

3875

Surrey B.C.
OFFICE OF THE CUSTODIAN
JAPANESE SECTION

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

PERSONAL INFORMATION

NAME: ITO Gihachi
HOME ADDRESS: Westminister Rd., New Westminister B.C.
REGISTRATION NUMBER 12699 SEX: Male AGE: 67
OCCUPATION: Strawberry Grower.

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

EMPLOYER: Self

EXHIBIT NO. 469-5

DATE 24 Mar 1948

FILED BY

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Gihichi Kiku 4074

ADDRESS OF WIFE OR HUSBAND: Westminister Rd., New Westminister B.C.

NAMES OF ANY LIVING CHILDREN: Fusayo (F) Shizuya (F)

ADDRESS OF CHILDREN: Westminister Rd., New Westminister B.C.

AGE OF CHILDREN: 11, 9.

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

1. LOCATION AND DESCRIPTION: Block C, Section 31, Block 5, North Range, 2,
West Map 4052

2. BUILDINGS AND OTHER IMPROVEMENTS: 1 storey wooden frame dwelling
house, 4 rooms. Barn, Garage, Chicken house, Packing House.

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

National Union Fire Insurance Co. \$1000.00 Policy Number 201449
Policy in declarant's possession.

4. TAXES (Amount and where payable) \$36.25 payable to Cloverdale Municipal Hall, Cloverdale

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

None

6. OCCUPANCY AND LEASES (If vacant so state) Occupied by owner

7. STATE WHEREABOUTS OF TITLE DOCUMENTS. In declarant's possession.

8. STATE IF ANY OTHER PERSON HAS ANY INTEREST. none

9. IF FARM LAND STATE CROPS SOWN. Asparagus, Raspberries, Fruit trees,

Keweenaw, etc.,

STATEMENT OF REAL PROPERTY OCCUPIED

1. LOCATION AND DESCRIPTION. Block C, Section 31, Block 5, North Range, 2,

West Map 4052.

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. as listed above.

STATEMENT OF PERSONAL PROPERTY OWNED:

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

Bedding, 2 Tables, 22 Chairs, Kitchen Stove, Heater, Dresser, Bookcase, Gramophone

Buddhist Temple, (Ministry) Farming Tools, and implements, Furniture and

tools, and lumber in the Root House, and Bunk House.

All the furniture to be left in house at Westminster Rd., New Westminster B.C.

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

1 Dog to be left.

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR

CLAIM ON ANY SUCH PROPERTY

none

4. INSURANCE CARRIED ON ABOVE PROPERTY: none

5. 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)

\$50.00 Victory Bond, In declarants possession.

8. BANK ACCOUNTS: none

9. LIFE INSURANCE: none

10. INTEREST IN ANY ESTATES OR TRUSTS: none

11. SAFETY DEPOSIT BOX: none

LIABILITIES:

1. PERSONAL DEBTS: none

2. TRADE DEBTS: none

I, the undersigned, hereby voluntarily turn over to the Custodian all my property in the protected area as set out above, excepting fishing vessels, deposits of money, shares of stock, debentures, bonds or other securities, if any.

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 15th day of April 1942

(Signature)

Witness

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

Date June 30, 1943

Our File No. 3875

Full Name ITO, Shichi
(Surname in Block Letters)

Registration No. 12699 Male - Female
(check)

Age 1875
May 11, 1941

Former Address R. R. No 1, New Westminster

Date Evacuated 30/5/42 Naturalized - Canadian-Born - National
(check)

Present Address Nobleford, Alta.

Married - Single
(check)

Name of Wife nee FUNAKOSHI Idings #12662

Name of Husband

Name of Mother nee SASAKI to be'd Name of Father Fudeemon - deceased

Names of Children under 16 Fusaage (F) 9/7/30

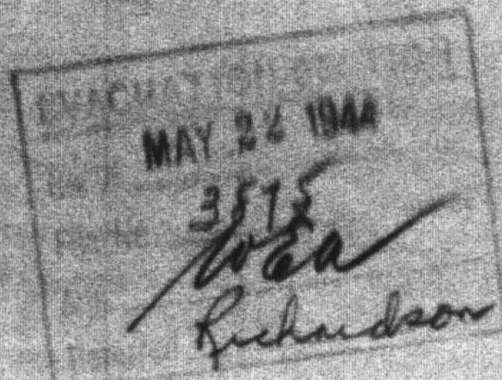
Shizuye (F) 2/3/33

Requested by Pat Hodge Registered with Custodian

(Yes or No)

Additional Information Strawberry grower

13 acres & 1 house 1/2 ton truck



H. St.
To W. F. Jarvis,
R. R. #1.
Steford, Alta.
May 20, 1944.

The Custodian's Office
Department of the Secretary of State
of Canada,
Vancouver, B.C.

EXHIBIT NO. 469-6
DATE 24 MAR 1948
FILED BY

Dear Gentlemen:-

According to the letter I received on May 18th, I was astonished that our property is sold. Why should you sell it, we did not get any relief or help from Canada instead we are helping, here we are growing sugar-beets, buying bonds, stamps, doing Red Cross Work, giving donations for the Salvation Army. I believe it's no use.

I thought the Custodian suppose to look after the land and responsible for everything, not sell it.

Well engaged want all the money. I also want our three beds sent to us. They're all brown steel beds, with springs everything like new. And report to us how much the freight is.

We might as well tell our hidden articles. These chattels are in the attic of the pickers house (next to the barn). The following things:

Loppers saws, 3	Rakes 8	Potatoes	
Ropes 100'	Legs 10	Hoses 7	
Black 2	Cable 280'	Rakes 3	Garden

no items

2 Axes

3 Mattocks

2 Sledge Hammers.

3 Wedges

3 Ropes

3 Shovels

2 Crowbars

3 Hayforks

1 Carpenter's Set

4 Wheelbarrows

1 Spray Pump Set

We had 1 Stump Puller and in the room
next to the kitchen we had electric light
sets one with three bulbs set, plug and rope.

If you sell anything let us know and
give us the money.

I wish to get a reply soon.

Yours very truly
J. Okita.

per
S. D.

2 doz. Preserving bottles

2 Tricycles

1 Blacksmith's Hammer

6 brooms

1 30 lb. Sawset

1 barrel Lime

57 lb. Sulphur

150 lb. Bone meal

1 Gas Lantern

1 Round Sinker

Some more this and that
but can't think of it.

THIS INDENTURE made the Twenty-first day of May, in the year of our Lord one thousand nine hundred and Forty-two.

IN PURSUANCE OF THE "SHORT FORM OF LEASES ACT":

Between:

SHACHI ITO (Farmer), Westminster Road,
in the Municipality of Surrey, Province
of British Columbia,
hereinafter called the "Lessor"

OF THE FIRST PART,

-AND-

CANADIAN CANNERS (WESTERN) LIMITED,
a company duly incorporated under the
laws of the Province of British
Columbia, having its Head Office at
332 Drake Street, in the City of
Vancouver in the said Province, herein-
after called the "Lessee"

OF THE SECOND PART.

WITNESSETH that for and in consideration of the rents, covenants, conditions and agreements hereinafter reserved and contained on the part of the Lessee to be paid, observed and performed, the Lessor hath demised and leased and by these presents doth demise and lease unto the Lessee ALL AND SINGULAR that certain parcel or tract of land and premises, being known and described as Block "C" in Section Thirty-one (31), in Block Five North, (5N) Range Two West (2W), as shown on Map 4052, in the Municipality of Surrey in the District of New Westminster, the title to which is registered in the name of the Lessor under Certificate of Title No. 89052-E, save and except that this demise shall not include any buildings upon the aforesaid lands, all of which buildings are reserved by the Lessor.

TO HAVE AND TO HOLD the said premises (save and except the said buildings) unto the said Lessee from the

EXHIBIT NO. 469-7

DATE 24 Mar 1948

FILED BY J. W. J. Hunter

date of this lease up to and including the 1st day of December 1942.

YIELDING AND PAYING THEREFOR the sum of FOUR HUNDRED (\$400.00) DOLLARS of lawful money of Canada to be payable on the execution of this agreement, the receipt whereof is hereby by the Lessor acknowledged.

THE LESSEE COVENANTS with the Lessor that it will not assign without leave.

AND WILL NOT SUBLET without leave.

AND THE LESSOR covenants with the Lessee FOR QUIET ENJOYMENT.

THE LESSOR REPRESENTS that there are now growing upon the aforesaid lands certain strawberries, raspberries, tree fruits and other farm and garden crops, and it is agreed that the Lessee shall have the right during the term of this lease to take and remove any and all such crops, and while taking and removing such crops may use the Lessor's picking trays and packing sheds including bedrooms in the lean-to attached to the large packing shed, and may use the kitchen in the residence building.

THIS AGREEMENT shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals.

SIGNED SEALED AND DELIVERED
in the presence of:

Jacob J. Neufeld

Gibachi Jr

CANADIAN BARNERS (WESTERN) LIMITED

J. G. Evans

VICE PRESIDENT & GENL. MANAGER

Ed. Fisher

SECRETARY TREASURER

CABLE ADDRESS
"DOMCAN" VANCOUVER

TELEPHONE
MAN 111 2241
PRIVATE EXCHANGE CONNECTING ALL DEPARTMENTS

Richardson
COSTER
WESTERN UNION
R.B.C. 5TH EDITION
J.N. ARMOUR 1911
BENTLEY'S

CANADIAN CANNERS (WESTERN) LIMITED

IN REPLYING TO THIS LETTER
PLEASE REFER TO

DEPT.

PLEASE ADDRESS ALL CORRESPONDENCE TO
THE COMPANY AND NOT TO INDIVIDUALS

HEAD OFFICE

232 DRAKE STREET

VANCOUVER, CANADA

May 27, 1942

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

RECEIVED
MAY 28 1942

Custodian of Enemy Property,
Royal Bank Building,
Vancouver, B.C.

Dear Sirs: Attention Mr. C.L. Drewry

For your records, we are enclosing herewith copy of lease that we have completed with Mr. Gihachi Ito, following our conversation a few days ago with your Mr. Richardson when we explained the details that we have completed on a mutually satisfactory basis with Mr. Ito.

We have purchased the crop, consisting of 4/5 acres of Strawberries, about one acre of Raspberries and whatever other crops will be produced on the farm. You will note that we are not agreeing to do any work on the farm, either before or after the crops come off, in the way of cultivating, etc. Instead, and Mr. Ito understands this quite clearly, we have simply paid over \$400.00 for the purchase of the crops, together with the use of the kitchen and packing sheds as outlined in our lease. We have already paid Mr. Ito the \$400.00, after discussing the matter with Mr. Richardson.

Yours very truly,

CANADIAN CANNERS (WESTERN) LIMITED

W. J. Drewry

WOL/WF

CABLE ADDRESS
"DOMCAN" VANCOUVER

TELEPHONE
MAKING 3241
MESSAGE EXCHANGE CONNECTING ALL DEPARTMENTS

WESTERN UNION
A.B.C. 5TH EDITION
J.K. ARMSBY 1911
BENTLEY'S

CANADIAN CANNERS (WESTERN) LIMITED

IN REPLYING TO THIS LETTER
PLEASE REFER TO

DEPT.

HEAD OFFICE

555 DRAKE STREET

PLEASE ADDRESS ALL CORRESPONDENCE TO
THE COMPANY AND NOT TO INDIVIDUALS

VANCOUVER, CANADA

July 6, 1942

L. Ito, F# 3875

file this please

Custodian of Enemy Property,
Royal Bank Building,
Vancouver, B.C.

Dear Sirs: Attention Mr. C.L. Drewry

We have written you two separate letters dealing with the question of operating to harvest the 1943 crops off the Japanese farms and this letter has reference to the farm of Mr. Ito in Surrey.

You have a copy of our agreement, which gives us the property until December 1, 1942. This farm is in a very bad rundown condition and if we are going to operate for another year we must know immediately so as to proceed with the work.

Will you please advise us as quickly as possible when it will be convenient for us to get together and decide whether or not a mutually satisfactory arrangement can be completed for this farm for another year.

Yours very truly,

CANADIAN CANNERS (WESTERN) LIMITED

W. O. Lowrey
per W. F.

AYLMER

BRAND

WOL/WF

9/2/42
Informed Lowrey by phone
in new C.C. order. Revised
Conduct S.S.B.
R.H.

CANADIAN CANNERS (WESTERN) LIMITED

332 Drake Street,
Vancouver, Canada,
13th October, 1942.

Soldier Settlement of Canada,
518 Rogers Bldg.,
Vancouver, B.C.

Dear Sirs: Attention Mr. G.T. McKay

Regarding the Ito farm located up in the Surrey district, which is one of the farms you went out to look over in company with the writer a month or so ago, and on which we paid a rental of \$400.00 last year and you offered to let us have it, due to its rundown condition, for next season at a cost of \$50.00. However, it is now so late and we have not been able to complete arrangements to go ahead with the work that we have now decided we are no longer interested in this property.

The lease we have for 1942 runs out on December 1st but as we are now through with this farm and there are no further crops to be harvested or anything else we would like to turn it back to you as at today's date. On one of the barn doors there were a couple of hinges broken but we made arrangements with one of the neighbours near this farm to go ahead and buy and attach two new hinges to the door and no doubt by this time this work has been done, so that we are now giving up the farm exactly in the same position as when we took it over.

Would you please acknowledge receipt of this letter and confirm that as from today's date we are no longer interested or responsible in any direction on this Japanese farm.

Yours truly,

CANADIAN CANNERS (WESTERN) LIMITED

"W.O. LOWREY"

WOL/J

Farm Appraisal ReportFile No. FL-401Land Description Blk. "C" of Sec. 31, Blk. 5, N., Rge. 2, W., Map 4052.Containing 13.05 AcresOwner's Name ISO, OihachiPost Office Address R.R. 4, New Westminster, B.C.Nearest Rail Point Scott StationEXHIBIT No. 469-8Distance 1/2 mileMarket Town New WestminsterDATE 27 Nov 1948Distance 2 1/2 "Church (give denomination) Anglican-1 mile; All denominationsDistance 2 1/2 "Nearest School South WestminsterDistance 1 "State how property was identified: L.R.O. Sketch, map and streets.

Roads: State whether property has access to main road, the kind of road and its condition.

In No. 1434 Westminster St. Just gravelled trail to Victoria Road and 1/2 mile to Scott Road - hard surfaced.Is this district a good one? Yes.Employment opportunity Is in full industrial area. Served by bus and Interurban.Predominating Nationality and religion: British. None predominating - all represented.Describe Fencing and its condition: 5 wire fence along south side & 3 wires along north; poor repair.Value \$ Inc. in landWater supply: Well near house.Value \$ " " "**BUILDINGS ON FARM**

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	12 x 26	Lumber	8' studs	Shgl.	old	Posts	Poor	
Add'n	9 x 26	"	6'	"	"	"	"	550.00
Wellhouse-Shed	10 x 18	"	7'	"	"	Blks.	"	20.00
Packhouse	28 x 28	Upr. Lbr.	9'	Shks.	"	"	"	
Add'n	14 x 28	Lumber	7'	Shgl.	new	"	New	80.00
Add'n	10 x 10	"	7'	"	"	"	"	
Garage	12 x 16	"	9'	Shks.	"	"	Good	65.00
Storeroom	14 x 20	"	9'	Shgl.	"	"	"	
Pen-house	12 x 16	"	8'	Shks.	"	"	Poor	20.00
Shed	18 x 18	Spl. cedar	No value					
	x							

(No lighting installed. Dom. power passing along street)

Total present day value \$ 535.00Total Value Buildings add to farm \$ 535.00Is dwelling habitable without repairs? Yes. If not what is your approximate estimate of cost to make it habitable? Describe the basement and chimneys: No basement; no chimney; roof jack only.No. rooms downstairs? 4 Upstairs none How finished Bare shiplapAre buildings painted? No. Condition of paint Distance from nearest bush None near.

Note: Particular care must be taken when examining and reporting on foundations, sills and roofs.

Cultivated Land

BC/532-P

Page 2

ACRES	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL	KIND AND QUALITY OF CROP	VALUE PER ACRE	TOTAL
9.03	Rolling 9.03 ac.	Lt. edy. loam. Sand & some gravel with some underlying hardpan. Small patch of dark deep loam behind house of use for garden.		Strawberries and Raspberries. - Good condition.	50.00	451.50

Area which can be cultivated without cost other than for breaking.

LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL	VALUE PER ACRE

Area which can be cultivated after a reasonable amount of clearing timber,
stones, drainage, etc.

LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB- SOIL	NATURE OF RECLAMATION NECESSARY	RECLAMATION COST PER ACRE	VALUE PER ACRE	
1 Undulating 1 acre	Lt. loam.	Sand & Gravel	Cleared to stumps.	50.00	25.00	25.00
3 3 acre	sand and some hardpan gravel	some hardpan	Green, slender, coniferous trees. thick stand; fuel value only		10.00	30.00

Area Unsuitable for Cultivation.

CHARACTER OF LAND E. G. HILLY, SWAMPY, ROCKY.	NATURE OF TIMBER IF ANY AND WHETHER MARKETABLE	VALUE OF LAND PER ACRE

Total value of Land \$ 506.50

Total added by buildings to value of farm \$ 535.00

Total fruit trees add to value of farm (for use in orchard districts only) \$ nil

Total value of farm \$ 1041.50

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:
In good cultivation. Operated by Canadian Canneries. Shows good manure
fertilization on oldest land.

State most suitable type of agriculture for farm bearing in mind the district's limitations, if any.
Fruit and poultry only.

Noxious weeds:
Canada thistle.

Give approximate detail and
amount of all annual taxes and
names of Taxing Authorities:

Municipal and School - \$36.25.
Surrey Municipality, Cloverdale, B.C.

Date: 26th June 1942.
Place: New Westminster, B.C.

I certify that the above report is based on a personal examination
of the whole farm made on the 23 day of June 1942.

Inspector's Signature

"B.C. WORMWORTH"

Note: (Use Form 43 (Sheet 2) in connection with this form.)

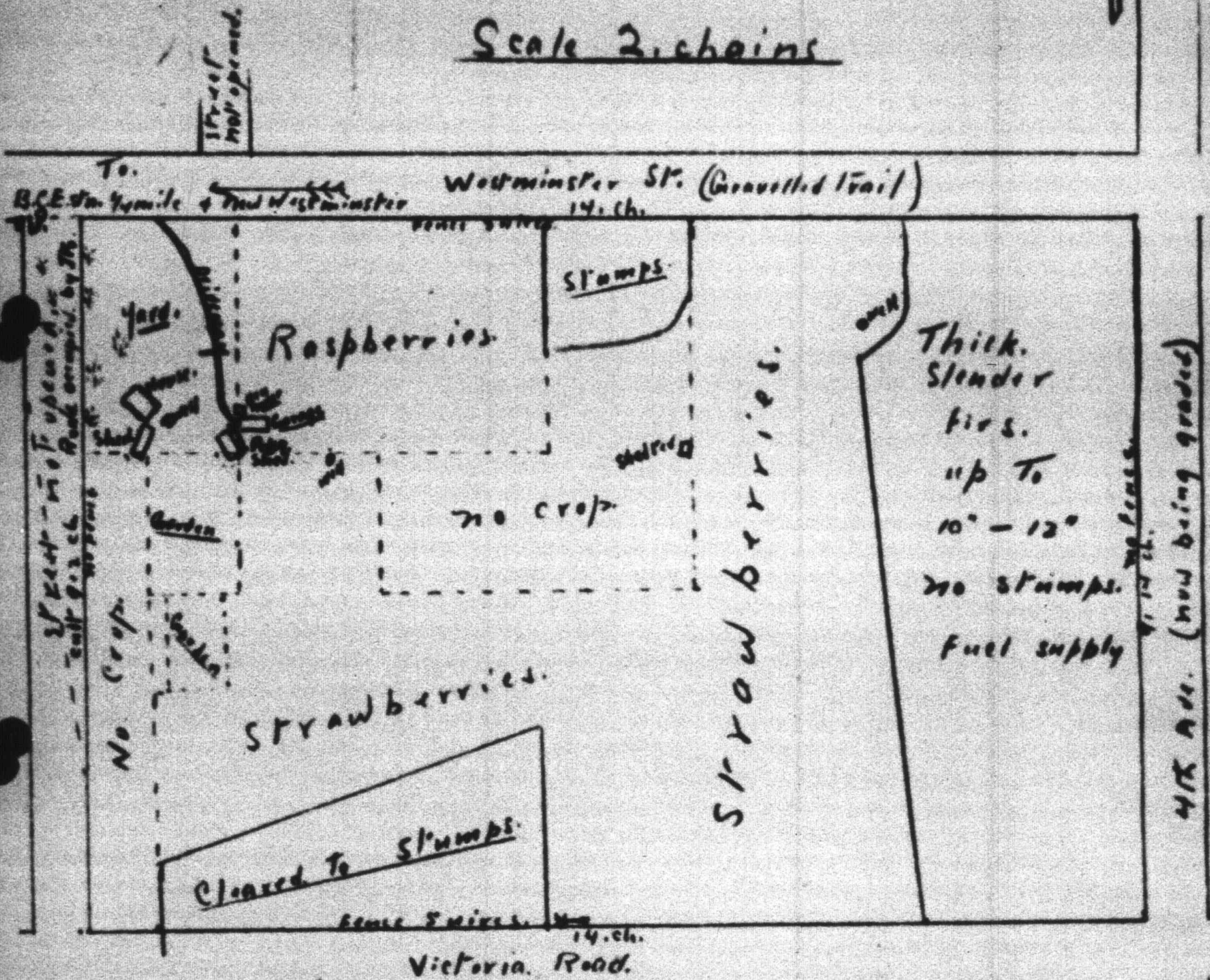
Diagram of Property

Gimachi. ITO.

Blk "C" of Sec 31. Block "5N" R. 2. W. Map 4052.

13.03 acres.

Scale 2 chains



Following careful review of this appraisal report, it is my opinion that the present

value is \$ 1000.00

Date 30th June 1942

"I.T. BARNET"

District Superintendent.

V.L.A.

Virtue Russell

DEC - 2 1947

R 401
PC 532 P
NW 31

Proof of Claim

IN THE MATTER OF Order-in-Council P.C. 1810, as amended by Order-in-Council P.C. 3737; and

IN THE MATTER OF "THE INQUIRIES ACT" being Chapter 99 of the Revised Statutes of Canada, 1927, and

IN THE MATTER OF a Commission appointed to inquire into and report upon the claims of persons of the Japanese Race under said Orders-in-Council.

3875

1. Name of Claimant in full: **Gihachi Ito**

Registration No. **12699**

2. Claimant's address at the time of his evacuation from the protected area: **R.R.No.1., New Westminster, B.C.**

3. Claimant's present address: **Coahurst, Alberta.**

4. Claim relating to real property:

(a) Street address of real property: **R.R.No.1., New Westminster, B.C.**

(b) Legal description of property:

BLOCK "C" Section (31) Block (5) North Range (2) West Map 4052, in the District of New Westminster.

- (c) Type of real property, i.e., farm, residence, commercial, etc., and short description of it:

Farm

- (d) Title or interest held by Claimant in the real property:

Vol--Fol. 89059E
Registered owner in Fee Simple - no encumbrances.

- (e) Fair market value of real property at date of sale:

(I) Land— \$ 8,500.00
(II) Buildings— \$ 1,500.00 (Residence and Buildings)

- (f) Amount of loss alleged to have been sustained by the Claimant under the terms of reference:

\$ 10,000.00

5. Claims relating to personal property, etc.

- (a) Location at which property was left by Claimant at date of evacuation:

Farm equipment on "said" farm.

Remaining property on "said" residence.

- (b) Type of premises in which property was left by Claimant and manner in which that property was stored or packed at time of evacuation:

Left in hands of Custodian.

Washing equipment	\$ 2.00
11 Beds	8.50
4 Tables	24.00
110 Berry trays	6.00
47. Straw	31.50
130 lbs. Go West	48.00
1 Barrel Lime	10.40
57 lbs. Sulphur	3.00
150 lbs. Bone Meal	10.00
50 yds. Chicken Manure	4.50
6 Wheelbarrow	45.00
1 Mower	6.00
Spray Pump set	7.00
Blacksmith Bellow	19.00
2 Tricycles	17.00
5 Axes	15.00
2 Blocks	10.00
100 ft. Manila Rope	18.00
280 ft. Cable	2.50
3 Logger's Saw	25.20
5 Scythe	24.00
8 Potato rakes	5.00
5 Hoes	17.20
3 Shovels	8.35
3 Garden rakes	4.50
2 Hay forks	3.75
6 Barrels	5.00
3 Barrels Preserved Vegetables	4.35
17 wooden Barrels	1.20
Carpenter tools	11.00
2 gals. Kerosene	15.00
2 Crowbars	2.50
3 Pee Wee	4.50
3 Sedges	6.00
2 Sledge hammer	3.50
3 Mattick	3.50
150 lbs. Honey	4.50
1 Stump Puller	15.00
200 lbs Wheat	2.50
	<u>455.95</u>

Grindstone

high m.

- (c) In whose care was property left by the Claimant at date of evacuation?

Custodian

- (d) Itemized and detailed description of the property which is the subject of the claim, and itemized value thereof at the time of sale, loss or destruction:

HOUSE FURNISHINGS

3 Bed sets	\$97.00
2 Tables	5.00
22 Chairs	19.30
1 Kitchen stove	37.00
2 Heaters	21.00
1 Kitchen closet	20.00
1 Dresser	22.00
1 Portable closet	6.50
1 Book closet	15.00
Miniature Buddhist Temple	55.00
Kitchen ware	13.30
Chinaware	59.25
Glassware	9.35
Washing equipment	8.50
1 Dress drawer	5.00
Linoleum (Inlaid) 6 rolls	30.00
Lamps and Globes	6.75
Lanterns and Globes	4.00
1 Gas Lantern	5.50
Clothe Chest	12.00
	<u>\$451.45</u>

List No. 2

- (e) Amount of loss alleged to have been sustained by Claimant under the terms of reference:

\$907.40 ✓

6. I desire that my claim be heard at the City of Lethbridge in the Province of Alberta.

7. An Interpreter will be required.

DATED this

27th

day of ~~October~~ *March*, A.D. 1947.

W. J. Harris
W. J. Harris

Witness to Signature of Claimant.

Y. Hachida

Signature of Claimant.

STATUTORY DECLARATION

1. **Ohashi Ito**
(Full Name of Claimant)

Coalhurst, Alberta.
of
(Present Address)

Bestworker
(Occupation)

DO SOLEMNLY DECLARE:

1. I am the above named Claimant.
2. I have a personal and full knowledge of the circumstances and facts relating to the Claim above referred to.
3. The above Claim is true and correct.
4. I have not received any payment upon the above Claim other than the following:

united in money
\$1,007.85

And I make this declaration conscientiously believing the same to be true, and knowing it is of the same force and effect as if made under oath, and by virtue of The Canada Evidence Act.

DECLARED at *Lethbridge*
in the Province of Alberta,
this *27th* day of *November*,
A.D. 1947.

[Signature]
A Commissioner for Oaths in and for
the Province of Alberta.

Ohashi Ito

REAL PROPERTY SUMMARY

File 3875

V.L.A. B.C. 532-P

JAPANESE NAME: Gihachi ITO - - Reg. No. 12699.

CATALOGUE NO: Part of The Director The Veterans' Land Act first offer.

PROPERTY ADDRESS: 1434 - Westminster Road, New Westminster, B. C.

LEGAL DESCRIPTION: Blk. "C" of Section 31 Block 5 North Range 2 West Map 4052
Municipality of Surrey in the District of New Westminster.

TITLE: In name of Gihachi ITO.

ENCUMBRANCE: Vesting in Custodian 24694, 22nd September 1942.

ASSESSED VALUE: 1943 - 13.03 acres.
Land \$900.00
Improvements \$400.00 Total \$1300.00 Taxes \$36.25.

CLASSIFICATION: Berry farm. 13.3 acres nearly all clear. Inspector reported 5½ acres strawberries, 1 acre raspberries, ¼ acre asparagus, 1 dozen mixed fruit trees. One storey frame house 26 x 22, 4 rooms, fair condition, packing shed, barn and garage combined 34' long, packing shed & pickers house combined, woodshed and small chicken house. The house at time of inspection was vacant but the land leased to Canadian Cannery Ltd.

HISTORY OF ADMINISTRATION: The property was leased by the owner on the 22nd May 1942 to the Canadian Cannery (Western) Ltd., the lease terminating on the 1st December 1942, rental \$400.00 paid to the owner. This lease did not include the buildings but provided for use of the kitchen during the picking season by the Lessee. Prior to the expiration of this lease, Canadian Cannery offered to re-lease for the year 1943 but this offer was withdrawn, the reason being that the lease of 1942 did not provide that the lessee should cultivate the land but only take off the crop and that the property was badly run down in consequence. The farm was leased by the Custodian on the 5th March, 1943 to Harry KOZUB for 1 year from the 1st January 1943. Lease included the buildings with storage space for chattels of the owner reserved. The rental \$75.00 was paid to the Custodian and subsequently allowed as accrued rent to The Director The Veterans' Land Act.

At the time of evacuation the buildings were insured for \$700.00 and effects for \$300.00 with the National Union Fire Co., Policy 201449. On the 25th September 1942 this insurance was cancelled by the Insurance Company and a refund of \$6.62 paid to the Custodian.

The Custodian insured in the North West Fire Insurance Co., on September 25th, 1942 for a period of 3 years placing \$700.00 insurance on the buildings and \$300.00 on effects and the premium of \$35.00 was paid by the Custodian. This

This

policy was transferred to The Director The Veterans' Land Act.

SOLD:

To The Director The Veterans' Land Act for \$1022.00 as at 1st January 1943.
Approval of Advisory Committee 1st June 1943.

FUNDS:

Released to the credit of Gihachi ITO - Sale price \$1022.00 plus refund of two insurance policies of \$6.63 and \$22.30 a total of \$1050.93 less; Insurance \$35.00, taxes \$41.86, Certificate of Encumbrance \$1.00, registration fee \$3.00, legal fee \$15.00, total \$95.86. Net amount released \$955.07.

TITLE:

Included in C. of T. 169551-E and payment of consideration included in cheque to Custodian dated March 9th, 1944.

The above summary is certified to be in accordance with the information on file and on record by accounting department.

DATED December 20th, 1945.

Jan Macpherson

IM:ML

FILE NO. 12699	NAME ITO, Gihachi				FILE NO. 3875	
COMPANY	POLICY NO.	AMOUNT	EXPIRATION			PROPERTY
			MONTH	DAY	YEAR	
National Union Fire Ins. Co.	<i>Cancelled</i> 201449	\$1,000.	April	22	1943	Blk. "C", Sec. 31, B. 4N, R2W Mun. of Surrey, B.C.
North West Fire Insurance Company	<i>Blg. transferred to S.S.C.</i> 205963	\$1,000.	Sept.	25	1945	Blk. "C", Sec. 31, Blk. 5N, Range 28, Mun. of Surrey, BC

FIRE INSURANCE SUMMARY

The above Japanese declared \$1,000.00 Insurance coverage which upon obtaining a copy of the policy was found to cover \$700.00 on the dwelling and \$300.00 on the furniture with an expiry date of April 22, 1943. The insurance company cancelled this policy as of September 10, 1942 and forwarded a refund to ITO direct of \$6.62.

The Custodian placed insurance in a similar amount and the premium of \$35.00 was charged to the account and the Japanese notified. The insurance on the dwelling was transferred to the Veterans' Land Act as of January 1st, 1943 and a refund of \$22.30 credited back under property sale adjustments.

The insurance on the Chattels was allowed to expire.

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

Dated: Dec. 21/45
WEA:EH

W.E. Landon

PERSONAL PROPERTY SUMMARY

File No. 3875

21st December, 1945

Re: ITO, Gihachi - Reg. No. 12699

CHATELS: The above Japanese declared a quantity of chattels which were inventoried and liquidated by the Custodian in accordance with the attached Summary. Net proceeds derived were \$51.79 plus \$1.00 for his mail box. Considerable chattels were missing and ITO was so notified on September 28th, 1945 and acknowledged without complaint October 3rd, 1945.

SPECIFIED ARTICLES: The only restricted Specified Articles referred to on this file is a half ton truck on the R. C. M. P. report. This however must have been disposed of prior to the Order-in-Council date as it did not come under the control of the Custodian.

BONDS & INVESTMENTS: The above Japanese declared a \$50.00 Victory Bond. This however was not brought under the control of the Custodian.

This file reveals no other Personal Property interest.

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

Dated: Dec. 21/45
WEA:EH

W. E. Anderson

Limitation 1 Dog - "To be kept"

CHattel Schedule

File No. 3875

December 6th, 1945.

Re: Gihachi ITO, Reg. 12699

The above Japanese made his declaration to the Custodian on April 1st, 1942 and was evacuated on May 30th, 1942.

<u>DECLARED</u>	<u>INVENTORIED</u>	<u>SOLD</u>	<u>OTHER DISPOSITION</u>
	6 gallon stone crock		Missing
	pair of rubber boots		Worn out
Kitchen stove	kitchen stove	30/5/45	
Book case	Cabinet with shelves		Homemade & obsolete
	Wall mirror		Cracked
2 tables	3 tables homemade		Homemade & obsolete
	Storage box		Homemade & obsolete
Bedding	3 beds	Spring 30/5/45	2 Beds abandoned
	Sideboard	22/11/44	
	Kitchen cabinet		Obsolete & discarded
Dresser	Bureau	22/11/44	
Buddhist temple (miniature)	Shrine		Stored
	Wardrobe	22/11/44	
	High chair		Broken beyond repair
	5 stools		Homemade, obsolete-abandoned
22 chairs	17 kitchen chairs		All in per shape & remained unsold
	Blacksmith bellows		Missing
Heater	Heater	19/4/44	
	Carton old clothes		Abandoned
	straw basket old clothes		Abandoned
	100' 1" rope	19/4/44	

INATTEL SCHEDULE

<u>DECLARED</u>	<u>INVENTORIED</u>	<u>SOLD</u>	<u>OTHER DISPOSITION</u>
	12 gallon stone crook		Cracked & abandoned
	3 gallon stone crook		" "
	6 gallon stone crook		" "
	1 gallon stone crook		" "
Gramophone	gramophone & 20 records		Shipped 4/27/43
	2 cartons dishes	Sundries 30/5/45	
	Few kitchen uten- sils	30/5/45	
	Heater	30/5/45	
	Wall Mirror	Sundries 30/5/45	
	2 old auto tires		Abandoned
	2 mattresses		"
	Lantern		Missing
	2 lamps		"
	2 tea chests (red cloth books)		Stored
	large chest (con- tents unknown)		Stored
	Straw basket (empty)		Abandoned
	Picnic basket		"
	Mantel lantern (clock)		Shipped 27/4/43
	175 berry trays	30/5/45	30/5/45
	large homemade kitchen table	22/11/44	20/11/44
	4 wheelbarrows		Missing
	392 Jam crates		No commercial value

CHATTEL SCHEDULE

<u>DECLARED</u>	<u>INVENTORIED</u>	<u>SOLD</u>	<u>OTHER DISPOSITION</u>
Farming tools & implements	7 bundles berry crate shelves		Abandoned
	1 crate Jam bas- kets		"
	1 crate straw baskets		"
	45 gallon steel drums	22/11/44	
	Wheelbarrow	Cart sold 22/11/44	
	Galvanised tub	30/5/45	
	Platform scale	30/5/45	
	5 beds, spring & mattress		Obsolete & abandoned
	Heater		Rusted out
	5 wooden Bunks		Obsolete
	5 wooden barrels		"
	5 Japanese picketube		"
	12 Japanese wooden pails		"
	Iron block		Very rusty & no value
	1 gallon vinegar		Missing
	1 rice bag green tea		"

ADDITION CHATTELS DECLARED MAY 20/44.

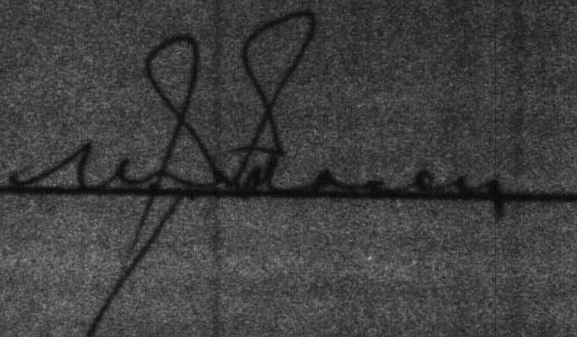
6 rolls linoleum	30/5/45
5 axes	3 axes 30/5/45
3 mattocks	
2 sledge hammers	
3 wedges	
3 peavies	
3 shovels	
2 crowbars	
3 hay forks	

Sold { Some tools 30/5/45
"
"
"
"
"
"

<u>DECLARED</u>	<u>INVENTORIED</u>	<u>SOLD</u>	<u>OTHER DISPOSITION</u>
3 loggers saws		30/5/45	
10 saythes			Missing
280' cable			"
3 garden rakes			"
7 hoes			"
8 potato rakes			"
100' rope			"
2 blocks			"
3 hay forks			"
1 Carpenter's set			"
4 wheel barrows	Probably duplication of first list		"
1 spray pump set		30/5/45	
1 gas lantern	Probably a dupli- cation of the first list		Missing
1 Road grindstone			"
2 des. preserving bottles			Abandoned
2 triayales		1 sold 30/5/45	1 Missing
1 Blacksmith bellows	Probably a dupli- cation of the first list		Missing
6 crooks			"
130 lb. Go West			"
1 barrel line			"
57 lb. sulphur			"
150 lb. bone meal			"
	Rural Mail box	5/2/45	
1 Dog to be left			

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

WT:DP



CHattel SUMMARY

File No. 3875

December 13th, 1945.

Re: Gihachi ITO, Reg. 12692

This Japanese person declared on April 15th, 1942 that certain household furniture and farm tools shown in column 1 of the Chattel Schedule were left at his late residence on Westminster Road. He was evacuated on May 30th, 1942 and our fieldmen checked the chattels and made a preliminary report. An inventory was prepared and sent to Ito for confirmation. Under date of July 21st, 1942 he returned this with a number of additional chattel items added.

A new inventory was prepared after a further check and this was confirmed by Ito on September 1st, 1942.

The Canadian Farmers Limited purchased the field crops but did not have the use of any farm tools.

Under date of March 15th, 1943 Ito stated in a letter that he had heard that his house and the locked rooms in which his chattels were stored had been broken into and he repeated this at later dates.

On April 7th, Ito advised us that Mr. Klassen would ship to him certain things he required. A gramophone with records and song sheets and a mantel clock were released for this purpose.

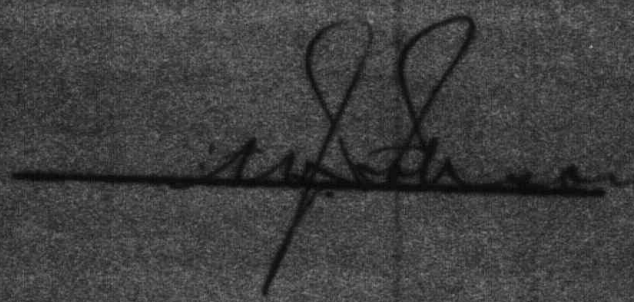
In his letter of May 20th, 1944 Ito forwarded a list of articles which he had hidden in the attic of the picker's house. When our fieldmen investigated the entrance to this hideaway it was found open and many of the articles listed were missing. Household effects found at this place were pretty old and obsolete, many of the articles being homemade which accounts for the quantity of goods abandoned by our fieldmen when liquidating.

Prior to our Surrey Auctions # 8 and 13 the remaining goods of value were removed and sold at auction realizing the net sum of \$51.79 as per sales sheets on file. This money was placed to Gihachi Ito's credit. The sale at Surrey #13 represented the goods found in the hidden place. George Fong purchased certain farm tools and a horse with harness direct from Ito. The items are mentioned on the corrected inventory dated July 21st, 1942.

A list of abandoned and missing goods appears on this file.

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

December 13th, 1945.
WJ:DP



Original marked to
Mr. Ols on Sept 19/45

NAME IRZ. Olschki

REGISTRATION NO. 13639

FILE NO. 1374

The following chattels were sold by public

auction at Surrey, B.C. on November 22, 1944.

-1 Drum
-Cart
Bundle of netting
Bundle of netting
Saddle
Basket & contents
Bottle
Basket

\$ 2.50 ✓
9.50 ✓
0.50 ✓
2.00 ✓
1.00 ✓
3.00 ✓
1.00 K
13.00 ✓

Total

Less Expenses: { Auctioneer's Fee: \$3.15
Advertising: 0.75
Hovings: 6.93

\$ 31.90

\$ 10.84

Net Proceeds Credited:

\$ 20.66

Members of Custodian Staff Present. Mr. Iverson

Extracted from Auctioneering List No. Surrey 8.

Remarks.

Original mailed to Mr. Ste
on Sept 19/45

NAME ERO, Gihachi

REGISTRATION NO. 12679

FILE NO. 3875

The following chattels were sold by public

auction at Surrey, B. C. on May 30, 1945.

Picking trays	1.00 ✓
2 axes and drag saw	1.00 ✓
Shovel, fork and rake	1.25 ✓
Pick, mallet and drag	1.75 ✓
Tools	1.25 ✓
Shovel and mallet	0.25 ✓
Auger and bush saw	1.00 ✓
Shovel and saw	1.25 ✓
3 pieces cut saw	1.00 ✓
Trigale	12.50 ✓
Wheel	1.25 ✓
Box sundries	0.25 ✓
Egg scale	0.25 ✓
3 boxes sundries	0.75 ✓
Sprayer	1.50 ✓
Scalor parts	3.00 ✓
Iron pot	0.25 ✓
2 Jars	0.25 ✓
Boiler	5.00 ✓
2 Balls linoleum	2.50 ✓
2 Balls linoleum	2.00 ✓
2 Balls linoleum	2.00 ✓
Bed springs	3.50 ✓

Total (Auctioneer's Fee) \$ 4.50
Less Expenses: (Advertising) 0.85
(Stocks) 2.52

Net Proceeds Credited:

45.00
13.27
31.73

Members of Custodian Staff Present. W. J. Iverson

Extracted from Auctioneering List No. Surrey 13.

Remarks.

Name of Claimant **ITO, Gihachi**
 Custodian File **2222 3073**

Case **42**

<u>REAL PROPERTY</u>										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village		Total	
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Coma.	Sale Price	Total Award 80% of all Sale Prices % of Amount Total	Sale Price	Total Award 125% of all Sale Prices % of Amount Total		
					1022.	921.40			921.40	
<u>PERSONAL PROPERTY</u>										
Motor Vehicles		Boats and Boat Gear								
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Not Found & Recorded Now Missing	45% of amount in next preceding column			
<u>NETS</u>										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing			Percentage Total Award to Total Claim	Claim for Nets Sold Declared Not Found, & Recorded Now Missing	Apply % ratio to Claim	Deduct Custodian Sale Price		
<u>MISCELLANEOUS CHATTELS</u>										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Applica-tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
122.50	59.00	17.70	32.24%	446.53	143.36				161.66	
TOTAL RECOMMENDATION									1003.14	

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

JAPANESE PROPERTY CLAIMS COMMISSION

BEFORE
(THE HONOURABLE MR. JUSTICE H.E. BIRD, COMMISSIONER).

10

Leithridge, Alberta,
March 24th, 1948.

IN THE MATTER OF THE CLAIM OF
SHIGEMI ITO.

PROCEEDINGS AT HEARING.

20

APPEARANCES:

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

A.G. VIRTUE, Esq., K.C., appearing for the
 Claimant.

A. WATSON, Esq., Secretary.
D.J. SANDFORD, Esq., Official Interpreter.
S.E. HOWARD, Esq., Official Reporter.

30

G. Ito,
In Chief,
Prosecution.

MR. VIRTUE: The first case this afternoon is Gihachi
Ito, No. 15.

THE SECRETARY: This is Case No. 469, Gihachi Ito.

GIHACHI ITO, the claimant herein, being first
sworn, testified through the
Interpreter as follows:

DIRECT EXAMINATION BY MR. VIRTUE:

Q Mr. Ito, I show you a statement of your land with
the value of the land and the improvements and
buildings. Did you prepare that with the assistance
of your Interpreter?

A: Yes, this is
information that was obtained in connection with
the Association before I left, and the information
was supplied from the information that I had on
hand from them.

Q Is it true? A: Yes.

Q All right. I will file that as the first exhibit.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. VIRTUE: Q: Now this is the statement of his personal
chattels in connection with the original proof of
claim, that is the list as filed, did he prepare
that in the same way and is it true?

A Yes.

MR. VIRTUE: I will offer that as the next exhibit,
Mr. Secretary.

(DOCUMENT MARKED EXHIBIT NO. 2).

MR. VIRTUE: Q: And this third statement with his
signature on it is the brief statement of his
claim showing when he bought and what improvements
he put on and what planting, and so on, he did.

Ask him if he prepared that in the same way and if
it is true. A: Yes.

MR. VIRTUE: I will put this in as Exhibit No. 3.
(STATEMENT MARKED EXHIBIT NO. 3).

MR. VIRTUE: Q: You bought this property in 1928, did you?

A: Yes.

Q: And at that time it was uncleared and full of rocks,
trees, and so on?

A: It was uncleared in its original condition.

10 Q: And then you put on the buildings, cleared it, and
did all the planting, and so on, that you have
described in this statement?

A: Yes.

Q: Now I am just going to ask you about one or two
items in this statement. Do you remember a claim
you made in respect of a spray pump set which you
valued at \$19.00? A: Yes.

Q: When did you buy that spray pump set?

A: One year before I was evacuated.

20 Q: A year before you were evacuated?

A: Yes.

Q: What did you pay for it? A: \$19.00.

Q: \$19.00? A: Yes, bought it
for \$19.00.

Q: Was it bought new or secondhand?

A: Yes, it was new.

Q: How? A: Yes.

Q: Was it in good shape when you left when you were
evacuated? A: Yes, I only

30 used it for a year. It was in good condition.

G. Ito,
In Chief.

Q Does he know that it was sold for \$1.50?

A Yes, I heard from the Custodian it had been sold for that amount and I was very dissatisfied with it.

Q Very dissatisfied? A: Yes.

Q Now I will ask you about one other item here.

Recall remember a stamp puller that was valued at \$15.00?

A: Valued \$15.00?

Q Yes, \$15.00 he valued it at.

A Yes.

10 Q Was it worth that price? A: Yes, it was worth \$15.00 which is why I bought it.

Q Which is why he bought it? A: Yes.

Q Was it in good working condition when he left?

A Yes.

Q Now in connection with your household furnishings you claim for three bed sets, which you valued at \$97.00, three bed sets which you valued at \$97.00?

A Yes.

Q He remembers about that, does he?

10 A Yes.

Q And does he mean by a bed set, what does it consist of?

A: The bed, spring and mattress, the three of them.

Q The bed, spring and mattress?

A Three sets of bed, spring and mattress.

Q Three sets, a bed, spring and mattress?

A Yes.

Q What condition were they in when they left?

A I purchased them only 2 or 3 years before I left and they were in quite good condition.

G. Ito,
In Chief.
Discussion.

Q Does he remember what he paid for them when he bought them? A: I bought them for \$97.00.

Q And does he know any reason why the Custodian should abandon them, throw them away?

THE COMMISSIONER: Mr. Virtus, if you would file the Custodian's analysis of the claim, it would be easier for me to follow it.

10 MR. VIRTUS: I beg your pardon; I should have done that. I will file it now, sir, on behalf of the Custodian, and I hope, if I forget again, that Mr. Hunter will remind me.

(ANALYSIS MARKED EXHIBIT NO. 4).

MR. VIRTUS: Q: What does he say about that? Was there any reason why the Custodian should abandon that stuff? A: No, there was no reason as far as I know.

Q Did he buy those beds in Vancouver, the three beds?

A Yes, in Powell Street, in Vancouver.

20 Q In Powell Street in Vancouver?

A Yes.

Q Were they new when he bought them?

A Yes.

Q All right, thank you.

MR. HUNTER: It is submitted that the real property,

my land, was sold for its fair market value.

It is submitted that these items of the personal property which were sold were sold for their fair market value. It is submitted that a large proportion of the items claimed for were not

6
S. Ito,
Witness.

Cross-Exam.

10 declared until May of '44, and that they had been deliberately secreted from the Custodian and that when the place of hiding was disclosed, they were missing and that, accordingly, the loss is entirely due to the lack of co-operation of the claimant. It is submitted that there are a number of items claimed for which were not declared and were never found, and that, in any event, the prices claimed are excessive. It is submitted that the prices claimed for, for articles which were lost, destroyed or stolen, are exorbitant. It is submitted that the articles abandoned were abandoned because they had no fair market value.

CROSS-EXAMINATION BY MR. HESTER:

Q Is that your signature, Mr. Ito (indicating)?

A I am not sure whether this is my signature.

The "Ito" looks like my signature, but the first part of the name doesn't look like my writing.

20 Q Did you sign that document?

A The "Ito" looks like my writing, but the first part of the name doesn't.

Q Did you or did you not sign that document?

A I repeat that the "Ito" looks like my writing but that the first part of the first name doesn't look like my writing.

Q Do you recall signing that document?

A I don't remember.

THE COMMISSIONER: You might be able to get from him whether he signed some document at Hastings Park.

30

MR. HUNTER: I was just about to ask him that, my lord.

Q Did you sign some document at Hastings Park
declaring your property?

A No, I was never at Hastings Park and never signed
any document there.

Q Did you sign any document declaring your property
to the Custodian? As I do not
remember.

Q Where were you on the 15th of April, 1942?

10 MR. VIRTUE: My lord, I am only interrupting to perhaps
shorten things. If my learned friend will let me
look at that, I might be able to admit it for the
purpose of this hearing.

THE COMMISSIONER: All right.

MR. VIRTUE: Oh, I think, sir, for the purpose of this
hearing, anyway, I will admit that. I will admit
that it is a very strange-looking signature.
It might be anything. It doesn't look like this
man's signature on other papers but for the purpose
20 of the hearing, we will admit it.

MR. HUNTER: Under the heading "statement of personal
property owned", my lord, it reads "bedding, 2
tables, 22 chairs, kitchen stove, heater, dresser,
bookcase, gramophone, Buddhist temple miniature,
farming tools and implements, furniture and tools,
and lumber in the root house and bushhouse. All
the furniture to be left in house at Westminster
Road, New Westminster, B.C." He also adds that
there is a dog left but I don't think there is a
claim for that. I will file that as Exhibit 5.

(DOCUMENT MARKED EXHIBIT NO. 5).

MR. HUNTER: Q: Was this letter written upon your instructions (indicating)?

A: Yes, this is a letter that I had my son write, I think.

Q: He thinks?

A: Yes.

Q: Do you know?

A: Yes, my daughter wrote it. It is my mistake. He said "my child".

MR. VIRTUE: Q: Didn't say "my daughter wrote it"?

10 A: Yes.

MR. HUNTER: This is a letter, my Lord, which I propose to put in which is dated May 20th, 1944, addressed to the Custodian and it is signed G. Ito, pardon me, it is signed Y. Okita per G. Ito. (Reading letter).

Q: Now, Mr. Ito, in this letter you have enumerated certain items which were hidden in the attic of the pickers' house. Now then, you add "some more this and that but can't think of it".

20 Are you able to tell us at this time what else in addition to the items you have mentioned here that you had up there? Possibly the Interpreter should read you the items you have here.

A: (Interpreter reading letter to witness). There is about a quarter of a 40 gallon can of gasoline.

Q: Can you remember anything else?

A: And then in the corner of the house --

Q: So, I want what was in the attic of the pickers' house. That is the place where you had things hidden. I want to know whether aside from these

articles that the Interpreter has read to you whether you can recall anything else that you left in that hidden attic?

At Yes, I will tell you as many as I can remember.

Q You do that then. At A cable.

Q Well the cable you have already mentioned is here. Did you read those items here to him?

THE INTERPRETER: No. (Reading to witness).

10 THE COMMISSIONER: I have little prospect that this man is going to recall anything more than what is on there.

MR. HUNTER: I quite agree. We are probably wasting time, my lord.

A There should have been a carpet.

Q There should have been a carpet? At Yes.

Q Anything else? At Three rolls of carpet.

Q Do you mean linoleum? At Yes.

Q Now what about this? You say "We had one stump puller". Was that in that attic?

20 A No, that wasn't in the attic.

Q Now is there any large item that you recall that was left in this attic which you have not enumerated in this letter?

A I believe there were quite a number of other things but I can't remember what they are.

MR. HUNTER: I will put that in as Exhibit 6, my lord.

(LETTER MARKED EXHIBIT NO. 6).

MR. HUNTER: Reference is now made, my lord, to
30 Exhibit 4, the analysis of personal property claim.

G. Ito,
 Cross-Exam.
 Discussion.

THE COMMISSIONER: Yes.

MR. HUNTER: There are a certain number of items which would seem to have been sold by auction, my lord, and which were declared but not found. Most of these items, it will be observed, are those items which were hidden in this attic, and I might say that after the Custodian was advised of this hidden supply, the field men were immediately sent there but the place had been broken into. It had been boarded up below to exclude entrance and the boards had been pried off and most of the goods were missing. Some of them were still there. I have one tricycle there, not two.

THE COMMISSIONER: Had this place been let by the claimant or by the Custodian?

MR. HUNTER: There is a ^{LEASE} list of some kind here. There is a lease dated the 21st of May, 1942, from the claimant to Canadian Cannery Western Limited.

THE COMMISSIONER: It might be just as well to have him identify that lease.

MR. HUNTER: The signature looks identical with the other one so that I doubt if he will be able to identify it, my lord.

Q Is that your signature, Mr. Ito (indicating)?

THE COMMISSIONER: It might be well to tell him what it is, Mr. Interpreter. Tell him it purports to be a lease granted by himself to whatever the name of that company is of his farm property.

A I didn't lease my property to Canadian Cannery.

MR. HUNTER: Q: Is that your signature there?

G. Ito,
Cross-Exam.
Discussion.

THE INTERPRETER: My lord, could the claimant's interpreter ask the question? I feel he doesn't understand just the way I put it.

THE COMMISSIONER: Very well.

MR. HARRY ADKIN: He says that his signature changes every time he signs so he can't remember it.

THE COMMISSIONER: Let me see the document, will you?

MR. HUNTER: I mean, if necessary, my lord, I can call witnesses from Canadian Gunners.

10 THE COMMISSIONER: I have no doubt. This man seems to suffer from loss of memory, Mr. Virtue. Do you think that perhaps if you ask the question that you might get an intelligent answer?

MR. VIRTUE: Perhaps if I could see it, sir, I might be able to admit it. It is a lease.

THE COMMISSIONER: Yes. It is rather surprising that
the Canadian Gunners Company would go to the trouble of affixing a seal to a document if it had never been made.

20 MR. VIRTUE: I think, sir, for the purposes of this hearing we will admit this lease.

THE COMMISSIONER: Perhaps you can get some explanation, Mr. Virtue, from the witness as to his loss of memory.

MR. VIRTUE: I wonder if my learned friend wouldn't mind asking him if anybody else was accustomed to signing his name to any documents. Perhaps some member of his family.

THE COMMISSIONER: He would remember if he leased the
30 farm.

G. T. W.
 Great-Bay
 Maryland.

MR. HURTER: He said he didn't.

MR. VIRTUE: Q. Did he rent it to them for \$400.00?

A. No.

MR. VIRTUE: We will admit for the purpose of this hearing that this land was leased in accordance with this document. I have spoken to his daughter.

THE COMMISSIONER: Well do you wish to call the young lady after we are through with this witness?

MR. VIRTUE: Do I wish what?

10 THE COMMISSIONER: Do you wish to call the young lady after we are through with this witness? Perhaps we can get something more intelligible from her.

MR. VIRTUE: To tell you the truth, I do not see that there is a very great deal of argument about it for this reason. I think I am bound to admit that the articles that were stored in the pickers' house and not revealed until 1944, that as far as such of them as were stolen in the meantime, that we have
 20 no claim. Now, I do not say that in making that statement I do not think I am going too far.

THE COMMISSIONER: I think that is a very proper stand for you to take. After all, this gentleman is an old man and possibly he is suffering from loss of memory or has suffered from loss of memory in the last 4 or 5 years.

MR. VIRTUE: Yes. And that leaves so little to argue about here, just a question of the price that was obtained from the remaining articles.

30 MR. HURTER: This is a lease, my lord.

G. Ito,
Discussion.

MR. VIRTUE: I would like to make it clear, my lord, that the Custodian did find some of those articles and sold those, and as far as those are concerned we are claiming for them.

THE COMMISSIONER: Unquestionably.

MR. HUNTER: This is a lease, my lord, dated the 21st day of May, 1942, between Gihachi Ito and Canadian Camera (Western) Limited for \$400.00 and is terminated on December 1st, 1942. That will be Exhibit 7, my lord.

(LEASE MARKED EXHIBIT NO. 7).

MR. HUNTER: My lord, you may notice that in the items declared but not found in the analysis, that in some cases there are numbers shown indicating that only that number of the articles were found.

THE COMMISSIONER: I observe that.

MR. HUNTER: And similarly, under "abandoned" there are a number of different items. I think this form is fairly complete now, my lord.

THE COMMISSIONER: Allright.

MR. HUNTER: I will file now, my lord, the Soldier Settlement Board appraisal.

(APPRAISAL MARKED EXHIBIT NO. 8).

MR. HUNTER: I think the real property is entirely a question of value.

THE COMMISSIONER: Very good. Mr. Virtue, the note that I have made is that you concede that no claim can arise in respect of articles shown as hidden and not declared which were not found subsequently.

MR. VIRTUE: That is right, my lord.

THE COMMISSIONER: Very good. Is that all, Mr. Hunter?

MR. HUNTER: That is all.

THE COMMISSIONER: Have you any re-examination, Mr. Virtue?

MR. VIRTUE: I neglected, sir, to ask him about an insurance policy. I think probably my learned friend will admit it for the purposes of record.

MR. HUNTER: This policy is for \$2000.00, \$700.00 on the building and \$300.00 on the contents.

THE COMMISSIONER: You concede that the insurance was carried?

MR. HUNTER: Yes, my lord.

THE COMMISSIONER: There is no reason to put it in. It is on the record.

MR. VIRTUE: Except I want to make it clear that \$700.00 is on the dwelling house only and \$300.00 on the contents. I don't wish to ask this witness any further questions in connection with the appraisal. It might be worth noting in passing that the appraisal report is that this property is "in full industrial area served by bus and interurban". And on page 5 the report shows "lands adjoining and adjacent are being sold in single acres for residential purposes at figures out of all proportion to their actual value as land". In other words, this property is in an area that even at that time the residential property was rapidly advancing into it.

THE COMMISSIONER: Where is it? Oh yes, I know where it is.

MR. VIRTUE: And there is one interesting thing also in

here, it says that it is in a favourable location as to proximity to market and in the most excellent location from the residential point of view.

THE COMMISSIONER: The position that you would take is that if it was sold as a farm, it was not a good sale in the interests of the claimant, and that it should have been sold as residential property?

MR. VIRTUE: Yes, that would enhance its value.

THE COMMISSIONER: Very well.

10 MR. VIRTUE: And even at that, it was not sold for very much more than the cost of the new land.

MR. HUNTER: I do not know whether the assessed value is of any good to you, my lord, but it might be helpful.

THE COMMISSIONER: Yes.

MR. HUNTER: This is in 1943, land \$900.00, the improvements \$400.00.

THE COMMISSIONER: What did you sell it for, Mr. Hunter?

MR. HUNTER: \$1022.00.

20 THE COMMISSIONER: All right, thank you.

(Witness aside)

(PROCEEDINGS ADJOURNED SINCE DEED)

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

S. E. Howard
"S. E. HOWARD"
Official Reporter.