

3439

TAMAKI, Hideo

Reg. No. 04481

FILE CLOSED

P.O. Box 137, 2nd Ave., near Chatham,

Steveston, B.C.

Roll - 1st 1st

5017 10 4

Employer:

Leon Laurin,
Dufresne, Man.

mother: Torakichi Hecassid
Mother Mac - # 04489

3439

STEVESTON BRANCH
OFFICE OF THE CUSTODIAN
JAPANESE SECTION

FILE NO. 3439EXHIBIT NO. 11451-A
DATE OCT 15 1940

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 on this form.

PERSONAL INFORMATIONNAME: TAMAKI, HideoHOME ADDRESS: P.O. Box 137, 2nd Ave., ^{near} Chatham, Steveston, B.C.REGISTRATION NUMBER 04481 SEX: Male AGE: 31OCCUPATION: Clerk

(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: River Fish Co., Steveston, B.C.MARRIED? YesNAME OF WIFE OR HUSBAND: FUMIADDRESS OF WIFE OR HUSBAND: P.O. Box 137, 2nd Ave. & Chatham, Steveston, B.C.NAMES OF ANY LIVING CHILDREN: NoADDRESS OF CHILDREN: NoneAGE OF CHILDREN: None**STATEMENT OF ALL REAL PROPERTY** (Each parcel must be mentioned and particulars given)1. LOCATION AND DESCRIPTION: P.O. Box 137, 2nd Ave. & Chatham, Steveston, B.C.Lot 13, Block 4, of Section 10, Block 3 North Range 7 West Map 249, in theDISTRICT of NEW WESTMINSTER. Certificate of title #1461202. In own possession

2. BUILDINGS AND OTHER IMPROVEMENTS:

8 room frame building, shingle roof

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

North West Fire Ins. \$2,500, Vancouver Branch, #193981, in own possession4. TAXES (Amount and where payable) \$25, paid for 1941, Payable Town Hall,
Brighouse, B.C.

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

None

6. OCCUPANCY AND LEASES (If vacant so state)

Leased to HARRY M. GILMORE, 8th Ave. & Chatham, Steveston, B.C.

Is leased for duration. Terms unknown - probably for
amount of Taxes & water rates & Insurance.

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: In own 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: 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:

See list attached

located in 2nd Ave near Chatham, Heniston.

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

TAMAKI, HIROO, #04481

near

P.O. Box 137, 2nd Ave., ~~WMA~~ Chatham, Stewest.

14	Flower plants
6-7	Flower stands
3 pc.	Chesterfield suite
11-15	tables
4	chairs
1	lamp stand
1	table stand (lamp)
1	ash tray
1	record player
100	records
7-8 pc.	floor covering
2	book cases and books
2	mantle clock
8	wall framed picture frames
1	screen
7	blinds
10	ornaments
20	flower pots
1	oil burner
1	kitchen range (wood and coal) with tank
1	heater
3	tables
6	chairs
1	vacuum cleaner
1	floor covering
1	kitchen cabinet
2	ash trays
1	electric toaster
1	electric clock
3	electric irons
1	Pyrex double boiler
1	electric hot plate
147	china and glass
2	crocks and covers
18 pc.	pots and pans
3	butcher knives
2	butcher steels
1	flower centre
1	fruit bowl
1	glass fruit bowl
29 pc.	tea set
52 pc.	dinner set
7 pc.	glass jugs
16 pc.	glass stern
18 pc.	Japanese tea set
7	Japanese trays
4 Canister sets	
6	Pruning shears
1	mop
1	electric massage machinery and parts
1	infant tub
7 pc.	large plates and bowls
12 pc.	knives and forks
24 pc.	tea spoon
5 pc.	table spoons

1		ironing boards
2		wash basins
2		wash tubs
1		bath (Japanese)
1		garden hose
1		garden sprinkler
1		furnace
1		hammer
2		axes
1		bed spring
1		clamp
1		shovel
1		lawn mower
1		hoe
1		rake
4 ps.		Bedroom suite
1		mattress
1		spring
1		garment closet
3 ps.		bed lamp
3 ps.		framed pictures
2 ps. <i>Rocking</i>		chairs
2 ps.		floor covering
3 ps.		bed (complete)
1		desk
1		table lamp
1 <i>Rocking</i>		chair
1 set		locks (electrical)
1		picture
30 ps.		tools
1		step ladder
8		blinds
2		mattresses
8		window screen
2		screen doors
6		table clothes (not used)
1 doz. pr.		window curtain

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)

\$100 Victory Bond, 1951 maturity, #K-4A260536, in own possession, \$100 Victory Bond, 1954 maturity, #K-8A084936, in own possession. \$5 War Savings Certificate, in own poss. River Fish Co., Steveston, 1 share, \$25; Dictator Gold Mines Ltd., Vancouver Branch, 500 shares, in own possession; Independence Gold Mining Co. Vancouver Branch, 1000 shares; Beaver Silver Mines Ltd. Vancouver Branch, 1000 shares, in own possession

8. BANK ACCOUNTS:

Royal Bank of Canada, Steveston Branch, \$44.46. Savings Acc. #T2179. LIFE INSURANCE: London & Scottish Cor. Ltd., Vancouver Branch, \$1,000, beneficiary,mother, NAO TAMAKI, policy #127,823, in own possession10. INTEREST IN ANY ESTATES OR TRUSTS. None11. SAFETY DEPOSIT BOX: None

LIABILITIES:

1. PERSONAL DEBTS: None2. TRADE DEBTS: None

REMARKS: Upon evacuation, declarant will ~~leave~~ store all his belongings in two up- stairs rooms. He will give key to MR. GILMORE, to whom he has leased house

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 13th day of April 1942.

A. MacArthur

Witness

(Signature)

N. Tamaki

FOR DEPARTMENTAL USE _____

INFORMATION FROM R.C.M.P.

Date June 10/43

Our File No. 3439

Full Name TAMAKI, Hideo
(Surname in Block Letters)

Registration No. 04481

☒ Male - Female
(check)

Age May 23, 1910

Former Address

P. O. Box 137, Steveston, B. C.

17/4/48

40 MR. E. L. SLACER, CLARKSON, ONT.

Date Evacuated

May 15/42

☒ Naturalized - Canadian-Born - National
(check)

Present Address

Box 20, R. R. 1, Lorette, Man.

☒ Married - Single
(check)

Name of Wife nee (AKIYAMA) Fumi #04480

Name of Husband - - -

Name of Mother nee (NAKAI) Nao

Name of Father Torakichi (Dec'd)

Names of Children under 16

Daniel Yutaka (M) 1/9/42.

Requested by

E.C.T.

Registered with Custodian

Yes
(Yes or No)

Additional Information

Store Clerk (River Fish Co.)

File No. 3439

EXHIBIT No. 1135-10

DATE OCT 15 1948

FILLED BY

K. A. Edwards September 9, 1947.

REAL PROPERTY SUMMARY

CATALOGUE NO.: 832 FILE NO.: 3439

JAPANESE NAME: (Mr.) Hideo TAMAKI REGN. NO: 04481

CIVIC ADDRESS: 2nd Ave., between Moncton and Chatham Sts., Steveston, B.C.

LEGAL DESCRIPTION: Lot 13, Blk. 4 of Sec. 10, Blk. 3N, Rge. 7W, Map 249, Mun. of Richmond, in the District of New West'r, B. C.

CLASSIFICATION: A 5 room dwelling of frame, shingle roof construction, 1½ storeys, with basement and equipped with furnace. (Picture dated 10/Aug/43 on file)

CERTIFICATE OF TITLE: C of T #145190E dated 15/Aug/41 regd. in name of Hideo TAMAKI (LRO Search 17/Mar/43).

STATE OF TITLE: Clear. No encumbrances, no judgments. (LRO Search 17/Mar/43)

WHEREABOUTS OF TITLE: In owner's possession. (Form "JP" dated 13/Apr/42)

VESTED In Custodian. Cert. of Vesting applied for 12/Apr/43, Registered as # 25814 on 13/May/43. C of E # 51778 on file.

ASSESSED VALUE:

(1944) Land	\$450.00
Improvements	1,140.00
Total	1,590.00
Taxable Value	\$1,248.00
Tax \$27.46, Dyking Charge \$1.30	
Total Taxes (1944)	\$28.76.

APPRAISED VALUE: House \$1,260.00, Lot \$150.00, Total \$1,410.00 (Coulthard, Sutherland & Co., Ltd., dated 22/Apr/44.)

FIRE INSURANCE: Assigned to new owner. See Summary.

CHATELS: Not involved.

~~SOLD~~

SOLD TO: Alice RUSSELL, wife of Verne Edward RUSSELL, both of Steveston, B. C.

APPROVED: By Advisory Committee 27/Jul/44. (Memo McArthur to Milson, 29/Jul/44)

SOLD AS AT: 30/Aug/44. (Statement re Sale 20/Jan/45)

TERMS OF SALE: Cash

FUNDS RELEASED: To the open credit of Tamaki 16/Dec/44 (Memo 16/Dec/44 Peters to Accounting Dept.)

JAPANESE ADVISED: a) Advised of impending sale 2/Sept/44.
b) Advised of completion of sale and full statement submitted 20/Jan/45.

JAP. COMMENTS RE SALE: No comments evident on file.

HISTORY OF ADMINISTRATION: Prior to evacuation on 15/May/42, Tamaki leased his property and contents to a Mr. Harry Marshall GILMORE of Steveston, B. C. The lease to take effect on the date of his evacuation and to terminate ^{on} cessation of hostilities with Japan or upon 30 days notice on the return of Tamaki to Steveston.

Gilmore was to pay \$1.00 plus taxes, water rates etc., and included in the lease was the proviso that he might sublet.

Mather's letter of 12/May/42 states that a verbal understanding between Gilmore and Tamaki, contracts Gilmore to pay the insurance and submit to Tamaki any excess rent, provided the property is sublet.

A further query to Mather of 3/June/42 brought forth on 20/July/42 a reiteration of the context of the previous paragraph plus the information that the property had been rented to a Mr. RUSSELL. He quoted the rent as being \$15.00 per month and pencilled notes on his letter and our letter to Tamaki of 28/July/42 denote Gilmore stated the rental to be \$12.50.

This office letter to Tamaki of 28/July/42 requested confirmation of the facts of the Lease and verbal understanding as heretofore quoted.

Tamaki's letter of 6/Aug/42 does neither confirm nor deny, and requests this office to "disguss the matter with Mr. Gilmore". He also requests information as to the method of submitting rents to him.

Our letter of 15/Aug/42 to Gilmore refers to a visit which he presumably made to this office, and outlines a plan whereby he deducts 10% of the rental and submits the balance less expenses incurred.

A further letter to Gilmore of 24/Aug/42 requests an answer to ours of 15/Aug/42.

His answer is received in a letter from J. M. STREIGHT, Barrister and Solicitor, of New Westminster, B. C., in which this office is informed that the lease does not provide for Tamaki to receive any funds from the earned revenue of his house, all monies going to the Lessor, Mr. Gilmore. Two inter-office memos of 29th/Aug and 2nd/Sept/42 are on file in regard to the validity of the Lease as per Mr. Streight's interpretation.

A letter to Tamaki of 8/Sept/42 advises him of the various proceedings engaged in by this office on his behalf and requests again the information required in our letter to him of 28/Jul/42 as heretofore dealt with.

A letter to Streight of 8/Sept/42 states that the Custodian is not prepared to accept his interpretation and that further enquiry is proceeding.

A letter from Tamaki dated 16/Sept/42 is on file, but as the situation was not definitely cleared by him, a further letter on 2/Oct/42 was despatched to him.

In his letter of 31/Oct/42, Tamaki definitely confirmed that the arrangements with Gilmore were in order with him.

This information was forwarded Mr. Streight for onward transmission to Gilmore, and accordingly, this office did not at any time receive any revenue from the property to place to Tamaki's credit until date of sale.

This office acted in a supervisory capacity to ensure the Lessee paid all necessary charges as per copy of lease held at this office.

A bid to purchase the property was received under date of 15/June/44 from Verne RUSSELL, tenant of the property

His enclosed cheque was returned in our letter of 27/June/44 and the bid of \$1,200.00 rejected.

His bid of \$1,410.00 on 2/July/44 was accepted in our letter of 8/Aug/44, and Tamaki advised of the sale on 2/Sept/44.

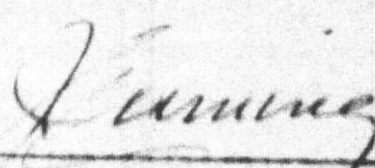
Tamaki's letter of 21/Nov/44 re sale does not contain any comment as to his acquiescence or disagreement, simply requesting a statement and funds.

Russell evidently considered placing a mortgage on the property in order to meet the purchase price. Various letters dated 30/Aug, 13/Sept and 12-13/Oct/44 refer to same, but this office was finally released from the necessity of registering same. The full cash price was paid 29/Aug/44.

Statement re Sale and Statement of Account were forwarded 20/Jan/45 to Tamaki and funds were released to his open credit with effect 16/Dec/44.

His letter of 27/Feb/45 requested the full proceeds of sales, and a cheque in the amount of \$1,755.80 was dispatched 3/Mar/45 together with a statement re sale of chattels and advice re the crediting of unearned premium of Fire Insurance to Gilmore.

The above Summary is certified to be
in accordance with the information
on file:


J. Cuming.

September 9, 1947.

FIRE INSURANCE SUMMARY

Re: Hideo TAMAKI
Regn. No. 04481

Tamaki declared North West Fire Insurance policy #193981 in the amount of \$2,500.00 when completing his Form "JP".

A query to Gilmore, the Lessee, dated 13/Nov/42 elicited a reply dated 19/Jan/43 with the information that the policy above-mentioned covered the house for \$1,500.00 and the chattels for \$1,000.00 with expiry date of 17/June/43.

A copy of the policy was received from McGregor, Johnston and Thomas under cover of their letter of 15/Feb/43.

Endorsement #904 was attached as requested, thereby appointing the Custodian the insured in order to protect his interest.

Copy of the endorsement was forwarded 19/Feb/43 to Tamaki.

Upon expiration of the above policy, Gilmore renewed the coverage under London and Lancashire policy No. 3401248. A duplicate copy of this policy was procured and the original was forwarded to this office by Gilmore 23/July/43 whilst the duplicate was supplied him 3/Aug/43.

On sale of the property, a transfer and assignment were sought 25/Oct/44 of the agents, who consented 26/Oct/44.

Acknowledgment of receipt of this policy is contained in the Receipt for Title under date of 13/Jan/45 and signed for by Verne Russell.

The unused portion of the premium in the amount of \$11.86 was paid Gilmore by cheque 22/Dec/44.

The above Summary is certified to be in accordance with the information on file:


J. Cumming.

JC/JJW

September 10, 1947.

PERSONAL PROPERTY SUMMARY

Re: Hideo TAMAKI
Regn. No. 04481

Chattels: See Chattel Summary.

Specified Articles: See Specified Article Summary.

Bonds: The undermentioned bonds and stocks, declared by Tamaki on Form "JP" were left in his custody:

Victory Bond #K-4A260536	\$100.00
Victory Bond #K-8A084966	\$100.00
\$5.00 War Savings Certificate	
River Fish Co., Steveston	1 Share
Dictator Gold Mines Ltd.	500 Shares
Independence Gold Mining Co.	1000 Shares
Beaver Silver Mines	1000 Shares

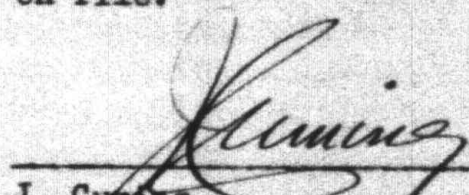
Bank Account: Royal Bank of Canada, Steveston Branch, Savings Account #T217 with a stated deposit of \$44.46 did not come under the control of this office.

Life Insurance: Form "JP" declaration denotes a policy with face value of \$1,000.00 placed with the "London and Scottish Cor. Ltd., Vancouver Branch".

No premiums were paid by this office nor funds collected. A letter from Tamaki dated 17/Sept/43 in which he requests information as to whether the Custodian would "keep the amount of beneficial no matter to whom it is supposed to be paid". This office letter of 4/Oct/43 evidently banished all fears as no further correspondence is on file.

Accounts Receivable: None declared or disclosed on file.

The above Summary is certified to be in accordance with the information on file:


J. Cuming

September 9, 1947.

CHATTEL SUMMARY

Re: Hideo TAMAKI
Regn. No. 04481

A.n Inventory signed by Gilmore is attached to the copy of the Lease supplied by Gilmore. As various lists from Tamaki are on file, and are itemized in the same order as articles listed in the aforementioned Inventory, it may be presumed that this was compiled by him.

The Inventory as submitted by J. D. Mather and on file with his report, is practically verbatim with that supplied by Tamaki and Gilmore, for that reason considered to be a copy and therefore not included on the Chattel Schedule.

Various articles were given to the Gilmores by Tamaki as per memo on file under date of 26/Sept/44.

A shipment to Tamaki was made by Gilmore, and while no inventory is attached to the Bill of Lading under date of 4/Nov/44, a number of notes plus copy of a list from Tamaki are on file under date of 26/Sept/44. The articles are shown in the "shipped" column as "Gilmore". The request for kitchen utensils etc. are listed as "Pres. Gilmore."

Tamaki also marked "received" or "taken" by some items, these have been noted as such.

Various articles were sold to Gilmore and Russell, plus an auction held 27/Oct/44. The articles are shown in the "Sold" column as: A - Auction; G - Sold to Gilmore; R - Sold to Russell.

A number of articles which cannot be accounted for are listed below. In two cases the quantity of an item has dropped from that previously stated by Tamaki in his Form "JP" Inventory and his Inventory as on file with the Lease.

5 Chairs	6 NOW 4 pruning shears
1 pc floor covering (discarded ?)	1 Hammer
8 Framed Wall pictures	1 Axe
2 Tables (probably HM)	1 Clamp
2 Ash trays (probably of little value)	1 Garment closet
3 NOW 2 Electric irons	1 set Books (Elec)
2 Crocks and covers	1 Picture

(Discarded article list on file dated 20/Oct/44).

The Lease entered into by Tamaki and Gilmore on 1/Apr/42 (copy on file) includes all furniture and fixtures on the premises. Therefore, the Custodian was not liable for any chattels until 26/Aug/44.

the date on which Gilmore surrendered the lease and over signature stated that he had no further interest in the lease or tenancy. (This lease is on file and the quoted statement is written thereon and signed by Gilmore).

No inventory taken as of date of cessation of lease is apparent, therefore a check cannot be instituted to ascertain what articles were or were not on the premises at the time Gilmore vacated.

It might also be pointed out that Tamaki was evacuated on 15/May/42 whilst the original inventory contained in (and part of) the Lease, was signed on 1/Apr/42.

As this lease may be construed as merely a friend to friend custodianship, it is more than likely that a number of the items listed in the Inventory were disposed of by or taken with Tamaki upon or prior to his departure.

A letter dated 24/Apr/47 from Tamaki is on file in which he requests the assistance of this office in collecting an amount of "approximately \$50.00" from Gilmore. He also enclosed a letter from Gilmore to himself, of which a certified true copy has been prepared and placed on file attached to the aforementioned letter of Tamaki's.

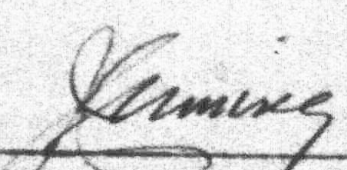
The letter of Gilmore's is dated 9/Oct/44 and in same he requests a lowering of the price quoted by Tamaki for various chattels.

A further letter from Tamaki dated 6/May/47 in answer to this office of 29/Apr/47 appears on file. Both re the above. A letter to Gilmore 11/Jan/47 in regard to this matter was evidently answered by a personal call. A minute by Mrs. MacArthur of this office inscribed thereon dated 11/July/47 stated Gilmore agreed to get in touch with Tamaki and make a settlement, Tamaki to advise us of same.

A further letter from Tamaki 18/Jul/47 evidently crossed ours of 24/Jul/47 in which we advised him of Gilmore's call and the suggestion accepted by Gilmore's resettlement. No further correspondence in regard to this claim is on file at date of this Summary, and as the arrangement was primarily between Tamaki and Gilmore, no further investigation by this office is contemplated.

Tamaki was written to 16/Jan/45 requesting that he confirm the fact that all chattels were accounted for. No letter appears on file in answer to this request as of date of Summary.

The above Summary is certified to be in accordance with the information on file:


J. Cuming.

File No. 3439

CHATTEL SCHEDULE

September 10, 1947.

Re Hideo TAMAKI

Regn. No. 04481

JAP INVENTORY AS PER
FORM "JP" 4/13/APR/42SHIPPED TO
TAMAKISOLD(A) Auction

G) Gilmore, R) Russell)

AMT.OTHER DISPOSITION

14 Flower plants				) Given to Mrs. Gilmore (Gilmore List)
7 Flower Stands				
3 pc Chesterfield Ste.		G 9/12/44	60.00	
3 Tables		2A 27/10/44	4.00	) 1 discarded 20/10/44
4 Chairs		A1 27/10/44	3.25	
1 Lamp Stand		G 9/12/44	5.00	
1 Table stand (lamp)		A 27/10/44	3.50	
1 Ash Tray		R 20/ 1/45	1.00	
1 Record Player (Price includes Radio)		R 20/ 1/45	125.00	
100 Records	Gilmore			
8 pc Floor covering		A 5 pc 27/10/44	1.60	) Gilmore list "all sold"
		R 2 pc 20/ 1/45	7.50	)
		A 27/10/44	12.00	
2 Bkcases & books				
2 Mantel clocks	Gilmore			
8 Framed wall pics.				No record
1 Screen		A 27/10/44	.50	
7 Blinds				Pres. sold with prop. as fixture
10 Ornaments				Given to Gilmore "on list"
20 Flower pots				Pres. sold with property
1 Kitch rge (w & c) & tank		G 9/12/44		
1 Heater		G 9/12/44	15.00	
3 Tables		G1 9/12/44		2 Discarded 20/10/44
6 Chairs		G2 9/12/44	5.00	
1 Vacuum cleaner		G 9/12/44	40.00	
1 Floor covering				Pres. sold with prop as fixture
1 Kitchen cabinet		A 27/10/44	6.00	
2 Ashtrays				
1 Elec toaster	Gilmore			
1 Elec Clock	Gilmore			
3 Elec Irons				
1 Pyrex dble boiler	Gilmore			
1 Elec Hot Plate	Taken by Tamaki			
147 Cina & Glass	Pres. Gilmore			
2 Crocks & covers				

R 133.50

18 Pots & Pans	Pres. Gilmore
3 Butcher knives	Pres. Gilmore
3 Butcher Steels	Pres. Gilmore
1 Flower centre	Gilmore
1 Fruit Bowl	Gilmore
29 pc tea set	Gilmore
1 Glass Fruit Bowl	Gilmore
52 pc Dinner set	Gilmore
7 pc Glass Jugs	Gilmore
16 pc Glass (Stemware ?)	Gilmore
18 pc Jap Tea set	Gilmore
7 Jap trays	Gilmore
4 Canister sets	Pres. Gilmore
6 Pruning shears	
1 Mop	
1 Elec massage mach & parts	
1 Infant Tub	4/11/44
7 pc Lge Plates & bowls	Gilmore
12 pc Knives & forks	Pres Gilmore
24 pc Teaspoon	Pres Gilmore
5 pc Tablespoons	Pres. Gilmore
2 Ironing Boards	
1 Wash basin	
2 Wash tubs	
1 Jap bath	
1 Garden hose	
1 Garden Sprinkler	
1 Furnace	
1 Hammer	
1 Axe	
1 Bed Spring	
1 Clamp	
1 Shovel	
1 Lawn Mower	
1 Hoe	
1 Rake	
4 pc Bedroom Suite	
1 Mattress	
1 Spring	
1 Garment closet	
3 pc Bed lamp	Gilmore

R 20/1/45)
R 20/1/45)

.50

Pres. sold with prop as fixture
Pres. discarded as unsaleable

R 20/1/45
R 20/1/45

1.00

~~1.00~~ 75¢

R

5.00

Possibly "oil burner" sold to
Russell 20/1/45.

Discarded 20/10/44

A 27/10/44
R 20/ 1/45
R 20/ 1/45
R 20/1 /45
G 9/12/44

1.00

2.50

.50

.50

60.00

Discarded 20/10/44
Discarded 20/10/44

R 6 -

3 pc Framed pictures

Gilmore

2 pc Chairs

2 pc Floor covering

3 pc Bed complete

1 Desk

1 Table lamp

1 Chair

1 Set Books (Elec)

1 Picture

39 pc tools

1 Step ladder

8 Blinds

2 Mattresses

9 Window Screens

2 Screen doors

6 Table cloths (new)

1 Dozen window curtains

Fres Gilmore

Gilmore

Gilmore

A 27/10/44

R 20/1/45

R 20/1/45

A 27/10/44

.25

7.50

7.50

.35

1 Dis carded 20/10/44

Discarded 20/10/44

R 20/1/45

1.00

R 20/1/45

1.50

R 20/1/45

2.00

Fres. sold with prop. as fixture
Discarded 20/10/44

R 19.50

NAME TAMAKI, Hideo

REGISTRATION NO. 04401

FILE NO. 3439

The following chattels were sold by public
auction at Stevenson, B. C. on October 27, 1944.

- Shovel
- Table lamp
- Table lamp
- 2 Small floor mats
- 3 Small rugs
- 2 Small rubber mats
- Rocking chair
- Screen
- Table
- End table
- China cabinet
- Bamboo bookcase
- Kitchen cabinet

\$ 1.00 - T
0.35 +
3.50 X
0.25 +
0.60 - F
1.00 - F
3.25 X
0.50 +
2.00 +
2.00 +
7.00 X
5.00 X
6.00 +

Total

\$ 32.45

Less Expenses: (Auctioneer's Fees \$3.25
(Advertisings 1.27
(Movings 2.12)

\$ 6.64

Net Proceeds Credited:

\$ 25.81

Members of Custodian Staff Present. Mr. Harris

Extracted from Auctioneering List No. Stevenson 23

Remarks.

*Original sent
Mar 3/45*

September 10, 1947.

SPECIFIED ARTICLE SUMMARY

Re: Hideo TAMAKI
Regn. No. 04481

Autos
Firearms
Cameras
Boats

None declared or disclosed on file.

Radios:

No radio was declared by Tamaki,

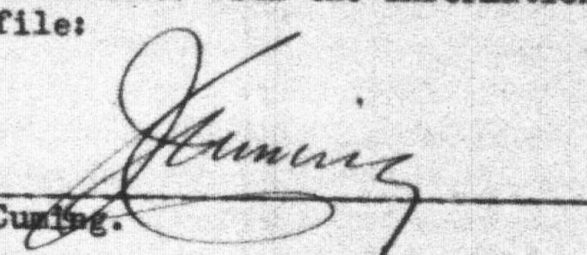
A letter from our Steveston Office dated 9/Feb/43 requests Custodian approval of a release for a Stromberg Carlson radio from Kelly Piano Co. to Gilmore, the tenant of Tamaki's house.

A letter to Kelly Piano Co., dated 15/Feb/43 is on file giving authorization, also a memo to the Steveston office requesting assurance that Gilmore would not forward the radio to Tamaki.

The radio was finally sold to Russell, the purchaser of Tamaki's property, for the sum of \$125.00, this price including a record player.

A memo dated 20/Jan/45 is on file in this connection.

The above Summary is certified to be
in accordance with the information
on file:


J. Cumming.

JC/JJW

RADIO

File No. 3439
Regn.No. 04481

Hideo TAMAKI
Steveston, B.C.

Stromberg-Carlson # p138---345391

Stored at Kelly Piano Co. under the name of T. Nishi.

Sold to H. Gilmore
See sales list on file dated ~~18xFebx12~~
20 Jan 45

File No. 3439

July 6th, 1944

MEMORANDUM
RE CLAIMS

Re: Hideo TAMAKI

CREDITORS;

There are no claims on file against the above
party as at this date.

GDM/GH

Form 101, Standard Lease 1-11. The Charter & Stuart Co. Limited, Law Printers and Stationers, Vancouver, B.C.

PP I

This Indenture

Made in duplicate the First day of April in the year of Our Lord one thousand nine hundred and forty-two

IN PURSUANCE OF THE "SHORT FORM OF LEASES ACT"

Between:

HIDEO TAMAKI, of Steveston in the Province of British Columbia.

Insert full Names, Addresses and Occupations of parties.

hereinafter called the "Lessor" of the First Part:

And

HARRY MARSHALL GILMORE, of Steveston, in the Province of British Columbia.

hereinafter called the "Lessee" of the Second Part:

Witnesseth, the said Lessor doth demise unto the said Lessee, his executors, administrators and assigns, All and Singular that certain parcel or tract of land and premises situate, lying and being in the Municipality of Richmond in the Province of British Columbia and more particularly known and described as:

Lot Thirteen (13) BLOCK FOUR (4) of Section Ten (10) Block Three (3) North, Range Seven (7) West, Map Two Hundred and forty-nine (249) in the District of New Westminster.

Together with all buildings thereupon erected, or hereafter during the term hereby granted, to be erected, and also with all ways, paths, passages, waters, water courses, privileges, advantages and appurtenances whatsoever to the said premises belonging or otherwise appertaining, together with furniture and fixtures according to inventory Attached and which is hereby made part of this agreement.

From the date of the Lessors evacuation from Steveston on order of the
Government of Canada. day of one
thousand nine hundred and forty for the
term of the duration of the war with Japan ~~terminating~~.

Yielding during the said term therefor the rent of -----One Dollar (\$1.00)-- Dollars,
of lawful money of Canada, payable on the following days and times that is to say:

The sum of One Dollar (\$1.00) on the signing of
this agreement, the receipt of which is hereby
acknowledged.

Permission is hereby granted the Lessee to Sublet
the premises at a rental to be agreed upon between
the Lessor and the Lessee.

the first payment to be made on the day of , 194

✓ **That** the said Lessee covenants with the said Lessor to pay rent; and to pay taxes; and to pay rates
for water, electric light, gas and telephone.

And to repair; and to keep up fences; and not to cut down timber;

And the said Lessor may enter and view state of repair, and that the said Lessee will repair
according to notice.

And will not assign without leave; ~~and will not sublet without leave.~~ T.O.K.

And that he will leave premises in good repair;

And that he will not carry on any business that shall be deemed a nuisance on the premises.

Proviso for re-entry by the said Lessor on non-payment of rent, or non performance of covenants.

Proviso for re-entry on seizure or forfeiture of the said term.

The said Lessor covenants with the said Lessee for quiet enjoyment.

Proviso for re-entry on the return of the Lessor to Steveston on his
giving notice to the Lessee of one calendar month (30 days)

And also that if the term hereby granted shall be at any time seized or taken in execution or in attachment by any creditor of the Lessee, or if the Lessee shall make any assignment for the benefit of creditors, or becoming bankrupt or insolvent, shall take the benefit of any act that may be in force for bankrupt or insolvent debtors the then current rent shall immediately become due and payable and the said term shall immediately become forfeited and void.

And it is hereby Declared and Agreed that in case the premises hereby demised or any part thereof shall at any time during the term hereby granted be burned or damaged by fire or tempest so as to render the same unfit for the purpose of the Lessee then the rent hereby reserved or a proportionate part thereof according to the nature and extent of the injuries sustained, and all remedies for recovering the same shall be suspended and abated until the said premises shall at the option of the Lessor have been repaired or made fit for the purpose of the Lessee.

Provided always and it is hereby agreed by and between the parties hereto that if the said Lessee shall hold over after the expiration of the term hereby granted and the Lessor shall accept rent, the new tenancy thereby created shall be a tenancy from month to month and not a tenancy from year to year, and shall be subject to the covenants and conditions herein contained so far as the same are applicable to a tenancy from month to month.

Wherever the singular or the masculine are used in this Indenture, the same shall be deemed to include the plural or the feminine, or the body politic or corporate; also the heirs, executors, administrators, successors and assigns of the respective parties hereto and each of them, (where the context or the parties so require).

In Witness Whereof the said parties have hereunto set their hands and seals the day and the year first above written.

Signed, Sealed and Delivered

IN THE PRESENCE OF

(Signed) T.C.K.
Signature of Witness

Street Address

City or Town

Occupation

(Signed) Hideo Tamaki.

(Signed) Harry Marshall Gilmore.

#04481

Goods left in the house of Hideo TAMAKI, 72nd. Ave. between
Moncton and Chatham Streets on the East Side.

14 Flower Plants	1 Bed Spring
7 Flower Stands	1 Clamp
1 3 Pce. Chesterfield Suite	1 Shovel
13 Tables	1 Lawn Mower
4 Chairs	1 Hoe
1 Lamp Stand	1 Rake
1 Table Lamp	1 4 Pce. Bedroom Suite
1 Ash Tray	1 Mattress
1 Record Player for Radio	1 Spring
100 Records	1 Wardrobe
18 Pce. Floor Covering	3 Boudoir Lamps
2 Book Cases with Books	2 Framed Pictures
2 Mantle Clocks	2 Chairs (Revering)
8 Pictures with frames	2 Floor Coverings
1 Screen	1 Bed Complete
7 blinds	1 Desk
10 Ornaments	1 Table Lamp
20 flower Pots	1 Chair
1 Oil Burner	1 Picture
1 Kitchen Range with Tank	1 Step Ladder
3 tables	8 Blinds
6 Chairs	9 Window Screens
1 Vacuum Cleaner	2 Screen Doors
1 Floor Covering	6 New Table Cloths
1 Kitchen Cabinet	1 Doz. Pcs. Window Curtains
2 Ash Trays	
1 Electric Roaster	
1 " Clock	
2 " Irons	
1 Pyrex Double Boiler	
1 Electric Hot Plate	
Sundry Glassware	
2 Crocks with Covers	
Sundry Kitchen Utensils	
1 Flower Center	
1 Fruit Bowl	
1 Glass Fruit bowl	
1 29 pce. tea Set	
1 52 " Dinner Set	
7 Glass Jugs	
16 Pieces Glass Stem Ware	
12 Pce. Japanese Tea Set	
5 Japanese Trays	
1 4 Pce. Canister Set	
4 Pruning Shears	
1 Mop	
1 Infant tub	
7 Large Plates and bowls	
2 ironing boards	
1 Wash basin	
1 Wash tub	
1 Garden Hose	
1 Sprinkler	

H. Gilmore

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

RECEIVED

The Office of the Custodian

AUG 11 1942

Refile #3439

aug. 6th / 1942

sent to Quent

H. Tamaki

% L. Laurin

Dupresne Men.

Dear Sir,

I received your letter about the house, which is leased to Mr. H. Gilmore. I would like you or the agent to discuss the matter with Mr. Gilmore of Stevenson, and your letter said it was furnished but it isn't fully furnished, beside we have some furniture and other goods stored in this house so they couldn't allow to use full space of buildings.

Did you receive any rental payment from Mr. Gilmore from the beginning of lease? I would like to know ~~whether~~ after you paid tax Insurance and water rates. Can I receive the rest of rent? In which method? If it is possible I am glad to see that Mr. Gilmore taking care of every thing such as collecting rent and other paying tax and Insurance which ~~we~~ I did agreed before I left there. The ~~rent~~ is moderate said in your letter but I do not like to stranger to live in this house so don't you think it is fairly reasonable? Thanks for notified I am glad to see your reply soon.

Yours Truly. H.T.

3439

August 15, 1942.

Mr. H. Gilmore,
6th Avenue and Chelbein,
Steveston, B. C.

Dear Sir:

Re: Hideo TAMAKI

With reference to your call of a few days back, we have now received a letter from Mr. Tamaki, in which he asks for the balance of the rent after taxes, water rates, etc., have been paid.

In the circumstances, we shall be glad if you will remit to us the rent collected by you so far, which you advised is \$12.50 and not \$15.00, less taxes and water rate, if paid, and less expenses and labour incurred by you in the repairing of the furnace, and any other work you have done in connection with this property. In the future, we propose that you deduct 10% each month from the rent received, representing your expense in collecting rent and keeping an eye on the property, and then remitting the balance of the rent to us each month. The 10% was the figure mentioned by Tamaki some time back to our agent, who was handling this matter.

We understand that the premium on the fire insurance is paid until sometime in 1943. Please let us have the policy for safe-keeping.

Yours truly,

F. G. Shears,
Assistant Manager.

PD:BT

P. S.

Please let us have any receipted accounts you may have in connection with the above.

Dauch

J. M. STREIGHT

BARRISTER
AND
SOLICITOR

TELEPHONE N. W. 703

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

RECEIVED
AUG 26 1942

SUITE 405

WESTMINSTER TRUST BUILDING
NEW WESTMINSTER, B.C.

AUG. 25th 1942

Mr. F.G. Shears,
Department of the Secretary of State,
Office of the Custodian,
506 Royal Bank Bldg.
Vancouver, B.C.

Re: Hideo Tamaki
Your file 3439

Dear Sir:

I have been consulted today by
Harry E. Gilmore, the lessee of a Lease dated
April 1st 1942, the lessor being Hideo Tamaki.

According to my interpretation
of the lease, the lessee has the right to receive
all the monies from rents as the lessor has leased
the property and buildings to Gilmore. The amount
of rent to be charged is a matter between the lessor
and lessee but the recipient of the rent is definitely
the lessee. He is not accountable to the lessor for
same but must pay the taxes, insurance and repairs.
In my opinion, there are no monies forthcoming to
your office on behalf of the Japanese.

Yours very truly,

JMS:WF

J. M. Streight

File # 3439

September 2nd, 1942

MEMORANDUM

TO: MR. P. DOUET

FROM: MR. K. W. WRIGHT

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

RECEIVED
SEP 5 1942

Re: Hideo TAMAKI

Replying to your communication of the 29th ult., this is to advise that I have read the lease signed by the above mentioned and find that it does not contain any clause which requires the lessee to account in case he sublets.

The conclusion I have reached, as a result of several conferences, is that the Custodian will not interfere with Agreements made prior to evacuation unless, in our opinion, the arrangement should be disturbed due to unfairness of terms.

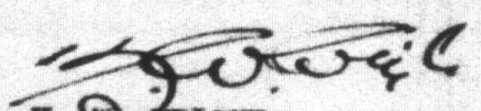
I find from the correspondence that Hideo Tamaki believed the arrangement was quite different from the written document and under these circumstances we are justified in making a thorough investigation.

I recommend that you send a copy of Mr. Streight's letter to Hideo Tamaki and if he advises that it was his understanding that only 10% should be deducted, we may then inform Mr. Streight that the Custodian is not prepared to accept the terms as it was not intended that Gilmore should profit beyond a 10% collection fee.

The revenue from the property will amount to \$150.00 and the taxes amount to \$23.74. Further disbursements for water rates, etc. still leave a margin to Gilmore which I believe was not intended.

When you write Mr. Tamaki you need not give him my views but merely ask him for the plain statement of what his arrangement was.

In the meantime, you may write to Mr. Streight and advise that the Custodian is not prepared to accept his interpretation and that we are conducting an investigation in an effort to determine the facts. I am returning your file together with Mr. Streight's letter.


K. W. WRIGHT

KWW/CM

September 8, 1942.

Mr. Hideo Tanaki,
c/o Leon Laurin,
Dufresne, Manitoba.

Dear Sir:

We duly received your letter of the 6th of August, but have not replied to same earlier, as we had to communicate with Mr. Gilmore. He has placed the matter in the hands of Mr. J. M. Streight, Solicitor, and we enclose a copy of this ~~gentleman's~~ letter, dated the 25th of August.

From this letter you will see that Mr. Gilmore has adopted the attitude that out of the rent of \$12.50 per month received from the tenant of your house, he has only to pay taxes, insurance, and repairs, and that the balance of the money will be retained by him. From what we have on file, we do not think this was your intention, and we are prepared to take action in this matter if you will write us fully, giving us exactly what arrangements you made with Mr. Gilmore, in the event of his subletting the property, which he has done. We understand that mention was made by you to Mr. Gilmore that if the place was sublet, he was to deduct 10% from the rent received each month for collecting the rent and looking after your property, but this was not mentioned in the lease you made with Mr. Gilmore.

At any rate, please write us fully as requested above by return, as we are anxious to settle this matter without delay.

A stamped and addressed envelope is attached.

Yours truly,

F. G. Shears,
Assistant Manager.

PD:BT

Enclosure.

Mr. J. G. Shears.
OFFICE OF THE CUSTODIAN
of the Consolidated

SEP 22 1942

Dear Sir ..

H. Yamaki, Man.

Sept 16 - 1942

your file # 3439

out to

act 110

229 18

I received your letters about my property in
Stevenson which I leased to Mr. H. Gilmore. You are asking for full
agreements made between him and me. But there is no written
note to this agreement. When we are making the lease
I just gave him a list of goods which I store in some build-
ings. For the rental money he will be kept it until
I will see him in some future, after the taxes insurance
and other expenses are paid.

I have just trust him to keep the part of the
net income of the rents until I will see him. as your letter
saying that I have made agreement between your agent to
pay 10% of rent to Mr. Gilmore which I never know
until I see your letter I have not seen your agent before or
after I left coast with these arrangements.

I think this matter will be better to keep on
Mr. Gilmore's hand for the present. In the future if I may
requires your assistance I am glad to have it, but if you
need any more information for this matter I am glad to
write anytime.

yours Truly,

H. Yamaki

October 2, 1942.

Mr. Hideo Tanaka
Japanese Registration No. 04481,
c/o Mr. Leon Laurin,
Dufresne, Manitoba.

Dear Sir:

We regret the delay in not writing you before this in connection with your letter of the 16th of September. We note what you say, and it is apparent to us that when you leased your property to Mr. Gilmore for \$1.00 for the duration of the war, he to pay taxes, water rate and insurance, you expected, if the property was rented, that you would receive some of the rental money after the above items had been paid.

We wish to make it quite clear to you that from the letter dated the 25th of August from Mr. J. M. Streight, (copy of which we sent you with our letter of the 8th of September) that Mr. Gilmore will not remit any money to you at all from the rent of \$12.50 per month which he is receiving, and he has obviously employed the above solicitor to confirm this.

If you are satisfied with the arrangement whereby Mr. Gilmore pays taxes, water and insurance and sees to necessary repairs and retains all the rent, then of course we have no objection. If, however, this is not what you wish, you must write us definitely and state what you have in mind.

We can only say in conclusion that if you allow the arrangement to go on as at present, you will receive no rent at all from your property for the duration of the war, which means that something like \$100.00 per year will go to Mr. Gilmore, *after he has paid taxes etc.*

We await your further news by return, before communicating with Mr. Gilmore's solicitor.

Yours truly,


P. Doucet,
Administration Department.

Mr. P. Douet

Douet
3

Oct 31st 1942

Dept of the Secretary of State
Office of the Custodians

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

RECEIVED
NOV 3 1942

Dr. Tanaka
c/o L. Laurin

Dufresne, Man.

Re file # 3439

Dear Sir,

I have received your letter but I am very busy with my farm work for about 3 weeks. I am sorry to delayed the reply to your letters.

About that property I have no intention of changing arrangement between Mr. H. Gilmore and me under a present circumstances.

I am thanking your carefulness of handling this case for several months since I received your first notice. I wish you will let Mr. H. Gilmore to retain the rental remittance for the durations.

Yours Truly

Dr. Tanaka

COULTHARD, SUTHERLAND & CO., LTD.
ESTATE AND INSURANCE AGENTS
CAR FINANCING

TELEPHONE 106

609 COLUMBIA STREET.
NEW WESTMINSTER, B. C.

22nd. April, 1944.

Catalogue #852

File #3459

EXHIBIT No. 11 JV - 2
DATE OCT 15 1945
FILLED BY K. A. Christie

Office of the Custodian,
Vancouver, B.C.

Dear Sir:-

Re: Lot 13, Block 4, Sec. 10, B5N/7W,
Map 249. Steveston Townsite

This property is on 2nd. Ave. near Chatham Street. The dwelling is an attractive house 24 x 30! Exterior Shingles and siding, painted brown and cream. The interior is shiplap, papered and in good condition, with sink and toilet, City light and water. Full basement on cement foundation, plank floor, heated by furnace on cement slab.

This dwelling is well laid out and well constructed and the garden in front of the property is very nice. There are eight fruit trees, good fence, cement walk and in a fair residential district close to the business section.

VALUATION:	House	\$1280.
	Lot	150.
		<u>\$1430.</u>

Yours very truly,

Coulthard, Sutherland & Co. Ltd.

F. H. Coulthard
F. H. Coulthard.

3439

August 6, 1944.

Mr. Verne E. Russell,
2nd Avenue near Chatham St.,
Stevenson, B. C.

Dear Sir:

Re: Catalogue No. 832
2nd Avenue nr Chatham St.
13/4/10/B3H/RTW/249

Your letter of July 2nd, enclosing cheque for \$141.00 and offer to purchase the above property for the sum of \$1,410.00 has been received and considered.

This is to advise you that we are prepared to recommend the acceptance of this offer. Will you please forward to us a certified cheque for the balance of the purchase price, namely, \$1,269.00.

Kindly advise the full name, address and occupation in which this property is to be registered and also state whether or not the purchaser is a British Subject.

The necessary documents will then be prepared and forwarded to the Secretary of State at Ottawa, and if our recommendation is acted upon, the documents will be signed and returned.

After the documents have been registered a statement of adjustments of taxes, etc. will be prepared, including registration fees, and forwarded to you.

We are enclosing herewith a copy of a lease entered into between the Japanese and Mr. Gilmore. The purchase of the above property is subject to this lease.

Yours truly,

F. G. Shears,
Director.

GP:EB
Enc.

To The Custodian of Japanese Property
506, Royal Bank Bldg.

EVACUATION SEZ 7581
SEP 15 1944
File No. 3439
✓
RECEIVED

Ontario St.

Vancouver Sept 13/44

Sir: Advoting to a conversation I had with you in your office some two weeks ago, regarding my taking a mortgage on a house in Steveston, as security for backing Verne Russell for a personal loan at the bank for \$500, and in which matter you so kindly recommended that I forward said mortgage and application for registration to you and you would have it recorded. I very much appreciate your kind offer and the friendly attitude you manifested, however I called at the bank to make some enquiries regarding some things that I was not quite sure of regarding what I signed, and they told me that I could not get a mortgage such as I was contemplating registered, as it was not to secure money I had actually loaned. They said for me to hold the deed and Certificate of Title as security instead of taking a mortgage, and Mr Verne Russell and his wife have promised, in writing, to hand said documents to me when they get them. That is why I have not sent papers to you as I had intended doing.

Again thanking you for your unusually kind attitude on my behalf.

I am sir

Sincerely Yours
Andrew Russell

Cy 83
File 3439

Confer with
purchaser

logue No. 832
No. 3439
Avenue nr. Chatham St.
Weston, B. C.
4/10/B3N/R7W/249

Receipt of Certificate of Title is by me hereby acknowledged and I agree that all adjustments and incidents connected with the sale to me of the property covered by said certificate have been settled.

Receipt is also acknowledged of London & Lancashire Guarantee & Accident Company Policy No. 3401248 which has been assigned to me.

Dated at Vancouver, B. C., this 13 day of January 194⁵.

Verna Russell.

For Alice Russell.

Logue No. 832
No. 3439
Avenue, Steveston

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

Dear Sirs:-

Re: _____

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,

V. E. Russell.....Signed

MEMORANDUM RE SALE OF CHATTELS

(Apart from Auction Sales)

FILE NO: 3439

NAME: Mr. Hideo TANAKI

DATE ADVERTISED:
(or other information) Price arranged direct by Mr. Harry Gilmour with owner

APPRAISER'S NAME:

VALUATION:

PURCHASE PRICE: ONE HUNDRED AND SIXTY-THREE DOLLARS AND SEVENTY FIVE CENTS
(\$163.75)

COMMITTEE'S APPROVAL:

PURCHASER'S FULL NAME: MR. VERNE RUSSELL

ADDRESS: 2nd Ave. near Chatham St., Stevenson, B.C.

OCCUPATION:

BILL OF SALE REQUIRED: YES NO
(state if purchase price already paid or arrangements made)

ENCUMBRANCES, IF ANY:

LIST OF CHATTELS SOLD:

Radio and record player
Ash tray
Oil burner
Ironing board
Garden hose
Sprinkler
Lawn mower
Hoe and rake
2 carpets
1 bed
1 desk
1 step ladder
9 screens
2 screen doors

\$125.00 /
\$1.00 /
5.00 /
.50 /
1.00 /
.75 /
2.50 /
1.00 /
7.50 /
7.50 /
7.50 /
1.00 /
1.50 /
2.00 /
\$163.75

3439

4
B
September 9th, 1944.

Mr. Hideo TAMAKI,
Registration No. 04431,
Box 20, R. R. No. 1,
Lorette, Manitoba.

Dear Sir:

This will acknowledge your letter of September 4th in which you wish to have some goods shipped from Steveston. As these goods have never been declared and left in care of Mr. H. Gilmore, the Custodian is quite willing to release them, provided you make your own arrangements with Mr. Gilmore to ship them to you, all charges for shipping and packing and cartage for your account.

Yours truly,

REM/MHG

R. B. Mackenzie,
Protection Department.

7
File No. 2439.
Catalogue No. 832.

September 20th, 1944.

MEMORANDUM

TO: Mr. E. W. Wright

FROM: Mr. D. A. Greiner

Hisao YAMAKI - Reg. No. 04481
Etn. of Richmond
Lot 13, Blk. 4 of Sec. 10, Blk. 3 N.,
Range 7 N., Map 249, D.S.W.
Certificate of Title No. 23814.

We enclose herewith the following documents in connection with the sale of the above described property.

1. Original Certificate of Encumbrance.
2. Transmission in duplicate.
3. Deed in duplicate..... ALICE RUSSELL.
4. Copy of letter showing to whom sold and price paid for the property.
5. Memorandum from the Administration Department confirming valuation, and approval of Advisory Committee.
6. Real Property Memorandum from Administration Department.

Certificate of Indefeasible Title No. 145190-B, is in the Owner's possession according to JP Form.

DAG:JD
Encls.

Liberman

File No. 3439.
Catalogue No. 832.

December 4th, 1944.

MEMORANDUM

TO: Mr. George Peters

FROM: Mr. D. A. Cramer

Hideo TAMAKI
Mun. of Richmond
Lot 13, Blk. 4 of Sec. 10,
Blk. 3 N., Range 7 W., Map
249, N. W. D.

With reference to the above property which was recorded in the New Westminster Land Registry Office, dated October 17th, 1944, we attach herewith the following documents in connection therewith.

1. Copy of application number 178973-E, dated October 17th, 1944, registering the property in the name of the Custodian (Transmission).
2. Copy of application number 178974-E, dated October 17th, 1944, registering the property in the name of Alice Russell (Deed).
3. Duplicate of Transmission dated September 27th, 1944.
4. Duplicate of Deed dated September 27th, 1944 - Secretary of State to Alice Russell.
5. Certificate of Indefeasible Title number 178974-E, dated November 22nd, 1944, covering the above property in the name of Alice Russell.

D. A. Cramer

DAC:JS
Atch.

Missrs. The bastion of
Japanese Section
Vancouver B.C.

PP 11

Sept 7/44
Reg 404481. H. Tamaki
Box 20 R.R. 1 Lorette
Man.

EVACUATION SECTION	
Rec'd	SEP 6 1944
File No.	3439
Ans.	9/9/44 RSM
Referred	Mr. Kieie

Dear Sir.

out to Mr.
Kramer

I wish to have some of my goods
left at my property at Steveston B.C. which
is taken care by Mr. Harry Gilmore, of Steveston.

I ~~had~~ heard from him that
some of my goods are still there. So if
you could permit us to get those goods
I will ask Mr. H. Gilmore to ship to us.

Some of goods are very scarce to
buy at market and beside our present beet
growing work without any support of others
we are in position to save much as possible.
I am wishing your early reply.

Yours Very Truly

Hideo Tamaki

3439

PP
6

September 23rd, 1944.

Mr. H. M. Gilmore,
Steveston, B. C.

Dear Sir:-

Re: Hideo TAMAKI

Now that the property at Second Avenue near Chatham Street, owned by the above Japanese, has been sold and you have no further interest in the buildings, it is our intention to remove all the chattels for which you are still responsible, to our storage warehouse including the furniture you moved to your own house for safekeeping.

We understand that about a month ago you wrote to Mr. Tamaki about purchasing some of this furniture and we would be glad to know if you were able to make a deal. It must be understood, of course, that in the event that you make a purchase, payment must be made to this office accompanied by a list of all articles bought and a letter from the Japanese authorizing the sale. This is required for our file records.

Yours truly,

R. B. Mackenzie
Protection Department

REM:IF

Dear Barry

Sat. Oct 9/44

PP 5

Sideo Tamariki

R.R. 1 Box 20

Louette Mau

I have received your letter to-day "AIR MAIL".

Glad to hear your family are fine. I thank you for everything you have done for us. It seems to me your bother ~~very~~ worry will be ~~not~~ so long now. After all we have to take it easy it comes. But here in prairie we had a very wet summer which makes our crops very poor grain & beets. Our beet work is only seven acres which we start to dig up to-day.

I will enclose the sheet of goods list with mark "sold" or "sell" or "wanted." with custodian's letter we received from them some time ago.

I am agree to sell these goods as you priced such as follow. turn in cash to custodian

Radio & record player *125.00

Chesterfield 60.00

Vacuum Cleaner 40.00

Stove & Kitchen Range what ever you can.

I will put price to each one that for ^{5.00} if you could sell "to your list" if not ^{sold} turn in to custodian and let me know the amount you send in to custodian after you sold everything you could.

File No. 3439 -

EXHIBIT No. 11871-9

DATE OCT 15 1944

FILLED BY

Copy of letter to Hideo TAMAKI
from Mr. H. Gilmore, Steveston, B.C.

Steveston
October, 9/44.

"Dear Hideo,

"Just a short note for now to let you know I received your letter and listed prices. We had a phone call from the custodian the other day that they were coming to pick up the bedroom suite and rest of stuff but said he would wait a week or two until I had heard from you, so I thought I had better write again about the bedroom suite & other stuff. To tell you the honest truth we haven't got enough extra money right now to pay what you marked for the stuff we have here, such as we would like to keep it. The only thing to do is for you to set a low price on all the stuff we have here now so that we can keep it or we will have to turn it in for auction. I don't want to influence you either way or have you think we're trying to get something for nothing but as I say we haven't got the money right now, perhaps later on we could pay you the balance of the prices you asked if you could set a low price for now. However talk it over with your wife and decide what you wish to do & if you feel like trusting us you can set a price on the following that we can afford.

"We have & would like to keep

	(1) 2 dining room chairs	
\$5.00	(2) 1 Trilite Lamp	\$9.00
\$60.00	(3) 4 pc. Bedroom suite with spring & mattress	\$101.
\$5.00	(4) Table desk.	

"You would set a blanket price on all 4 articles, however whatever you wish to do please let me know right away as I don't suppose they will wait much longer before gathering up the furniture. I will write again soon as this is just a short note for now.

" Regards to all

"Received October 17th, 1944
H.T."

Harry."	" \$20.00
	15.00
	6.00
	<u>\$101.00"</u>

I certify that this is a true copy of a letter written by Mr. Harry Gilmore, Steveston, B.C. to Hideo TAMAKI; this letter was sent to us by the Japanese, and the original returned at his request in our letter of July 24, 1947.

B. Mac Askill

[Handwritten signature]

The Custodian
Japanese Section
Panama St

April 22nd 1947

H. Yamaki
Box 19, Loutte, Man.

EVACUATION SECTION	
Rec'd APR 26 1947	
File No. 3599	
Ans.	
Referred	Return

Dear Sir,

May I ask your assistance in correcting a sum of about \$50.00 from Mr. Harry M. Gilmore of Stevenson, B.C. Since I have written him in Mar. 1947 I could not get any word from him.

The time my furniture was sold by auction sale in Stevenson he ask me to state the price for some item like bed room suite & table ect. so he could get them for sure. So I did cut my price about \$48.00 total which he said he will pay soon as possible (I still kept the letter)

He collect the rent of my house but I don't want to ask any of that money, but I sure like to have that amount in ~~my~~ ^{above} account.

If it is possible I wish your corporation to collect this bills. I will enclose his letter but if you through with wish it returned.

Yours Very Truly
H. Yamaki

(OVER)

	<u>2. ask</u>	<u>Sold</u>	<u>Difference</u>
1 Trilite Lamp	9. <u>00</u>	5. <u>00</u>	4. <u>00</u>
4 pc Bed room suite + Spring mattress	101. <u>00</u>	60. <u>00</u>	41. <u>00</u>
1 Table Desk	\$100. <u>00</u>	50. <u>00</u>	50. <u>00</u>
			\$50.00

3439

April 29, 1947.

Mr. Hideo TANAKI,
Registration No. 04481,
P. O. Box 19,
Lorette, Manitoba.

Dear Sir:

This will acknowledge receipt of your letter of April 24th, and we might say that Mr. Harry Gilmour has paid into this office the sum of \$185.00, which has been credited to your account, covering the following articles:

4 Pee. bedroom suite	\$ 60.00
Tri-lite lamp	5.00
Desk, table & 2 chairs	5.00
Chesterfield	60.00
Vacuum cleaner	40.00
Heater & kitchen range	15.00
	<u>\$185.00</u>

No doubt you have overlooked our statement sent to you on March 3, 1945.

Yours truly,

George Peters,
Office of the Custodian.

GP/EL

The Auctioneer
Vancouver B.C.

Nov 20th/47
H. Tamaki

Box 19. P.R.1

EXHIBITION SECTION	
Rec'd	NOV 26 1947
File No.	3439 30
Ans.	
Referred	Luning

Dear Sir.

11/6/47
10/24/47
I have been informed by your previous letter that Mr. H. Gilmore of Stevenson B.C. wish to settle the account with me by him directly. But since your letter I have no words of any kind from him.

If it is possible I wish your assist for settling this matter.

I wish you to find out whether he has intention of paying the amount \$5000.

If so how soon in ~~what~~ ^{what} terms.

Wishing your corporation to this matter. We left many small articles beside furniture that sold to Gilmore & Russell. We just received small amount of auction sales. There should be many more thing should be in the house at time of our

11
evacuation. I wonder where does these
goods went to.

I am wishing your assistance in
settling the whole matter.

Yours Very Truly
H. Tamaki

3439

28th November, 1947.

Mr. Harry Gilmore,
STEVESTON, B.C.

Dear Sir,

RE: Hideo TAMAKI
Regn No. 04481

On 11th July, 1947, you courteously called at this office in regard to a claim by the above-mentioned Japanese and which was outlined in our letter to you of June 11th, 1947.

At the date of visiting this office you informed us that you would get in touch with Mr. Tamaki and arrange a mutual settlement of this claim.

A letter dated 20th November, 1947, from Hideo Tamaki states that he has not heard from you to date of his letter, and it is therefore requested by this office that you do so without delay, or if more convenient, advise this office of your plans in order that we may pass on the information to Tamaki.

Your early attention to this matter is solicited please.

Yours truly,

JC/..

J. Cuming
OFFICE OF THE CUSTODIAN

28th November, 1947.

Mr. Hideo TAMAKI,
Regn. No. 04481,
Box 19, R.R. #1
Lorette, Man.

Dear Sir,

We beg to acknowledge receipt of your communication of the 20th inst. in regard to your claim against Mr. Harry Gilmore of Steveston, B.C.

A complete review of this matter has been made by the undersigned in order that we may be aware of the Custodian's legal standing in this regard, and the facts as presented by correspondence on file precludes the taking of any legal action to press this claim insofar as this office is concerned. In support of the above consideration, please refer to Gilmore's letter of Oct. 9th, 1944, as addressed to you.

In the aforementioned letter, Gilmore quotes in part: "I don't want to influence you either way or have you think we're trying to get something for nothing but as I say we haven't got the money right now, perhaps later on we could pay you the balance of the prices you asked if you could set a low price for now. However talk it over with your wife and decide what you wish to do and if you feel like trusting us you can set a price on the following that we can afford".

Perusal of this letter suggests that there was some agreement or understanding between yourself and Gilmore in regard to the disposal of your furniture. Also, the fact that you acquiesced to the sale on the condition of "PERHAPS later on we COULD pay you the balance", does not, in the estimation of the undersigned, bind Gilmore to the extent that an actual specific balance is due.

On the basis of the above, it is only considered possible by this office for us to write Gilmore suggesting that he get in touch with you as he promised. This we have done today, and are enclosing herewith a copy of our letter to him.

Insofar as you are concerned, if you wish to take legal action to recover, this office will not stand in your way. However, as we can only enter into litigation on behalf of Japanese when an actual contract is breached, it will be necessary for you to make your own arrangements in this regard.

Yours truly,

J. Cuming

OFFICE OF THE CUSTODIAN

JC/.. Encl.1.

February 11, 1948.

Mr. Hideo TAMAKI,
Reg. No. 04481,
Box 19,
Lorette, Manitoba.

Dear Sir:

In reply to your request of February 4th, 1948, we now send you a list of the chattels sold to Mr. Russell, in total amounting to \$163.75, as set forth below.

1 ash tray	\$ 1.00
1 record player and radio	125.00
2 pcs. floor covering	7.50
2 ironing boards)	.50
1 wash basin)	
1 garden hose	1.00
1 garden sprinkler	.75
1 lawn mower	2.50
1 hoe	.50
1 rake	.50
1 bed (complete)	7.50
1 desk	7.50
1 step ladder	1.00
9 window screens	1.50
2 screen doors	2.00
Oil Burner	5.00
	<u>\$163.75</u>

Yours truly,

W. G. Butter,
Office of the Custodian.

WGB/fm

3439 & 9571

24th November, 1950.

Mr. Hideo TAMAKI,
Regn. No. 04481,
103 Boulton St.,
Toronto, Ontario.

Dear Sir:

We are in the process of making a distribution to shareholders of the Canada Nio Company Limited, and have a Mr. Mataichi Tamaki recorded as a shareholder. This man at one time lived in Steveston, and we should be very much obliged if you could give us any information regarding his present whereabouts.

A stamped addressed envelope is enclosed for your convenience in replying.

Yours truly,

Office of the Custodian.

HA
Encl.

3439

28th March, 1951.

Mr. Hideo TAMAKI,
Regn. No. 04481,
103 Bulton Street,
Toronto, Ontario.

Dear Sir:

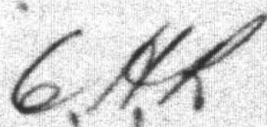
Distribution is now being made from the assets
of the River Fish Company at the rate of \$33.98 per share.
You were the holder of 1 share and payment to you is as
follows:

1 share	\$33.98
Less previously advanced	<u>25.00</u>
	\$ 8.98

Custodian cheque for this amount is attached
hereto.

Please acknowledge receipt.

Yours truly,


C.H. Reed,
Office of the Custodian.

CHR:RA
Encl.

MAR -1 1948

Amended
Copy
3439

IN THE MATTER OF a Commission to Investigate Claims of Japanese Canadians for Property Losses.

TO: The Commissioner,
Office of the Custodian,
Royal Bank Bldg.,
Vancouver, B.C.

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

- (1) NAME TAMAKI, Hideo (RCMP) Reg. No. 04481
(Print) Surname Given Name
- (2) Pre-Evacuation Address P.O. Box 137, Steveston, B.C.
- (3) Present Address Box 19, R.R. No. 1, Lorette, Manitoba,
- (4) REAL ESTATE
- (a) Street Address (if any) 2nd Avenue & Chatham Street, Steveston, B.C.
City or Municipality, Province
- (b) Legal description (lot number, block number, section number, etc.)
Lot 13, B4, S.O. B3, N.R.7, W.M. 249 in the District of New Westminster, B.C.
- (c) Type of Real Property (cross out words which do not apply):
(i) ~~Residence~~ Residence Type of business
(ii) ~~Business~~
(iii) ~~Other~~
(iv) ~~Other type of property (describe)~~
- (d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.) sole owner
- (e) Fair market value at date of sale (estimate this to the best of your ability):
(i) Land - - - - - \$ 350.00
(ii) Buildings - - - - - \$ 2,205.00
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - \$
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - - - - - \$ 2,555.00
(v) Amount at which Custodian sold property and credited your account - - - \$ 1,396.00
- (f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ 1,159.00
- (5) PERSONAL PROPERTY
- (a) Place or places at which property was left by the claimant at date of evacuation
House
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
- (c) How stored or packed at time of evacuation
Item one left in house, item two packed in upstairs room

(over)

- (d) In whose care was property left at date of evacuation by the claimant. (This question refers to the terms of reference which exclude claims where the property was lost, destroyed or stolen while under the custody, control or management of any person other than the Custodian appointed by the owner of the property. It involves some definite arrangement whereby you appointed someone to take care of the property and such person accepted the responsibility of so doing. Unless such an arrangement was made the question should be answered "in no one's care")

Registered to Custodian

	Estimated	Sold for	Loss;
(e) Itemized description of personal property which is the subject of the claim:			
1. As per list attached hereto	486.75		Estimated Value \$ 486.75
2. Table lamp	1.00	.35	Estimated Value \$.65
3. Table lamp	5.00	3.50	Estimated Value \$ 1.50
4. 2 Small Floor Mats	1.00	.25	Estimated Value \$.75
5. Rocking Chair	5.00	3.25	Estimated Value \$ 1.75
6. Screen	1.50	.50	Estimated Value \$ 1.00
7. Table	5.00	2.00	Estimated Value \$ 3.00
8. End Table	3.50	2.00	Estimated Value \$ 1.50
9. China Cabinet	10.00	7.00	Estimated Value \$ 3.00
10. Bamboo Book Case	5.00	5.00	Estimated Value \$ 1.00
11. Kitchen Cabinet	10.00	6.00	Estimated Value \$ 4.00
TOTAL CLAIM FOR PROPERTY LOSS \$			504.90

N.B.—If you cannot list all the items here prepare a separate list with values set out opposite each item and attach it to the form. The item "personal property" includes shares, bonds, mortgages, loans, notes and all other forms of property not included in real estate.

- (f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e) - - - - - \$ 1000.90

- (6) (a) Place at which claimant prefers to be heard.
(Vancouver, Kamloops, Nelson, Lethbridge,
Moose Jaw, Winnipeg, Toronto or Montreal.)
Winnipeg
- (b) Do you require the services of an interpreter
at the hearing? Yes or no Yes

N.B.—This Declaration must be sworn before a Commissioner, Notary Public or other person entitled to take declarations. All lawyers are qualified to do so.

DOMINION OF CANADA,
Province of Manitoba,
TO WIT:

I, Hideo Tamaki
of Tache

of the Municipality
in the Province of Manitoba.

DO SOLEMNLY DECLARE THAT:

The information set out in the form above is true and correct to the best of my knowledge, information and belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act".

DECLARED before me at the City
of Winnipeg,
in the Province of Manitoba
this 21st day of February
A.D. 1948.

H Tamaki

A COMMISSIONER FOR OATHS. A Commissioner &c.

N.B.—THIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONER SHOULD BE MAILED BY REGISTERED MAIL TO THE COMMISSIONER, c/o THE OFFICE OF THE CUSTODIAN, ROYAL BANK BLDG., VANCOUVER, B.C., BEFORE NOVEMBER 30th, 1947. IF YOU CANNOT MAIL IT BEFORE THIS DATE SET OUT BELOW REASONS FOR THE DELAY.

<u>GOODS</u>	<u>VALUE</u>
6 feather cushions -	6.00
2 tables -	20.00
3 chairs -	26.75
1 ash tray -	3.00
Records in English -	18.00
1 book & book case -	20.00
8 framed pictures for wall -	10.00
1 screen -	2.00
7 blinds for window -	15.00
20 flower pots with plants -	55.00
1 Oil burner stove -	10.00
3 tables -	10.00
6 chairs -	10.00
2 ash trays -	1.00
1 pyrex double boiler -	3.00
1 electric hot plate -	1.00
147 glass & china -	25.00
2 crocks & covers -	3.00
18 piece pots & pans -	16.00
2 steel for sharpening knives -	2.00
29 piece tea set -	5.00
18 piece Japanese tea set -	5.00
7 Japanese tea trays -	7.00
4 canister sets -	2.00
6 pruning shear -	6.00
1 mop & stick -	1.00
2 ironing boards -	3.00
1 garden hose -	2.00
1 garden sprinkler	1.00
1 bed spring -	5.00
1 carpentry clamp -	1.00
1 hoe garden tools -	.75
1 rake garden tools -	.75
1 garment closet -	20.00
3 piece set bed lamp -	10.00
3 piece framed pictures -	3.00
2 chairs -	2.00
2 piece chinile & satin bed spread -	25.00
2 alarm clocks -	2.00
1 bed & complete $\frac{3}{4}$ size -	20.00
1 writing desk -	15.00
1 table lamp -	10.00
1 chair -	1.00
1 set Japanese books -	18.00
1 framed picture -	1.00
1 westlock -	1.00
1 pair shears -	1.50
1 step ladder -	2.00
8 window blinds -	5.00
2 D. Mattress -	10.00
9 window screen -	3.00
2 screen door -	5.00
6 table cloth (new) -	15.00
12 piece window curtain -	20.00

\$486.75 ✓

21

1 IN THE MATTER OF THE "INQUIRIES ACT"

2 PART I. REVISED STATUTES OF CANADA 1927. CHAPTER 92.

3 JAPANESE PROPERTY CLAIMS COMMISSION

4 BEFORE

5 HIS HONOUR, JUDGE M.A. MILLER, SUB-COMMISSIONER.

10 Toronto, Ontario,

11 October 15, 1948.

15 IN THE MATTER OF THE CLAIM OF

16 HIROO TAMAKI

19 APPEARANCES:

20 K.A. CHURCHILL, ESQ., K.C., appearing for the
Dominion Government.

21 R.A. BISH, ESQ., appearing for the
claimant.

23
24 A. SMITH, ESQ., Secretary,
25 C.H.R. UPTON, ESQ., Official Interpreter,
26 A.G. VINTON, ESQ., Official Reporter.

1 MR. BAST: Before we start this case I am going
2 to, with your honour's permission, move to amend
3 the claim.

4 Mr. Tanaka was formerly resident in Winnipeg
5 or thereabouts and he filed his claim through Messrs
6 Cherniack & Cherniack, who are solicitors for the
7 Co-operative Committee for the province of Manitoba.
8 He subsequently moved to Clarkson's Ontario. But,
9 prior to moving he had apparently discovered that
10 there were certain personal chattels which he had
11 not listed properly when he first saw Mr. Cherniack
12 which was back in November last year. Secondly,
13 he got more information about his house and about
14 what would be a reasonable claim. Mr. Cherniack
15 consequently wrote a letter dated February 27, 1943,
16 addressed to the Commissioner, in which he says:

17 "Some time ago we forwarded to you the claim of
18 Elise Tanaka, registration no. 64481. Recently
19 Mr. Tanaka located various documents which gave
20 him a better indication of the value of the
21 buildings on his property and which also contain
22 a list of the number of articles which were
23 apparently lost, destroyed or stolen.

24 We have, therefore, prepared and enclosed
25 herewith an amended claim in duplicate and on
26 Mr. Tanaka's behalf we are applying to you for
27 permission to file the amended claim in sub-
28 stitition for the claim went to you."

29 In answer to that a Mrs. V.J. White, apparently on the
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letterhead of the Japanese Property Claims Commission
dated March 4, 1948, replied as follows:

" We have your letter of the 17th ultimo.
enclosing amended claim. We have attached this
to the original claim and have advised the
Secretary who is with the Commission presently
at Nelson."

THE SUB-COMMISSIONER: What does Mr. Mr.
Christie?

MR. CHRISTIE: I have received no instructions
on it. I want to be co-operative with my friend.
I understand before in some cases Mr. Justice Rice
did allow it. I think in some other cases he was
adverse to having them amended here. The difficulty
is that when an amendment is made here they do
not necessarily send the additional information to
meet that amendment.

THE SUB-COMMISSIONER: But, this you have had.

MR. CHRISTIE: But according to this letter
it looks as if the Custodian's office were advised
and certainly I have received the papers since then.
I do not know that I can honestly oppose it.

THE SUB-COMMISSIONER: What was the ground?

MR. BISH: Apparently there was a considerable
list of chattels which there just does not seem to have
been any record of their disposition. Apparently
we must assume that they were lost, destroyed or
stolen. I do not wish to anticipate the evidence,
but --

THE SUB-COMMISSIONER: Did Mr. Tanaka list

1 then as chattels which he had left with the Custodian
2 in the first place?

3 MR. BEST: He informs me he did.

4 MR. CHRISTIE: We say not. I can just judge
5 from the Analysis of Personal Property. There are a
6 great many items on the detail of claim which are not
7 listed on the inventory taken by the Custodian. You
8 may be able to obtain the evidence from your client
9 the claimant as to where but I am just taking it from the
10 Analysis of Personal Property.

11 MR. BEST: On that point I think the claimant
12 has lists, so I am free to file one of those original
13 lists as an exhibit, which he says he gave to the man
14 who was the tenant in the house at the time he left and
15 he tells me that a copy of that was forwarded to the
16 Custodian.

17 THE SUB-COMMISSIONER: The only change in his
18 position since he filed the original claim is that
19 he has learned since filing the original claim that
20 the custodian is not accounting for those particular
21 chattels? From the start he has taken the position
22 that the Custodian had them but his amended claim
23 now sets up that the Custodian has failed to account
24 for them; is that it?

25 MR. BEST: That is my understanding of the
26 position, yes.

27 I must further say, however, that at the time
28 he did discover this he is also asking leave to
29 amend his real estate valuation. Now, on the basis
30

1 of the fact that the government counsel has been
2 informed of these increased valuations for some time
3 I would suggest that he has not been taken and is
4 not being taken by surprise by this amendment; and,
5 you see the difficulty, the claimant was in was that
6 there was no way he could officially amend his claim
7 between the time that he first submitted it and the
8 hearing. In other words, he was led to believe and
9 as Mr. Charnick's letter to the claimant advised
10 him, that he sent the amended claim in but officially
11 it cannot be amended until it comes before your
12 honour or the Commissioner, since there is no machinery
13 to amend it.

14
15 THE SUB-COMMISSIONER: You go ahead and put
16 in evidence on the basis of the amended claim, subject,
17 of course, to any discounting the Commissioner may
18 do when he comes to make his decision on the ground
19 that it is an amended claim; That is to say, we
20 would view with some suspicion a man who values his
21 real estate at a certain amount and comes along and
22 puts it on a higher basis, the same in the case of a
23 man who puts in his list of chattels and comes along
24 three or four years afterwards and decides he has a
25 lot more chattels.

26 MR. BEST: I quit; appreciate the clue is on
27 us to meet that suspicion.

28 THE SUB-COMMISSIONER: Yes. All right; go
29 ahead.

30 MR. BEST: Thank you.

E. Tanaka,
MR. EX.

ELMER TANAKA, the claimant herein, being first
sole sworn, testified as follows:

DIRECT EXAMINATION BY MR. BEST:

Q. Is that your signature (indicating)?

A. Yes.

Q. And, was that form prepared upon your
instructions? A. Yes.

Q. Do you swear the contents of it are true?

A. Yes.

MR. BEST: I submit as Exhibit 1 the particulars
of Real Estate other than Farm Land.

MR. CHRISTIE: That value is as amended?

MR. BEST: That is correct.

(PARTICULARS OF REAL ESTATE OTHER THAN FARM
LAND, MARKED EXHIBIT NO. 1)

Q. You are claiming, so far as the real estate
is concerned, for a house in New West Minister. Is
that correct? A. Stevenson, B.C.

Q. And it is a house at the corner of
Second Avenue and Chatham Street. Is that correct?

A. Stevenson, B.C. Yes, that is correct.

Q. Did you live in that house before
evacuation? A. Yes.

Q. I understand that you purchased the vacant
lot? A. Yes.

Q. When was that? A. My mother bought that
place for me so I do not know the exact year they
bought it but it must have been about five or six
years before building the house.

Q. You built the house in 1951, according to

H. Tanaka,
Dir. ex.

1
2 your claim? A. Yes.

3 Q. And you think the lot was purchased five
4 or six years before that? A. I think so. I am
5 not very sure about that.

6 Q. According to your claim you say you built
7 the house. Do you mean that you personally constructed
8 it or do you mean that you had a contractor build it
9 for you?

10 A. Yes. I hired some carpenter and some
11 Japanese people from Steveston and my brother helped
12 them, too.

13 Q. Did you do any work on it, yourself?

14 A. I did not do any work, myself. I was
15 working in Vancouver at that time.

16 Q. And I take it the way your claim is set
17 up that the building of the house and the subsequent
18 improvements on the land and the garden, planting
19 of fruit trees and flowers, etc., you calculate that
20 that all cost \$2200., so that your valuation, as
21 amended for the property was \$2500. Is that correct?

22 A. Yes, with this \$350. I put hot-air heating
23 and wall paper in it and painted after that, too.
24 That included everything in there.

25 Q. When did you put the hot air heating in
26 the house? A. It would be about 1909.

27 Q. How had the house been heated up until
28 that time?

29 A. Just stove heating.

30 MR. CHRISTIE: Do you want the appraisal in?

E. Tanski,
Director.

MR. BEST: Yes, please.

MR. CHRISTIE: I tender as Exhibit 2 the appraisal of Southard, Sutherland and Company Limited dated April 22, 1944.

(APPRAISAL, APRIL 22, 1944, MARKED EXHIBIT NO.2)

And I think perhaps I can tender at the present time as Exhibit 3 the Tax Notice for the year 1945, in which the assessment is noted.

(TAX NOTICE, 1945, MARKED EXHIBIT NO.3)

And I tender as Exhibit 4 a photo of the property taken August 10, 1945.

(PHOTOGRAPH OF CLAIMANT'S PREMISES, MARKED EXHIBIT NO.4)

MR. BEST: Q. Now, I wonder if you could just tell us something more about this note on your claim which says "The reason for submitting two claims varying in amount is that after the first submission made more records came into the claimant's possession and he was able to make a more accurate analysis of his land and possessions."

In speaking only of your real estate could you tell us just what records did come into your possession after you first made this claim which resulted in your amending the claim from a valuation of \$1500. to \$2555.7

A. I found my mother's pocket-book with a list of the goods they purchased when they were building the house and in that book the amount she paid to the carpenter and to the electrician and other

H. Tanaka,
Dir. ex.

things and making the chimney and stuff like that.

It is written in Japanese but I have that book there written by my mother at the time they were building the house.

Q. And you say you did not have those records available when you first made the claim in Winnipeg?

A. No. I could not find those at the time of making the claim.

Q. Is your mother still alive?

A. Yes. She is living with me in the city now.

Q. If I may just read part of this appraisal of Goulthard, Sutherland & Company, Limited:

"This property is on Elm Avenue near Chatham Street."

It is not right on the corner, then?

A. Not right on the corner.

Q. "The dwelling is an attractive house 24 by 30 ft. Exterior shingles and siding, painted brown and cream. The interior is ship-lap, papered and in good condition, with sink and toilet, City light and water. Full basement on cement foundation, plank floor, heated by furnace on cement slab."

Do you confirm that? Is that a pretty accurate description of your house, would you say?

A. Yes. I think that is about right.

Q. It concludes by saying:

"This dwelling is well laid out and well constructed and the garden in front of the property is very nice. There are eight

10
H. Tamm,
Mr. C.

1 "fruit trees, good fence, cement walk and
2 in a fair residential district close to the
3 business section."

4 How far from the business section would it be, one
5 or two blocks?

6 A. About half a block from the main street
7 of the town.

8 Q. Is that your signature (indicating)?

9 A. Yes.

10 Q. And was that form prepared upon your
11 instructions?

12 A. Yes.

13 Q. And, do you swear the contents are true?

14 A. Yes.

15 MR. BEST: I am submitting as Exhibit 5 the
16 Personal Chattels claim.

17 (PARTICULARS OF PERSONAL CHATTELS, MARKED
18 AS EXHIBIT NO. 5)

19 For the record, your honour, perhaps I might
20 ask that this form be amended by adding the words
21 "The claimant is relying on the list of chattels
22 set out in Column 2 of the Analysis of Personal
23 Property."

24 If my friend could file the analysis at this time
25 perhaps it would assist.

26 MR. CHRISTIE: I tender as Exhibit 6 the
27 Analysis of Personal Property.

28 (ANALYSIS OF PERSONAL PROPERTY, MARKED
29 AS EXHIBIT NO. 6)

30 MR. BEST: I should explain that the reason
that was not on the claim as it exists at the moment

11
H. Tamaki,
Director.

1 is that apparently through a little error the analysis
2 of the chattels was not available at the time the claim
3 was made.
4

5 THE SUB-COMMISSIONER: It is simply a memorandum?

6 MR. BEST: Yes. I thought that some explanation
7 was required in view of the fact is that the note
8 is that no analysis of this chattel claim by the
9 Custodian could be found at the time of the interview.

10 Q. Now, Mr. Tamaki, apparently there were
11 certain chattels, a table lamp, and small floor mats,
12 china cabinet and so on, which you left at your house
13 which were taken over by the Custodian and sold at
14 auction by him but there seems to be a long list of
15 other chattels which is attached to your amended claim,
16 the total valuation of which is \$486.75 of which the
17 Custodian has no record. What is your explanation of
18 that?

19 A. I think the Custodian should have the
20 record but if they have not got it I do not know what
21 they done with it. At the time of our evacuation
22 Mr. King in Stevenson was supposed to be the agent
23 for the Custodian and he came out to my house at night
24 and he checked the goods up with my record. He is
25 not from the office but he stayed in Stevenson and I
26 think he is doing the work for the Custodian at the
27 time of the evacuation.

28 Q. Did Mr. King and yourself prepare a list
29 of chattels, including these goods?

30 A. Well, Mr. King just check up the goods. I was

1 this list, myself.

2 Q. Did Mr. King get a copy of that list at
3 the time? A. I think I left the copy - the
4 girl was working for the Custodian at Stevenson
5 before we came out this way and I think I gave the
6 whole list to those people but I am not very sure.

7 Q. And did that include feather cushions and
8 tables and so on? Did that list which you gave
9 the girl include those items? In other words, did it
10 include more than this short list here of goods
11 which were sold by the Custodian?

12 A. (No audible answer.)

13 THE SUB-COMMISSIONER: Q. Do you understand?

14 A. Yes. I understand but I do not know whether
15 I gave this same list.

16 MR. BEST: Q. Have you got a copy with you
17 today of the list which you did make of your chattels?

18 A. (Producing).

19 MR. CHRISTIE: What are those?

20 MR. BEST: I think you will find a certain
21 amount of stuff on here which he did not bother putting
22 on there, but I think everything in there is included
23 on that. I can file that, if you wish.

24 MR. CHRISTIE: No. I think that is the same
25 here.

26 MR. BEST: Q. I understand that you rented
27 your house to a Mr. Gilmore at the time of the
28 evacuation. Is that correct?

29 A. I leased the property to him.

30 Q. Yes. A. Yes.

13
E. Tanski,
Mr. Gilmore

1 Q. And where were your chattels laid?

2 A. In the upstairs, in the same building.

3 Q. Well now, when you leased the property to
4 him did he have the use of all those chattels or not?

5 A. No, not everything, just some furniture
6 I rented to him after our evacuation.

7 Q. You did sell some goods to Mr. Gilmore
8 with the approval of the Custodian?

9 A. Yes. I just sold directly to him and he
10 hand the money to the Custodian after.

11 Q. And he did pay the Custodian all the money
12 he owed?

13 A. He is supposed to pay me another \$50. or
14 so. I did because he wanted a cheaper price, so I
15 and cut
16 just go down the price. I am afraid if those goods
17 should go the auction sale it should be more cheaper,
18 so --

19 Q. Well now -- A. At that time we are
20 friends with him but not now.

21 THE SUB-COMMISSIONER: Q. You sold some stuff
22 direct to Gilmore?

23 A. Yes, I did.

24 Q. And did he pay you for it?

25 A. Well, he paid it all right but it should
26 be more, about \$50. He may he perhaps pay for it
27 if some time he gets the money.

28 MR. DEFT: Q. He still owes you \$50. on the
29 furniture which you sold to him. Is that the
30 situation?

A. Yes. But I am not claiming for that now.

14
H. Tanaka,
DR. CL.

1 Q. That has really nothing to do here with
2 your claim before the Commission?
3

4 A. Yes.

5 THE SUB-COMMISSIONER: Q. With respect to the
6 stuff you sold to Gilmore, is there anything in this
7 list you are claiming for?

8 A. No, not now.

9 MR. BEST: Q. So that these goods which you
10 claim for now are goods which you say the Custodian
11 should have taken over and which were not sold to
12 Gilmore. Is that right?

13 A. They should be in the house. If anything
14 happened they should be in the house. If nothing
15 happened they should be in the house.

16 THE SUB-COMMISSIONER: Q. Did Gilmore have the
17 use of any of these chattels for which you are claiming?

18 A. No.

19 Q. He did not have the use of any of those?

20 A. Not in this list there.

21 MR. BEST: Q. He only had the use of the
22 chattels which he subsequently bought from you?

23 A. Yes.

24 THE SUB-COMMISSIONER: Q. With respect to these
25 chattels in the list, where did you leave them? You
26 left them in the house?

27 A. Yes; upstairs.

28 Q. In a room?

29 A. Yes, in a room.

30 Q. And where was the key of that room?

13
H. Tanski,
MR. CL.

1 A. I gave it to Mr. Gilmore.

2 MR. BEST: Q. Did you give a key, a copy
3 of the key to the Custodian?

4 A. No, just to Mr. Gilmore. We gave over
5 key to Mr. Gilmore and I keep one myself.

6 Q. Did you tell the Custodian that you had
7 given the key to this room to Gilmore?

8 A. I do not know that, sir.

9 Q. When you made the list, and you have told
10 us that you did give a copy of that list to the
11 Custodian's girl in the office, did you say that these
12 "goods are in that room but I have given a key to the
13 room to Gilmore"? Did you inform them of that?

14 A. I do not think so. I do not know.

15 THE SUB-COMMISSIONER: Q. How do you know
16 Gilmore has not got these goods?

17 A. I don't know but somebody should have it,
18 unless they are burned out, or something. It was
19 there when I came out.

20 MR. BEST: Perhaps my friend could excuse me
21 for a moment, and if he wishes to continue with
22 cross-examination I will read this letter.

23 MR. CHRISTIAN: I will probably be putting this
24 letter in, anyway. This is a very interesting case.

25 I will file as Exhibit 7 a Certificate of
26 Encumbrance.

27 (CERTIFICATE OF ENCUMBRANCE, MARKED EXHIBIT
28 NO. 7)
29
30

CROSS-EXAMINATION BY MR. CHRISTIE:

Q. Mr. Tamaki, This is a J.P. Form dated April 13, 1942. Is that your signature (Indicating)?

A. Yes.

Q. And think perhaps this is the list to which you were referring (Indicating)?

A. Yes. That is the list, I think.

THE SUB-COMMISSIONER: How do you mean, which he gave the Secretary, or the girl, or someone?

MR. CHRISTIE: Yes. On the J.P. Form. It says:

"Statement of personal property owned;

See list attached. Located on 2nd Ave. near Chatham."

It will be Exhibit B.

(J.P. FORM, MARKED EXHIBIT NO. B)

Q. Now, when you first put a value on this real estate but you discussed this with Mr. Cherniack, the Winnipeg lawyer?

A. You mean the valuation?

Q. Yes. I think your first valuation was \$1950. Is that right?

MR. BENT: Yes.

MR. CHRISTIE: Q. Did you give Mr. Cherniack all the facts at that time and did you discuss the valuation with him?

A. No. I just found the record after I went home, after that claim made through Mr. Cherniack, so I made another claim after that.

Q. You just told Mr. Cherniack what you

17
H. Tanski,
Sr., ex.

1 thought the value should be. Is that right?

2 A. That is, in my estimation, without any
3 record.

4 Q. You built this house in 1931?

5 A. Yes; I think about that time.

6 Q. Now, what would you discover which would
7 increase the valuation from \$1930. to \$2000.?

8 Surely if you had made very substantial improvements
9 you would have known about them at the time you
10 discussed this with Mr. Cherniack. What caused you
11 to increase this by approximately \$500.?

12 A. Well, I bought material and labour
13 \$1150.--

14 Q. You know that you had done all this work
15 at the time you made that first valuation of \$1930.?
16 You know that this work had all been done previous
17 to 1931?

18 A. Yes, but I have not any exact figure of
19 how much for certain goods and how much for the
20 labour because I have not got any book to show that
21 figure but I found that book after that, so I --

22 THE SUB-COMMISSIONER: Q. How much did the
23 book show for material?

24 A. I have that figure here. \$1150., for the
25 lumber and labour.

26 Q. Is that for building the house?

27 A. Yes.

28 Q. All right. What else do the books show?

29 A. Other improvements, I figured around \$500,
30 for improvements such as --

1 Q. Did you find anything in the book
2 about the improvements or did you just estimate that?

3 A. I just estimate some of them.

4 Q. All right.

5 MR. CHRISTIE: Q. At the time you made this
6 estimate of \$1250, you were thinking of the house as
7 a completed house, at that time, were you not?

8 A. Yes.

9 THE SUB-COMMISSIONER: Yes, but you have
10 given us now \$1150, and \$500, which is \$1650., and the
11 original value is \$500., which is pretty close to
12 the \$1250.

13 MR. CHRISTIE: That is my point, your honour.

14 THE SUB-COMMISSIONER: Q. You have \$1150.
15 for material and labour.

16 A. That is for helpers, not for carpenter.

17 Q. The carpenter is how much?

18 A. \$500.

19 MR. CHRISTIE: I am not going to pursue that.
20 I think it will be a question of valuation.

21 Q. Now, you rented this house to Harry
22 Gilmore?

23 A. Yes.

24 Q. For \$1.00 a year? A. One dollar?

25 Q. What was the rental?

26 A. I did not talk about the rent at the time
27 I suggested.

28 Q. What was the rental which Mr. Gilmore was
29 to pay to you?

30 A. He did not pay any money.

Q. He did not pay any money? A. No.

1 Q. And, was the idea about giving Mr. Gilmore
2 a rental of one dollar a year that Mr. Gilmore should
3 look after the goods for you? A. Yes.

4 Q. That was the idea? A. Yes.

5 Q. Was it? A. Yes.

6 THE SUB-COMMISSIONER: Who is Gilmore?

7 MR. CHRISTIE: Q. He was a tenant, a friend,
8 I believe? A. Yes. A school friend.

9 Q. A so-called friend. A. We went to
10 school together.

11 Q. Is he working there yet?

12 A. I believe he is working for some government
13 survey on the Fraser River.

14 Q. Did you ever write him about those shuttles?

15 A. We wrote to him to collect the \$50., but
16 he does not answer any more. It is two years or
17 three years since we wrote.

18 Q. I am showing you a letter here addressed to
19 Hideo, addressed to "Dear Hideo," dated October 9,
20 1944, and signed by "Harry." Did you receive that
21 letter and is that Harry Gilmore?

22 A. Yes.

23 MR. CHRISTIE: I propose putting in a copy
24 of this letter, as my friend wishes to keep the
25 original. It is as follows:

26 " Stevenson,

27 October 9, 1944.

28 Dear Hideo:

29 Just a short note for now to let you
30 know I received your letter and listed prices.

20
H. Tanaka,
62.22.

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"We had a phone call from the custodian the other day that they were coming to pick up the bedroom suite and rest of stuff but said he would wait a week or two until I had heard from you, so I thought I had better write again about the bedroom suite & other stuff. To tell you the honest truth we haven't got enough money right now to pay what you asked for the stuff we have here, much as we would like to keep it. The only thing to do is for you to set a low price on all the stuff we have here now so that we can keep it or we will have to turn it in for auction. I don't want to influence you either way or have you think we're trying to get something for nothing but as I say we haven't got the money right now, perhaps later on we could pay you the balance of the prices you asked if you could set a low price for now. However talk it over with your wife and decide what you wish to do. If you feel like trusting us you can set a price on the following that we can afford. have a

We would like to keep

(1) 3 dining room chairs

\$6.00	(2) 1 Trilite Lamp	\$9.00
\$60.00	(3) 4 pc. Bedroom suite with spring and mattress	(101.
\$5.00	(4) Table desk.	

You would set a blanket price on all four articles, however, whatever you wish to do please let me know right away as I don't

21
H. Yamaki,
GT-22.

1 "suppose they will wait much longer before
2 gathering up the furniture. I will write again
3 soon as this is just a short note for now.

4 Regards to all, Harry."

5 and it is listed as \$101.

6 THE SUB-COMMISSIONER: Did the witness answer
7 the letter?

8 MR. CHRISTIE: Pardon?

9 THE SUB-COMMISSIONER: Did the witness answer
10 the letter?

11 MR. CHRISTIE: I have several letters to file.
12 It is a most interesting transaction.

13 I think we had better put these sundry letters
14 in as one Exhibit, Exhibit No. 9.

15 The first is a letter dated October 9, 1944,
16 from Harry Gilmore to the claimant. It is part of
17 Exhibit 9. This is a letter dated September 4, 1944,
18 addressed to the Custodian:

19 "Dear sir:

20 I wish to have some of my goods
21 left at my property at Steveston B.C., which
22 is taken care of by Mr. Harry Gilmore, of
23 Steveston.

24 I heard from him that some of my
25 goods are still there, so if you could permit
26 us to get those goods I will ask Mr. H. Gilmore
27 to ship to us.

28 Some of goods are very scarce to buy
29 at market and beside our present best-growing
30 work without any support of others we are in

52
H. Tanski,
Exec.

"position to save such as possible."

That will be a letter dated September 4, 1944, from the claimant to the Custodian, part of Exhibit 9.

There is a letter which is a reply, which I do not appear to have.

Q. Is this your signature (indicating)?

A. Yes.

Q. It is a letter dated October 31, 1944, addressed to the Custodian from the claimant.

" I have received your letters but I am very busy with my farm work for about three weeks. I am sorry to delay the reply to your letters.

About that property I have no intention of changing arrangement between Mr.

H. Gilmore and me under present circumstances." Now, Mr. Tanski, I suggest that the Custodian wrote to you and suggested that you change this arrangement about leaving your goods with Mr. Gilmore and that letter was in reply to that letter from the Custodian's office. Is that correct?

A. I think Custodian asked me to take care of by the custodian, not by Gilmore. That is for the property, not for the goods.

Q. And you wrote and told the Custodian that you did not want to change the arrangement?

A. No, because I rented to Gilmore.

Q. Yes? A. Yes. That is right.

Q. When you rented this property to Gilmore

22
H. Tanaka,
CP, AM.

1 did you intend that he should be able to use those
2 chests, those goods?

3 A. Well, some of the goods I let him use then.

4 Q. Some goods you were willing that he should

5 use? A. Yes,

6 Q. In return for taking care of your house?

7 A. Yes,

8 THE SUB-COMMISSIONER: I thought he was having
9 the use of the house for taking care of the goods.

10 MR. HEST: I thought that was the arrangement,
11 too, your honour.

12 MR. CHRISTIE: Q. Then, I produce this document.
13 Is that your signature or is that your wife's

14 (Indicating)? A. That is my wife's.

15 Q. This is a letter addressed to Mr. Gilmore,
16 October 17, 1944.

17 "Dear Mr. Gilmore:

18 I've just received your letter and
19 am answering immediately.

20 Hideo is busy with boat topping and
21 am answering instead. He was home for lunch
22 and we've decided as follows:

23 (1) 4 pc. bedroom suite with spring and mattress
24 \$40.

25 (2) 1 trillite lamp \$5.00

26 (3) desk table)
27) \$5.00

28 (4) two chairs)

29 We are very anxious to have the goods
30 sent to us as soon as possible."

1 What did you mean by that letter? Were you selling these
2 goods to Mr. Gilmore?

3 A. Those bedroom suites I sold to him.

4 Q. And you sold the trillite lamp, the desk
5 table and the two chairs? A. Yes.

6 Q. What do you mean by the paragraph "we are
7 very anxious to have the goods sent to us as soon as
8 possible"? Is that the rest of the goods?

9 A. Some other goods; not all but some part
10 of the goods, upstairs.

11 MR. CHRISTIE: I am filing this as the third
12 letter under Exhibit 9.

13 THE SUB-COMMISSIONER: Q. How did he know what
14 goods you meant? How did he know of the goods he was
15 to send to you? A. I think we sent a letter before
16 that with some list of the goods. That is why it does
17 not say in that letter.

18 MR. CHRISTIE: Q. As a matter of fact, Mr.
19 Gilmore owes you money and you have been trying to
20 collect from him?

21 A. Yes.

22 Q. And you asked the Custodian if he would
23 try to collect this money on your behalf?

24 A. Yes, I did write to the Custodian before.

25 Q. And the Custodian replied to you that
26 as Mr. Gilmore said in his letter perhaps some day he
27 would send it to you they felt you did not have the
28 legal basis to present the claim? Is that right?

29 A. Yes.
30

H. Tamaki,
Sr. Ex.

MR. CHRISTIE: I produce a copy of a letter
here, September 9, 1944, and I will read this to you.
It is headed "Mr. Hideo Tamaki."

THE SUB-COMMISSIONER: From whom?

MR. CHRISTIE: From the Protection Department
of the Custodian.

THE SUB-COMMISSIONER: Oh, I see.

MR. CHRISTIE: It reads:

"Dear Sir:

This will acknowledge your letter of
September 4th in which you wish to have some
goods shipped from Stevenson. As these
goods have never been declared and were left
in care of Mr. H. Gilmore, the Custodian is
quite willing to release them, provided you
make your own arrangements with Mr. Gilmore to
ship them to you, all charges for shipping and
packing and cartage for your account."

Did you receive that letter?

A. Yes, I think I did.

MR. CHRISTIE: I think that is all, thank you.
There is no use of me going into the value.

I would like to add two letters, making in
all seven, completing Exhibit 9.

(FIVE LETTERS, MARKED EXHIBIT NO. 9)

MR. BENT: No further questions.

1 MR. CHRISTIE: It is submitted that the real
2 property was sold at its fair market value.

3 It is submitted that these personal property
4 chattels which were sold were sold at their fair
5 market value.

6 It is further submitted that the other chattels
7 were in the custody of a person other than the
8 Custodian and therefore the Custodian assumes no
9 responsibility.

10 THE SUB-COMMISSIONER: I notice here, the
11 original list gives Hideo Tamaki \$1150., real claim,
12 and underneath that is \$554., the personal claim \$554.00
13 and underneath that \$1912. Are there two real property
14 claims and two personal property claims?

15 MR. BEST: No, your honour; there was just
16 the one real property claim, which ---

17 THE SUB-COMMISSIONER: Is the difference in
18 the amendment?

19 MR. BEST: No. As I understand it the original
20 valuation which the claimant set on the real property
21 was \$1955., and that property was sold by the
22 Custodian for \$1,556, which meant that his net claim
23 was something less than \$600. The claimant has asked
24 leave to amend his valuation from \$1,955. to \$2,055.,
25 so that his net claim would then be increased by
26 that \$605, to \$1,150.

27 MR. CHRISTIE: There are certain further
28 exhibits which I wish to file, your honour.

29 THE SUB-COMMISSIONER: Yes.

30 MR. CHRISTIE: I am filing the real property

Summary as Exhibit 10.

(REAL PROPERTY SUMMARY, MARKED EXHIBIT NO. 10)

Exhibit 11 will be the Personal Property
Summary.

(PERSONAL PROPERTY SUMMARY, MARKED
EXHIBIT NO. 11)

I think that is all. I have various other
letters. They will probably go through the file.
They show the course of the transaction.

THE SUB-COMMISSIONER: Very well.

(PROCEEDINGS ADJOURNED HERE AFT)

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

A.S. Vitch

"A.S. VITCH"
Official Reporter.

I, M.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.

M.A. Miller

M.A. Miller,
Deputy Commissioner.

DEFENCE BRIEF

Hideo TAMAKI

File 3439

Case 1135

SHEET #1.

PERSONAL PROPERTY

a) Gds to value 48.00

SOLD FOR 29.85 at Auction

WITNESS: G.M. Harris
DOCUMENT: Auc. Sheet PP.8

b) Gds to value 56.50

ABANDONED

WITNESS: E.S. Herman (Staff)
DOCUMENT: Abandonment notice 20/10/44 PP.7b

c) Gds to value 400.00

AGENCY

Ref: Exh.8

JP Form notes Claimant to store chattels in two rooms of his house, key to house to his Lessee Gilmore

Ref: PP.1

Claimant leased to Gilmore 1 Apr 42 (JP Regn 13/4/42 & Evac. 15 May 42). Premises AND CHATTELS as per list incl. in lease indenture.

Lease allows Gilmore to sublet. He did, to V. Russell.

(Mather's report 28/4/42 and his letter 12/5/42 note chattels LOCKED in room. Mather chattel list is copy of lease inventory only)

Ref: PP.3

Cstdn attempted to have Claimant revoke the lease terms as Gilmore got all the rentals. Claimant after many letters states "about that property I have no intention of changing arrangement between Mr. H. Gilmore and me..."

Ref: PP.4a,b,c

Claimant 4/9/44 requested shipment of chattels. Cstdn. reply 9/9/44 "As these goods have never been declared and were left in care of Mr. H. Gilmore, the Custodian is quite willing to release them, provided you make your own arrangements with Mr. Gilmore to ship..."

CNR Bill of Lading 4/11/44 notes shipment of trunk and boxes of effects etc. Custodian was never advised of the contents.

Ref: PP.5

Gilmore and Russell arrange with Claimant direct re purchase of chattels, Claimant prices same and directs purchasers to pay the money into the Custodian. This was done. Claimant in transcript states no items claimed on that were sold to these purchasers.

Ref: PP.6

Cstdn letter 23/9/44 to Gilmore advises him that he is still responsible for chattels in Claimant's home and also those chattels which he had removed to his own home.

Ref: PP.7a

Cstdn 20 Oct 44 removes remaining chattels to Auction. 5 items abandoned as per (b) above.

Ref: PP.8

Auc. Sheet 27/10/44 accounts for items removed.

TOTAL VALUE \$ 504.90

SEE SHEET 2 FOR REAL PROPERTY

REAL PROPERTY

Cat. #832

<u>Previous Claim</u>	Land	\$ 350.00
	Imp.	1600.00
		<u>1950.00</u>

<u>Amended Claim</u>	Land	350.00
	Imp.	2205.00
		<u>2555.00</u>

APPRAISEDSOLD FOR

\$1410.00

\$1410.00

WITNESS: F.H. Coulthard
DOCUMENT: Exh.2

Ref: Exh.3

Assessed value (1943):

Land	450.00
Imp.	<u>1140.00</u>
	1590.00

Taxable value	1020.00
Taxes	22.44

Ref: Exh.2

Appraised F.H. Coulthard 22 Apr 44 \$1410.
Land \$150.00
Imp 1260.00

Ref: RP.5 & 6

Offers to purchase:

Russell	15/6/44	\$1200.	Rejected
Russell	2/7/44	1410.	Accepted

Ref: RP.7

Advisory Comm. approval 27/7/44

Ref: Transcript
pages 2-5
& P.5 L.25

Claimant explains changed in est. claim value as due to information which just came to hand. Claimant's counsel notes that the onus is on him to meet the suspicions aroused through amendment.

Ref: Tpt P.7

Claimant states value of premises and states that it cost HIM etc.

Ref: Tpt P.8
L.27

Claimant states he found his mother's pocket-book which noted amounts ~~paid to carpenter~~ THEY paid to carpenter, electrician etc. Could be construed as having been paid by someone better informed about the premises than he is.

Ref: Tpt P.18
L. 1

Claimant 'just estimated' some of the improvements.

WITNESSES

- a) G.M. Harris
- b) E.S. Herman (staff)
- c)

Real Property:

F.H. Coulthard

DOCUMENTS

Auc. Sheet PP.8
Abandonment notice PP.7b
Exh.8, PP.1, 3, 4abc, 5, 6, 7a, 8.

Exh.2, 3. RP.5, 6, 7.

SUBMISSION:

Real Property sold at its fair market value.
Personal Property chattels which were sold were sold at their fair market value. Further submitted that the other chattels which were not sold were in the custody of a person other than the Custodian and therefore the Custodian assumes no responsibility.

Name of Claimant **TAMAKI, Hideo**
 Custodian File **3439**

Case **1139**

<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			
		140.00									
			141.00	12.90							
<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>											
											SPECIAL 100.00
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				
48.00	32.45										
		9.73							9.73		
TOTAL RECOMMENDATION											263.23

October 16th, 1950.

Mr. Hideo TANAKI,
103 Boulton St.,
Toronto, Ontario.

Dear Sir:

Re: Japanese Property Claims Commission

Case No. 1135

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 ... \$263.23.

Cheque in your favour is enclosed for \$253.75
and we have paid the Co-Operative Committee .. \$ 9.48
for legal fees as authorized by you.

Yours truly,

F.G. Shears
Director

FCS/js
1 encl.