mrs. Haruko Tokai.

MR. McINNES: What is the number of it?

MR. COBUS: That is No. 57 on the Secretary's original list, and that will be case No. 332.

(MRS) HARUKO TOKAI, the Claimant herein,
being first duly sworn, testified through the official interpreter as follows:

10 DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I produce to you a claim form which bears two signatures, Kanezo Tokai and Haruko Tokai. Is the signature Haruko Tokai your signature?

THE WITNESS: A: Yes.

Q: And that of Kanezo Tokai that of your husband?

A: Yes.

Q: And you are appearing on behalf of yourself and your husband? A: Yes.

20 MR. COBUS: I would ask leave, your honour, to amend the realty claim to show a value of \$600.00, a credit to the Custodian of \$300.00, leaving a net claim of \$300.00 for realty. The personal property claim we now show as a total amount which is detailed on the statement which will be filed in relation to the claim for personal property, the total being now \$372.50, credit to the Custodian, \$9.20, leaving a net claim for personalty of \$363.30.

30 THE COMMISSIONER: Amendment allowed.

He Tokai
In Chief

MR. COBUS: Q: Witness, I produce to you a statement concerning the real estate for which you are submitting a claim. Did you instruct Mr. Leckie to prepare this statement for you and is that your signature? A: Yes.

Q: And are the statements contained therein true to the best of your knowledge and recollection?

A: Yes.

MR. COBUS: I would ask to file the real estate statement as the first exhibit, your honour.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. COBUS: The subject matter of the realty claim, your honour, was a residence built on three lots 33 feet by 120 feet, each, located at the southwest corner of Richmond and 6th Avenue, Steveston, B.C. On the land was built a wooden shack, frame finish with a shingled outside. It was divided into three rooms and had board floors. It was purchased in 1936 at a cost price of \$300.00. The use to which the premises were put are given as being occupied by a chinaman who occupied the shack, and the lots were used as a vegetable garden. The locality is described as the west end of Steveston in a good residential area. With respect to improvements made by the claimant, the land was cultivated for a vegetable garden and hired labour was used for that purpose, along with some machine work by tractor. They planted 100 plants consisting of loganberries, raspberries and a fruit tree. That

planting, she says, cost \$150.00. The witness estimates the value of the property at the date of sale to be \$600.00.

With respect to the appraiser's report, the witness says that the appraiser made no mention of the loganberries and that the valuation of \$575.00 is too low, and that the second valuation of \$225.00 obtained by the Custodian in June, 1944, much too low.

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She adds a comment that the chinaman had died before they were evacuated and they rented the property to a Mr. Blair, a friend of theirs, for a nominal rental of \$1.00 a year and the payment of taxes. She considers that the valuations at \$375.00 and \$225.00 are below a fair market value for the property. The lots, she says, are good level land and most suitable for the building of houses. When it was sold by the Custodian for \$300.00 in March, 1945, these lots should have been worth at least \$600.00 at a fair market value, and their claim is based on that basis. She says she has full knowledge of the facts in relation to this property and that she is representing her husband with respect to the claim.

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Would my learned friend produce the two appraisals on this property?

MR. McINNIS: I produce an appraisal of Coulthard, Sutherland and Company dated the 22nd of April, '44, showing an appraisal of \$375.00, and one

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of Johnson, Reeve and Watson on the 26th day of June, 1944, for \$225.00.

MR. COBUS: I would ask to file both the appraisals as one exhibit, and point out that the time that elapsed between the two varying appraisals was a very short time indeed, the first one on the 22nd day of April, 1944, and the second one on the 26th of June, 1944.

(APPRAISALS MARKED EXHIBIT NO. 2)

10 MR. McINNES: My friend asked me for Mr. Mather's report in this matter, and I think perhaps it should be filed at the same time on this property.

MR. COBUS: Does my friend wish me to read the valuation?

MR. McINNES: Yes.

MR. COBUS: This is a report by J.D. Mather dated the 22nd of April, 1942. Under the heading "Land and Buildings," appears: "Three city lots. There is a small shack on the property situated on Lot 17 as above. The shack is of little value, worth probably \$100.00.

(REPORT MARKED EXHIBIT NO. 3)

MR. COBUS: Would my friend produce the picture of the property?

(Handed to Mr. Cobus)

Q: Witness, I produce to you a picture. Do you recognize the photograph? There are two houses in the picture, one in the background, one in the foreground. Which one is your property?

30 A: This is mine.

H. Tokai
In Chief

Q: The one in the foreground? A: Yes.
Q: Where were your lots in relation to that shack?
A: This way.
Q: To the right. In other words, the picture doesn't
show the land itself? A: No.

MR. COBUS: The picture is filed on behalf of the
Crown.

(PHOTOGRAPH MARKED EXHIBIT NO. 4)

10 MR. COBUS: Q: Witness, I produce to you now the
statement concerning the personal chattels for
which you are claiming. Did you instruct Mr.
Leckie to prepare this statement for you and is
that your signature? A: Yes.

Q: Are the statements contained therein true to the
best of your knowledge and recollection?
A: Yes.

MR. COBUS: I would ask to file the personal chattels
statement.

(STATEMENT MARKED EXHIBIT NO. 5)

20 MR. COBUS: Referring to the personal chattels state-
ment, your honour, the witness has outlined in
her statement 12 items for which she is making
a claim. Full details with respect to each item
are given, and the total estimated value at the
date of evacuation is shown to be \$372.50. In
her statement the witness says that all articles
claimed are listed above and were left in Mr.
Hamade's house at Scotch Cannery at Steveston.
She adds as a comment that she has allowed for
30 depreciation on all the used articles. With res-

pect to the new or unused articles, she has valued them at cost prices. She adds that her husband declared the ownership of the chattels which were later inventoried by the Custodian but she says the chattels were, in fact, her property.

Would my learned friend produce an inventory taken by the Custodian, taken by J.D. Mather, an agent of the Custodian on the 22nd of April, 1942?

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THE COMMISSIONER: You are not referring to Exhibit 5?

MR. COBUS: No, your honour, that is named the report. This is a personal chattels inventory.

THE COMMISSIONER: Yes.

MR. McINNES: April 22nd, is that the one?

MR. COBUS: Yes, that is the one. It was probably made at the same time as the full report of J. D. Mather's was made.

20 MR. McINNES: Well, I produce this for what it may be worth. It is just a typewritten sheet. I don't know whose handwriting is on it or what it means, but it is in the file.

MR. COBUS: Well, this is to be filed on behalf of the Crown.

(INVENTORY MARKED EXHIBIT NO. 6)

MR. COBUS: I would ask my learned friend to produce the Analysis and I think that will make the last exhibit understandable.

30 MR. McINNES: What is the date, April 22?

MR. McINNES: 1942?

MR. COBUS: Yes.

MR. McINNES: The Analysis apparently coincides, your honour, with the inventory under the second column of the Analysis.

10 MR. COBUS: With respect to the Analysis, your honour, it might be of some assistance to the Commissioner to have noted in the third column the items which have been abandoned since the claim was originally submitted, the third item, being a bureau with clothing, becomes a bureau only, the clothing portion of the claim is abandoned; and the item "washing utensils" is abandoned; and the last two items, wood, and life insurance, are both abandoned, and then the claim will agree with the personal chattels statement that has been filed.

(ANALYSIS MARKED EXHIBIT NO. 7)

MR. COBUS: Your witness.

20 MR. McINNES: It will be submitted, your honour, that the real estate was sold for its fair market value, and above the appraised value, or one appraised value. The assessment on this land -- I am giving this for the information of my friend, perhaps he will admit it is correct for the purposes of the record -- is \$104.00, the value of the improvements, \$90.00; that is for the year 1942.

MR. COBUS: Yes, that appears to be correct, your honour.

30 MR. McINNES: And the taxes were \$3.28.

H. Tokai
Cross exam

With respect to the chattels, it will be contended that the majority of these chattels, whilst inventoried by Mr. Mather, were never removed from this property and that the claimant remained in control until August of that year, and it will be submitted that perhaps a great many of them were either removed or sold by the claimant; such as remained and were found by us were sold for their fair market value.

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CROSS EXAMINATION BY MR. McINNES:

Q: Witness, it is a fact that your husband refused to complete a J.P. form; your husband never signed a J.P. form? A: No.

Q: Now, you made this J.P. form yourself on the 4th of April, 1942. I take it that is your name there, isn't it? A: Yes.

Q: And that is the fourth of April, you can see that? A: Yes.

20 Q: You remained in this house until August, didn't you? A: No.

Q: You remained at the coast until August. A: No.

Q: When did you leave there? A: We left 5th of May.

Q: Where did you go on the 5th of May?

A: To Kaslo.

Q: Both of you? A: No, my husband at road camp.

30 Q: Your husband what? A: My husband went to

H. Tokai
Cross exam

road camp.

Q: Where did he go to a road camp?

A: Rainbow.

Q: When did he leave Vancouver?

A: Around

the 11th of March.

Q: Of '42?

A: Yes.

Q: You stayed on until May?

A: Yes.

Q: Now, Mr. Mather came into your house while you were still there and took this inventory, this list of your goods, didn't he?

A: Who was the man?

Q: The name is Mather. Maybe you don't know his name, but some government man came into your house and took a list of your goods.

A: Well, he come on the 3rd of May to my house.

Q: Yes. Well, according to the record we have, he came on the 22nd of April. Well, let's put it this way: A man came to your house and he took a list of your goods?

A: Yes.

20 Q: And then he went away?

A: Yes.

Q: And he didn't take the goods out?

A: No.

Q: Now, although you left those goods there, you heard nothing about them or didn't know anything about them until the date that I am going to give you here, the 9th of April, 1946. Is that your husband's signature?

A: Yes.

Q: That is a letter written at Greenwood on the 9th day of April, 1946?

A: Yes.

30 Q: And he says, in part: "I would like to know

H. Tokai
Cross exam
Re-Direct exam

about my things that which I kept in the house
of Scottish Canadian Cannery." That is what he
says, isn't it? A: Yes.

MR. McINNES: I would like to file that letter, your
honour, as an exhibit.

(LETTER MARKED EXHIBIT NO. 8)

MR. McINNES: Q: That is the first time that you
wrote and inquired about your goods after you
left Vancouver? A: Yes.

10 MR. McINNES: That is all.

MR. COBUS: I gather from the Analysis that there was
one J.P. form signed.

MR. McINNES: There is no dispute about that.

MR. COBUS: I think I would ask that that be produced
and put on file.

MR. McINNES: I am producing a J.P. form, your honour,
dated the 4th of April, 1942, signed by Haruko
Tokai. I would like to direct your honour's
attention to the section "Statement of Personal
20 Property Owned." It says "Personal Effects per
list attached," and there is no list attached.

RE-DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I produce to you this J.P. form. Is
that your signature on it? A: Yes.

Q: You signed that on the 4th day of April, 1942?

A: Yes.

Q: Do you recall where this form was made up? Do
you remember whether you signed it in Vancouver
30 or at Steveston?

H. Tokai
Re-Direct exam

A: Is this in 1942?

Q: 1942, the 4th of April. Well, perhaps, if you can't remember, witness, you do recall making a J.P. form and this appears to be your J.P. form, is that correct? A: Yes.

Q: Now, under the heading "Statement of Personal Property Owned," is this phrase: "Personal effects as per list attached." Now, at the time you made this form, did you have a list of the personal effects that belonged to you? Do you recall giving it to anyone?

A: Well, Custodian took all my lists.

Q: Well, by "Custodian," whom do you mean; do you mean the person who prepared this for you?

A: Yes.

Q: Do you know who that was? A: I don't know.

Q: Was it a man? A: Yes.

Q: It was a man who did the typing? A: A man.

Q: A man did the typing? A: Yes.

Q: Do you remember whether you gave him a list?

A: At Japanese fishermen's hall.

Q: And you gave him a list of chattels?

A: Yes.

MR. COBUS: Referring to the Analysis, your honour, which is Exhibit 7, the Custodian shows 7 items under the heading "No account, theft." I just call that to your honour's attention.

That is all.

THE COMMISSIONER: That is all, thank you.

(PROCEEDINGS ADJOURNED SINE DIE)

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

Gordon Hambleton
G. Hambleton
Official Reporter

I hereby certify that the foregoing purports to be a true and accurate record of the evidence adduced before me.

M.M. Colquhoun
Sub-Commissioner

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DEFENCE BRIEF

GRAND FORKS
8 June 1948

Kanezo TOKAI
and
Haruko TOKAI

Files No. 12459, 1185

Case No. 332

REAL PROPERTY CLAIM

(All claims shown are Gross)

Claim 1.

Claim increased to

\$600.
(Trans. Page 2)

Appraised at

\$375. Coulthard Sutherland
\$225. Johnson Reeve

Sale Price

\$300.

3 Tenders were received for this property, the highest, \$300., being accepted.

Appraisers (Coulthard Sutherland) report - There is an old shack on the property, one fruit tree and a few raspberry canes.

Appraisers (Johnson Reeve) report - Good level land suitable for building houses.

PERSONAL PROPERTY CLAIM

(All claims shown are Gross)

Claim 2.

Household Goods

Claim reduced to
\$372.50
(Trans. Page 2)

Sold for

\$10.20

Claims for clothing, washing utensils, wood, and life insurance abandoned. (Trans. Page 8)

(a) Goods value \$241.00 Sold by auction for \$10.20.

(b) " " \$131.50 No account (theft).

\$372.50

It is contended that the majority of these chattels, whilst inventoried by Mr. Mather, were never removed from his property and that the claimant remained in control until August of that year, and it will be submitted that perhaps a great many of them were either removed or sold by claimant; such as remained and were found by us were sold for their fair market value.

Summary of Defence Witnesses

Coulthard Sutherland

Johnson Reeve

Thompson & Co.

Mr. Harris

Where Required

1 Appraisers

1 Appraisers

2 (a) Auctioneers

2 (a) Staff

BMP/mw

Name of Claimant **TOKAI, Ken-ee & Haruko**Case **332**Custodian File **12459 & 1185**

<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		
		300	30.00	19.00						49.00
<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			
30	10.20	3.06	34%	342.50	116.45			119.51		
TOTAL RECOMMENDATION										168.51

12499 & 1185

October 12th, 1950.

Mr. & Mrs. Kaneko TOKAI,
c/o Great West Cannery,
Steveston, B. C.

Dear Sir: & Madam:

Re: Japanese Property Claims Commission

Case No. 332

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 ... **\$168.51.**

Cheque in your favour is enclosed for **\$165.51**
and we have paid the Co-Operative Committee .. **\$ 3.00**
for legal fees as authorized by you.

Yours truly,

F.G. Shears
Director

FCS/js
1 encl.