

45'40

X

DATE NOV 23 1944

FILLED BY

Steveston
OFFICE OF THE CUSTODIAN K. A. Christie
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 INFORMATIONNAME: KANDA, Fusako, (Mrs. Yoshio)HOME ADDRESS: Imperial Cannery, Steveston, B. C. Box 514. (house near the Cannery.)REGISTRATION NUMBER 03873 SEX: Female AGE: 32OCCUPATION: Housewife

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

EMPLOYER: noneMARRIED? yesNAME OF WIFE OR HUSBAND: YoshioADDRESS OF WIFE OR HUSBAND: Imperial Cannery, Steveston, B. C.NAMES OF ANY LIVING CHILDREN: Kazuko (F) Mutsumi (M) Yuko (F)Makoto (M) Noriko (F) Shoko (F)ADDRESS OF CHILDREN: Imperial Cannery, Steveston, B. C.AGE OF CHILDREN: 11, 10, 8, 6, 2, 1 month.**STATEMENT OF ALL REAL PROPERTY** (Each parcel must be mentioned and particulars given)1. LOCATION AND DESCRIPTION: none2. BUILDINGS AND OTHER IMPROVEMENTS: none3. INSURANCE (Give particulars; state where policies are) none4. TAXES (Amount and where payable) none

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

none6. OCCUPANCY AND LEASES (If vacant so state) none

7. STATE WHEREABOUTS OF TITLE DOCUMENTS: none
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: 5 room 2 storey frame house at Imperial Cannery, Steveston, B. C.
2. LANDLORD'S NAME AND ADDRESS: B. C. Packers, Steveston, B. C.
3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: No rent.
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: 5 beds and mattresses, 1 bureau, 1 Singer sewing machine, 4 tables, 18 chairs, kitchen utensils, 1 kitchen stove, 1 heater stove, 1 set of Carpenter's tools, 1 electric iron and electric ring, electric chandelier, bathroom fixture, 4 ~~xxx~~ clocks, book case with 1 clothes closet, books, set of Japanese dolls, 1 bicycle in owner's possession at Imperial Cannery, Steveston, B. C. and when declarant is evacuated the Cannery will take charge of them. 1 camera and 1 radio in custody of the R. C. M. P. Vancouver, B. C.
2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS none

3. GIVE THE NAME AND ADDRESS OF ANY PERSON HAVING ANY INTEREST IN, OR CLAIM ON ANY SUCH PROPERTY none

4. INSURANCE CARRIED ON ABOVE PROPERTY: 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) none
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 21st day of April 1942.

A. McArthur
Witness

(Signature)

Fusato Kanda

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

Date May 14/43

Our File No. 4540

Full Name KANDA (Eusaka) Mrs. Yoshie
(Surname in Block Letters)

Registration No. 03873

Male - Female
(check)

Age Nov. 8, 1909

Former Address PO Box 514, Stenstrom, B.C.

Date Evacuated 5/1/42 Naturalized - Canadian-Born - National
(check)

Present Address Kaslo, B.C.

Married - Single
(check)

Name of Wife -

Name of Husband Bob Yoshio #03927

Name of Mother (nee) Sato (HIRAI)

Name of Father YOSHIDA, Kunisada #04747

Names of Children under 16 #04976
See husband's sheet.

Requested by [Signature] Registered with Custodian (Yes or No)

Additional Information _____

EXHIBIT No. 1282-5

DATE NOV 23 1948

FILLED BY

K. G. Christie

List of goods removed from Imperial Cannery House #34 to Storage

in Warehouse #1, Steveston, in Name of Y. CANADA, June 22, 1942.

Chattels:

1 cabinet
1 case
1 oil tin
2 boxes boat tools and tackle
2 galley stoves
1 old hose length
1 rice pot
4 lanterns
1 can oil
1 pail
1 Pyrene
1 water tank
1 large carton jars, etc.
1 box blue stone
1 chest drawers

left in the house 1 iron bed and spring

MEMORANDUM

File No.: 4340

Sept. 13th, 1943

To: Mr. C. C. Robinson

From: Mr. H. F. Green

Re: Fusako (Mrs. Yoshie) KANDA

Will you please go through your "JP"s and see if you can find one for the above Japanese who declared quite a list of belongings left with the Imperial Cannery? Her husband declared nothing and there is no record on either file of anything having been done. We have received an enquiry from the B. C. Security Commission as to this lady's assets, if any.

HFG:IF

File No. 4940

September 22, 1943

MEMORANDUM

TO: Mr. H. F. Green
FROM: Mr. C. C. Robinson

EVACUATION SECTION	
Rec'd	SEP 23 1943
File No.	
Ans.	
Referred	<i>Allen</i>

Re: Fusako (Mrs. Yoshio) KANDA, Reg. No. 03873

I enclose herewith the 'JP' Form signed by the above.

My inventory list No. 29, June 22, 1942 shows goods taken from Imperial House #34 and placed in Warehouse No. 1 in the name of Y. KANADA but I presume it refers to the above. The list is as follows:

- 1 cabinet
- 1 case
- 1 oil tin
- 2 boxes boat tools and tackle
- 2 galley stoves
- 1 old hose length
- 1 rice pot
- 4 lanterns
- 1 oil can
- 1 pail
- 1 pyrene
- 1 water tank
- 1 large carton, jars etc.
- 1 box blue stone
- 1 chest drawers
- left in the house 1 iron bed and spring.

Since chattels removed by me do not coincide with the declaration it must be presumed, other disposition was made of the chattels listed on the original 'JP' Form.

CCR/EMS

EXHIBIT No. 1262-4
DATE NOV 23 1948
FILLED BY R. A. Blair

4540

January 29th, 1944.

Mrs. Fusako KANDA,
Registration No. 03873,
Kaslo, B. C.

Dear Madam:

We have not been able to locate the
chattels you declared on your 'JP' Registration
Form dated April 21st, 1942.

Will you please let us know, promptly,
what disposition you made of these effects before
you were evacuated from Steveston.

We have on file a list of your husband's
goods which we moved from Imperial Cannery House
No. 34 and placed in our storage warehouse No. 1,
but this does not include any of the chattels you
declared.

Your prompt reply will be appreciated.

Yours truly,

R. B. Mackenzie,
Protection Department.

RBM/HMS

*This is no
answer to the
letter on our files*

NAME KANDA, Yoshio

REGISTRATION NO. 03927

FILE NO. 6060

filed 22/5/47

The following chattels were sold by public
auction at 992 Powell St., Vancouver, B.C. on March 23, 1944.

Marconi Mantel Radio

\$ 38.00

*Transferred from Chattel Suspense Acct.
on May 22, 1947 - It had been
transferred to that account on 5/5/47.*

P.S.

Total	(Storage:	\$1.00	\$ 38.00
	(Auctioneer's Fee:	\$3.80	
Less Expenses:	(Advertising:	0.91	\$ 6.07
	(Moving:	0.36	
Net Proceeds Credited:			\$ 31.93

Members of Custodian Staff Present. Mr. Wills

Extracted from Auctioneering List No. Vancouver 14.

Remarks. R.C.M.R. 355

Greenwood, B. C.
November 28, 1945

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

EVACUATION SECTION	
NOV 30 1945	
File No.	6060
Asst.	
Referred	<i>Mutsumi</i>

Dear Sir:

I am writing to-day to inquire about my radio and camera which was handed to the Royal Canadian Mounted Police on March 11, 1942 by Roy Tsunehiro Otani on behalf of Mutsumi Kanda, Box 514, Steveston, B. C. I would like to know what has happen to these and if you still have these on hand I would like you to forward them to me. The radio is a Marconi Model, Serial No. 73-75621. The camera is a 6-20 Hawk Eye Box Camera No. 54667.

I will appreciate very much if you would let me know by return mail,

Sincerely yours,

Mutsumi Kanda

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN
JAPANESE EVACUATION SECTION

PHONE PACIFIC 8181

PLEASE REFER TO

FILE NO.

6060

808 ROYAL BANK BLDG.
HASTINGS AND GRANVILLE
VANCOUVER, B. C.

February 11, 1947.

EVACUATION SECTION	
MAY 19 1947	
File No.	6060
Ans.	
Referred	Peters

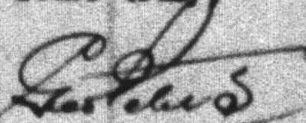
Mr. Ioshio KANDA,
Registration No. 03927,
Greenwood, B. C.

Dear Sir:

Would you be good enough to forward to us the radio receipt given to you by the N.C.M.P. We note that your son, Mutsumi, turned this radio, a Marconi, Model 73, over to the N.C.M.P.

This radio has been sold by the Custodian, and on receipt of the above-mentioned receipt, these funds will be sent to you and your son. If you have lost this receipt, kindly sign the enclosed copy of this letter and return it to this office.

Yours truly,



George Peters,
Office of the Custodian.

GP/EL

Enc. - Copy of letter

I certify that I am the owner of a Marconi
radio, Model #73, Serial #73-75621.

Mutsumi Kanda

6060

May 31, 1947.

Mr. Yoshio KANDA,
Registration No. 03927,
c/o John Wall,
Vineland Station, Ontario.

Dear Sir:

This will acknowledge receipt of a letter in which your son, Mutsumi, certifies that he is the owner of a Marconi Radio, Model No. 73, Serial No. 73-75621. We are enclosing herewith our cheque, payable to the order of Yoshio Kanda and Mutsumi Kanda, in the amount of \$31.93, being the proceeds realized from the sale of this radio.

Kindly acknowledge receipt of this cheque.

Yours truly,

George Peters,
Office of the Custodian.

GP/EL
Enc. - Cheque for \$31.93

DEC - 2 1947

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.

4540

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

- (1) NAME Mrs. Kanda Fusako (RCMP) Reg. No. 03073
(Printed Surname) Given Name
- (2) Pre-Evacuation Address Stevenston P.O. B.C.
- (3) Present Address Box 1, Vineland Station P.O., Ontario.
- (4) REAL ESTATE
- (a) Street Address (if any) _____
City or Municipality, Province
- (b) Legal description (lot number, block number, section number, etc.) _____

- (c) Type of Real Property (cross out words which do not apply):
(i) Farm
(ii) Residence Type of business _____
(iii) Business
(iv) Any 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.) _____

- (e) Fair market value at date of sale (estimate this to the best of your ability):
(i) Land - - - - - \$ _____
(ii) Buildings - - - - - \$ _____
(iii) If business, put value on business as going concern
(including land and buildings, tenancies, chattels,
fixtures, stock-in-trade, goodwill and accounts re-
ceivable) - - - - - \$ _____
(iv) Total value (if you cannot give separate values for lands and buildings just
fill in total value) - - - - - \$ _____
(v) Amount at which Custodian sold property and credited your account - - \$ _____
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ _____
- (5) PERSONAL PROPERTY
- (a) Place or places at which property was left by the claimant at date of evacuation
Cannery - owned house at Steveston, B.C.
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
house
- (c) How stored or packed at time of evacuation
placed in boxes in house

(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")

In no one's care

- (e) Itemized description of personal property which is the subject of the claim:

- | | |
|---|----------------------------|
| 1. Furniture and dishes per attached list | Estimated Value \$ |
| 2. Radio sold for \$31.00 by Custodian | Estimated Value \$ 1084.00 |
| 3. | Estimated Value \$ |
| 4. | Estimated Value \$ |
| 5. | Estimated Value \$ |
| 6. | Estimated Value \$ |
| 7. | Estimated Value \$ |
| 8. | Estimated Value \$ |
| 9. | Estimated Value \$ |
| 10. | Estimated Value \$ |

TOTAL CLAIM FOR PROPERTY LOSS \$ 1084.00

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) - - - - - \$ 1084.00

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

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
County of York
TO WIT;

I, Fusako Kanda
of Vineland Station
in the Province of Ontario

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 Toronto
in the County of York
this 22nd day of November
A.D. 1947.

RA Best

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.

November 26, 1947.

Mrs. Fusako Kanda

1.	Stoves, Dishes, Kitchen Utensils, etc.	\$ 280.00
2.	Beds, Drawers, Dressers	100.00
3.	Dining Room Sets, Kitchen Chairs and Tables	100.00
4.	Carpenter's Tools, Vise, etc.	50.00
5.	Radio	50.00
6.	Clocks (4)	50.00
7.	Electric lamps, Electrical Fixtures	35.00
8.	Logging Saw, Ropes, Barometer, etc.	100.00
9.	Books and Bookcase	100.00
10.	Dolls	200.00
11.	Bathroom Fixtures	50.00

Total Claim \$1115.00

Radio sold by Custodian for \$31.00 *net*

31.00
\$1084.00 } *Net*

Total Claim - 1115.00
Less Cust Sale Profit 38.00
1077.00

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

JAPANESE PROPERTY CLAIMS COMMISSION

BEFORE

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

Toronto, Ontario,
November 23, 1948.

IN THE MATTER OF THE CLAIM OF
FUSAKO KANDA

PROCEEDINGS AT HEARING

APPEARANCES:

K. A. CHRISTIE, ESQ., K.C.,

appearing for
the Dominion
Government

R. A. WEST, ESQ.,

appearing for
the Claimant

A. SMITH, ESQ.,

Secretary

G. M. R. UPTON, ESQ.,

Official Inter-
preter

J. B. McNEILL, ESQ.,

Official Reporter.

CASE NO. 1982

MRS. FURMAN KANDA, having been first duly sworn
testified as follows:

DIRECT EXAMINATION BY MR. HEST:

Q. Is that your signature? A. Yes.

Q. Was that form prepared upon your instructions?

A. Yes.

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

A. Yes.

(PERSONAL CHATTELS CLAIM FORM MARKED EXHIBIT NO. 1)

MR. CHRISTIE: I tender as Exhibit 2 the analysis
of personal property claim.

(SUMMARY OF PERSONAL PROPERTY CLAIM MARKED
EXHIBIT NO. 2)

MR. HEST: I understand that you lived at Steveston
before the evacuation? A. Yes.

Q. And you had certain goods and chattels,
furniture and so on, that were left there?

A. Yes.

Q. I understand that it was actually left at the
Imperial Cannery at Steveston, was it?

A. Yes, in my house.

Q. You had one of the cannery houses? A. Yes.

Q. So your goods were left in your house?

A. Yes.

Q. Did you give a list of those goods to the
Custodian at the time you left Steveston?

A. Yes.

Q. Now, about some of these particular items;
First of all this dining-room set, you purchased it
in 1922, did you? A. Yes.

F. Kanda
Exam.

1 Q. Incidentally was that when you were married?

2 A. Yes.

3 Q. So a good many of these articles of furniture
4 would have been purchased about 1933 or '34?

5 A. Yes.

6 Q. Where did you buy the dining-room suite you
7 said you paid for it now? A. In Vancouver.

8 Q. And I suppose you had used it from 1933 until
9 the date of evacuation? A. Yes.

10 Q. Were all those 12 kitchen chairs bought at
11 the same time? A. Yes.

12 Q. I understand that some of the beds were bought
13 in 1933 and others later? A. Yes.

14 Q. How about this baby bed, when was that
15 purchased, do you remember the baby bed?

16 A. In 1932.

17 Q. Now, these electric lamps, were they table
18 lamps or floor lamps?

19 A. Some were table lamps.

20 Q. Apparently there were three lamps; how many
21 of them would be table lamps?

22 A. There were two chandeliers.

23 Q. Two chandeliers? A. Yes.

24 Q. And one table lamp? A. Yes.

25 Q. Any floor lamps, lamps that stand on the floor?

26 A. Yes, one.

27 Q. You are lumping these all together and have
28 estimated their value at \$35? A. Yes.

29 Q. Now, this logging saw and ropes and barometer;
30 did those belong to your husband? A. Yes.

1 Q. Were they left in the house when you left
2 with your furniture then? A. Yes.

3 Q. Your husband was there at the time of
4 evacuation? A. Yes.

5 Q. He was evacuated with you? A. Yes.

6 Q. That was in June, 1942? A. Yes.

7 Q. I don't suppose you felt it necessary to
8 put your name on any of these goods that you left in
9 your house? A. Some I marked and

10 some not.

11 Q. Do you remember whether you put any tags on
12 that saw and barometer? A. I don't remember.

13 Q. Now these books and bookcase that you value at
14 \$50; can you tell us how much you would value the book-
15 case at without the books?

16 A. It cost nearly \$50.

17 Q. The bookcase cost about \$50? A. Yes.

18 Q. When did you buy it? A. 1929,
19 when I was married.

20 Q. What kind of books did you have in the bookcase?

21 A. Mostly Japanese books.

22 Q. Would they be novels or non-fiction books?

23 A. Religious books.

24 Q. Now, apparently you had a great many dollars?

25 A. Yes.

26 Q. And you said you accumulated them over the
27 years; can you tell us just how many you had?

28 A. About 50.

29 Q. Fifty individual dollars? A. Yes.

30 Q. And I suppose you had the usual robes in which

F. Kanda
Exam.
Gr.-Exam.

1 to dress the dolls and so on?

2 A. They are all dressed.

3 Q. These bathroom fixtures, I suppose they were
4 the usual fixtures or what do you mean by bathroom
5 fixtures?

6 A. A sink and toilet, bath
7 and everything.

8 Q. You purchased these yourself and put them in
9 the house?

A. Yes.

10 Q. And you rented the house from the Imperial
11 Cannery?

A. Yes.

12 Q. Now, if you had been moving out of the
13 Imperial Cannery house in the normal course of events
14 would you have taken those articles with you? Would
15 they have let you take the bathroom fixtures away?

A. I think so.

16 Q. If your husband had stopped working for them
17 they would have directed you to take them away?

A. Yes.

19
20 CROSS-EXAMINATION BY MR. CHRISTIE:

21 Q. I am showing you a J.P. form dated the 1st
22 of April, 1948; whose signature is that?

A. It is mine.

24 Q. I tender the J.P. form as Exhibit 5.

25 (J.P. FORM MARKED EXHIBIT NO. 5)

26 Q. In this J.P. form why didn't you list some
27 of these chattels that you are claiming for now?
28 There are quite a few of these chattels you have not
29 listed?

A. This was done roughly.

30 Q. Where did you leave the key when you were

1 evanished?

A. It was a pass key and I

2 took it away myself.

3 Q. I am showing you a copy of a letter dated
4 January 29th, 1944, addressed to Mrs. Kanda at Kaslo,
5 B.C. Did you get the original of that letter?

6 A. Yes.

7 Q. Now, why didn't you reply to the Custodian?

8 A. I went to see the representative of the
9 Commission at Kaslo and I didn't reply because I had
10 been ill and the man at Kaslo told me there was no
11 need to reply as I had already reported these things
12 to the Custodian.

13 Q. It states in this letter that you hadn't
14 reported some of these things. They said they
15 couldn't locate them.

16 (LISTEN ABOVE REFERRED TO MARKED EXHIBIT NO. 4)

17 THE WITNESS: I reported all my own things to
18 the Custodian but there were some of my husband's things
19 which I don't know of which might not have been
20 reported.

21 Q. Did you report any of your chattels in any
22 other letter or document besides the F.P. Form?

23 A. No, I didn't report anything else.

24 Q. Who did you see at Kaslo and what was his name?

25 A. Mr. Lockhead and a Mr. Harrison.

26 Q. Did you show them the original of this letter
27 you received from the Custodian?

28 A. I took it to the office but I don't know
29 whether Mr. Harrison or Mr. Lockhead saw it.

30 Q. Did you give them any other list?

1 A. I showed it to the girl in the office.

2 Q. Did you leave with the office there any list
3 of your goods or did you give the office there any
4 explanation as to why some of these goods were not
5 included in your J.P. form? A. No.

6 Q. Who did these carpenter's tools belong to?

7 A. To my husband.

8 Q. Who did the logging saw and ropes and
9 saws belong to? A. My husband.

10 Q. Who did the bathroom fixtures belong to?

11 A. They were in my name.

12 Q. Is your husband living? A. Yes.

13 Q. Has he made a claim? A. No.

14 Q. He has not made a claim; your husband is
15 not here? A. No.

16 Q. Were any of these other chattels you have
17 listed in your claim besides the carpenter tools and
18 logging saw the property of your husband?

19 A. At the time of my vacation the Custodian
20 told me to put all the things including my husband's
21 down on my J.P. form.

22 Q. What was your husband's first name?

23 A. Yoshio.

24 Q. Is he living at the same address you are?

25 A. Yes.

26 Q. Did your husband not sign a J.P. form?

27 A. No.

28 Q. How did the Custodian get a list of your
29 husband's goods then? A. I don't know.

30 Q. When were these carpenter tools bought?

1 A. About 1929, but year by year.

2 Q. Were you present when they were bought?

3 A. Yes.

4 Q. Where were they bought?

5 A. Some in
Stevenson and some in Vancouver.

6 Q. You were present on each occasion?

7 A. Oh, yes.

8 Q. Were you present when the logging saw, ropes
9 and barometer were bought?

A. Yes.

10 Q. Where were they bought?

11 A. Mostly in Vancouver.

12 Q. Were they all bought at one time? A. No.

13 Q. Were you present each time they were bought?

14 A. Yes.

15 Q. These bathroom fixtures, were they bolted or
16 screwed to the floor or walls?

17 A. The bath was not.

18 Q. Were the other fixtures attached to the walls?

19 A. Yes.

20 Q. When you moved into this house owned by the
21 Imperial Cannery have they not any of these bathroom
22 fixtures there? A. No.

23 Q. The tenant had to supply even the ordinary
24 bathroom fixtures? A. Yes, the tenants put
25 them in and own them themselves.

26 Q. What kind of beds were these, what material
27 were they made of? A. Iron.

28 Q. Where were the dolls bought, in Japan or in
29 Vancouver? A. Some in Japan but
30 mostly in Vancouver.

1 RE-EXAMINATION BY MR. HEST:

2 Q. You know as a fact, do you, that your husband
3 didn't declare any of these items you are claiming for
4 on his J.P. form; is that true? A. Yes.

5 MR. CHRISTIE: She has no status to make a claim
6 on behalf of her husband for goods owned by him. He
7 must make his own claim.

8 MR. HEST: I submit as far as the household goods
9 are concerned it has been accepted.

10 THE SUB-COMMISSIONER: I think we have been doing
11 that pretty regularly with household goods. The
12 Commissioner makes the decision and if he decides that
13 the claim is this woman's only and she had no right
14 to make it on behalf of her husband, that will be up
15 to them out there.

16 MR. HEST: I don't think my friend needs to worry
17 about it since the husband apparently did not make
18 any J.P. declaration and he can hardly do so at this
19 late date.

20 THE SUB-COMMISSIONER: Mr. Christie's point is
21 that if they are the husband's, the husband should be
22 here for cross-examination as to their value and
23 where he got them. For me to rule definitely on that
24 would be allowing or disallowing the claim, which I
25 have now power to do.

26 MR. CHRISTIE: I file as Exhibit 5 a list of
27 goods removed from the Imperial Cannery house to
28 storage.

29 (LIST OF GOODS MARKED EXHIBIT NO. 5)

30 MR. CHRISTIE: It is submitted, your honour,

1 that these articles which were sold at auction were
2 sold at their fair market value.

3 It is submitted that the Custodian is not
4 responsible for those articles of which he had no
5 record and which were not sold by him.

6 It is submitted that certain articles of personal
7 property were not the property of the claimant but
8 were the property of the husband.

9 It is submitted further that the valuation of
10 the different articles of personal property was
11 excessive.

12 (PROCEEDINGS ADJOURNED SINCE DIN)

13
14 I hereby certify the foregoing to be a true
15 and accurate transcript of the proceedings
16 herein.

17
18 
19 "J. B. McQUIBBEN"
20 Official Reporter.

21 I, John A. McQuibben, Deputy Commissioner, appointed
22 to hear a Commission to investigate claims of Japanese
23 Canadians for property loss, do certify the foregoing
24 is a true copy of the evidence heard on the within
25 claim.

26 
27 "JOHN A. McQUIBBEN"
28 Deputy Commissioner.

Defence Brief

TORONTO
23 November 1948

(Mrs.) Fusako KANDA

File No. 4540

Case No. 1282

PERSONAL PROPERTY CLAIM

Household Goods, Farm Equipment & Tools

Amended Claim

\$870.

Sold for

\$38.

Claimant is claiming \$870. but according to the alterations made on Exhibit 2 it appears to be cast wrongly by \$20. and it should be \$850.

Claimant stated that some of these goods belonged to her husband and are being claimed for by her as he was not making a separate claim and did not sign a J.P. Form. Claimant's husband was not at the hearing for cross-examination.

The Logging Saw, Ropes, etc., for which she is claiming \$100. belonged to her husband but she did not declare these on her J.P. Form.

(a) Goods value	\$ 50.00	Sold by auction for \$38. (Radio)
(b) " "	100.00	No record at any time. (Logging Saw, etc.)
(c) " "	720.00	Declared not found.
	<u>\$870.00</u>	

Claimant stated that these goods were left in the attic of her house and the entrance nailed up by her and she took the key away herself.

This house was the property of the Imperial Cannery who gave permission to claimant to leave her goods there. She stated on her J.P. Form that the cannery would take charge of them.

Claimant stated that the bathroom fixtures were supplied by her and could easily have been removed.

The Custodian wrote to claimant stating that he was unable to locate the goods declared and asked her what disposition she made of these effects before evacuation, to which letter claimant did not reply.

It is submitted that these articles which were sold at auction were sold at their fair market value and that the Custodian is not responsible for those articles of which he had no record and which were not sold by him.

It is also submitted that certain articles of personal property were not the property of the claimant but were the property of the husband and it is further submitted that the value of the different articles of personal property was excessive.

Summary of Defence Witnesses

Thompson & Co.

Mr. Wills

Where required

1 (a) Auctioneers

1 (a) Staff

BMP/mw

MEMORANDUM

June 23, 1949.

TO: B. Good
FROM: J. Gunning

Re: Award Percentage - Case 1282

Claim in the amount of \$870.00 has been analyzed as follows:

N.B. - Radio	\$50.00 - sold at auction for \$38.00 (= 76%)
Goods	100.00 - No Record
Goods	720.00 - Declared, Not Found
	<u>\$870.00</u>

On the present basis of settlement the award on the items shown as D.N.F. (\$720.00) must be computed at 76%, which, if applied, would provide the Claimant with an award greatly out of proportion to persons whose claims are in the same position but without the single sale enhancing the settlement value.

The sale of a single item should not, in the writer's opinion, be used as a barometer of the value of other items claimed on, and specifically so when that item was in such short supply that the Government placed a price ceiling on same.

On phoning Kelly Piano Company this date the writer was informed that the Marconi Radio Model 73 (as claimed on) was produced in 1935 and is referred to by the trade as the 1935-1936 model.

As the Transcript notes that many, if not all, the items claimed on were purchased in 1929, it would appear that settlement at 76% would not be indicated.

It is suggested that the overall percentage of 34.41% should be applied.



JG/ER

Mr. Shears, I believe that the suggestion above should be implemented and an allowance of 34.41% be made. Do you agree? D.S.

The sale of one item (\$50.00 out of \$870.00) and that item of a specialized nature should not establish the percentage for a large quantity of goods which were never found. All the circumstances of this case indicate that the over-all percentage of 34.41 should be applied.

F.G. Shears.

Name of Claimant **KANDA, Fusako**Case **1382**Custodian File **4540**

<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		
<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			
50.00	38.00	11.40	50%	720.00	360.00			371.40		
TOTAL RECOMMENDATION										371.40

4540

November 16th, 1950.

Mrs. Fusako KANDA,
101 Grange Ave.,
Toronto, Ontario.

Dear Sirs Madam:

Re: Japanese Property Claims Commission

Case No. 1282

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 ... \$371.40.

Cheque in your favour is enclosed for \$349.93
and we have paid the Co-Operative Committee .. \$ 21.47
for legal fees as authorized by you.

Yours truly,

F.G. Shears
Director

FGS/js
1 encl.