

RENTAL STATEMENT

4756

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: Mr. T. Kozutani
 HOME ADDRESS: Formerly: Yokohama, B. C.
Now: Corner of Monahan St. & 2nd Ave., Steveston, B. C.
 REGISTRATION NUMBER 11130 SEX: Male AGE: 28
 OCCUPATION: Fish Collector

(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: B. C. Packers, Skeena River, B. C.

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Ms. Kato 43951 The chattels: No claims indicated
Line 15/48-A

ADDRESS OF WIFE OR HUSBAND: Corner of Monahan St. & 2nd Ave., Steveston, B. C.

NAMES OF ANY LIVING CHILDREN: None

EXHIBIT NO. 732-3
 DATE Sept. 29/48
 FILED BY Sra Rice

ADDRESS OF CHILDREN: None

AGE OF CHILDREN: None

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

1. LOCATION AND DESCRIPTION: None

2. BUILDINGS AND OTHER IMPROVEMENTS: None

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

4. TAXES (Amount and where payable) None

5. ENCUMBRANCES (Including any unregistered claims or deposit of title deed) None

6. 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: Corner of Moncton St. & 2nd Ave., Steveston,
B. C.
2. LANDLORD'S NAME AND ADDRESS: Mio Soulin-Kai, Chatham St., Steveston,
B. C.
3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID:
\$5.00 monthly, paid March 1944.
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:
1-fishing boat - No. 2292, Fairbanks Horse engine; 40H.P.; 1-39';
W-2'; D-5'6".
1-fishing boat: 25 H. P.; Vivian engine; 1-39'; W-2'6"; D-6'.
these boats are in custody at New Westminster, B. C.
1-bathroom suite; 2-stoves; kitchen utensils & ware; ~~and~~ fishing equipment;
this personal property will be left at Corner of Moncton St. & 2nd Ave.,
Steveston, B.C. to be put with the goods of the landlord of above address.
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

Wm. McArthur

Witness

(Signature)

Hayashi Sakaguchi

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

Date

Sept 25/42

Our File No.

4756

Full Name

SAKAI

Kazuoichi

(Surname in Block Letters)

Registration No.

11130

Male - Female
(check)

Age

Sept 13, 1915

Former Address

Uchuel B.C.

155 Moncton Rd. Stewartsburg
439 Powell St. City

Date Evacuated

24/6/42

Naturalized - Canadian-Born - National
(check)

Present Address

40 Miss. Ross Esplanade,
Pictouville, N.B.

Married - Single
(check)

40 Ma Lewis Revak
Faber, Alta. - Oct 23/46

Name of Wife

(NISHI) Sumi #05086

Name of Husband

Name of Mother

(NAKAI) Tame

Name of Father

Shataro #11982

Names of Children under 16

(Japan)

Requested by

ECF

Registered with Custodian

(Yes or No)

Additional Information

Fish Collector

Owner of

1 Diesel Boat Lic 2292

PERSONAL PROPERTY SUMMARY

File No. 4756

Oct. 22/46

RE: Kazuichi SAKAI, Reg. No. 11130

This file reveals Kazuichi SAKAI owned no real property in any protected area of B.C., and did not carry any Fire Insurance.

CHATELS: Chateles were declared by SAKAI as shown on Chattel Schedule on file. All goods left at the Mio Sonjin Kai were inventoried by Custodian on Oct. 16/42 in the name of Mrs. Choichiro HAMAGUCHI. From this list only a two piece bedroom suite could be identified as belonging to SAKAI. This was sold at auction for the net sum of \$18.61, and this sum credited to his account with this office. Two stoves, kitchen utensils and wares, and fishing equipment declared by SAKAI at this address were not found by the Custodian. (See additional Chattel Summary dated Aug. 11, 1947 - Specified)

SPECIFIED ARTICLES: The fishing vessel, "Blue Heaven" NW 2292 declared by SAKAI was sold through the Japanese Fishing Vessels Disposal Committee for the net sum of \$4,054.00, which was disbursed as follows:

Richmond Boat Builders	\$953.83
Canadian Fairbanks Morse	183.49
Vivian Engine Works Ltd.	1017.67
Ucluelet Engineering Works	41.80
B.C. Packers Ltd. (Mortgage)	586.57
Kazuichi SAKAI (10/5/42)	1269.64
	<u>\$4054.00</u>

The other fishing vessel, "Blue Heaven" NW 2896, declared by SAKAI was sold through the Japanese Fishing Vessels Disposal Committee for the net sum of \$3,143.20, and this sum was paid into the office of the Custodian and credited to the account of Kazuichi SAKAI. Full details of both these vessels are given on the respective Specified Articles Summaries on file.

ACCOUNTS RECEIVABLE: On April 11/45 the account of Kazuichi SAKAI was credited with the sum of \$24.50, being payment of transportation charges in connection with moving of his two fishing vessels from Steveston to Ucluelet.

The following is a statement of account of Kazuichi SAKAI:

Credit derived from sale of Blue Heaven NW 2896	\$3,143.20
Credit derived from sale of chattels	18.61
Payment of transportation claims	24.50
Remittances to SAKAI from time to time	
totalling	\$3,143.20
Balance now being remitted	43.11
	<u>\$3,186.31</u>
	<u>\$3,186.31</u>

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

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

Oct. 22/46
LBM:

L. McKinnon
L. McKinnon

File 1129 TAGUCHI, Kamekichi

Chattels included in List 71

1 bed with springs
1 chiffonier
1 trunk (clothes)
9 chairs
2 tables K. goods

File 4493 HAMAGUCHI, Masayo
(Mrs. Choichio)

The following goods are all that
belong to the above (See letter
of Feb. 24/44).

2 double beds
3 chairs
1 heater
1 box k. utensils
1 box Festival dolls (boys)
1 bureau with mirror
1 chest drawers

File 5258 Mrs. Misao SHOJI
Chattels included in List 71

2 beds
1 dresser
1 cupboard
1 warming stove
1 desk
4 chairs
1 buffet
1 box Japanese dolls
11 boxes dishes and k. utensils

File 4756 Mr. Kazuichi SAKAI

S. ~~1 bedroom suite~~ (Lot 14) 4. 14. 5. 45
2 stoves
kitchen utensils and wares
fishing equipment

*Sold by auction
18/5/45 Auction 34.*

File 4539 Mrs. K. EBISU

Chattels included in List 71

1 bed set
3 walnut tables
2 dressers
1 linoleum
1 range
1 chesterfield suite
1 sideboard
1 wardrobe
3 window curtains
1 kitchen set
1 bathroom set
1 carpenter's tool box
1 electric iron
1 clock
1 Portable phonograph

File 5467 NAKAMURA, Kamen
(Mrs. Hirokichi)

1 bed and mattress
1 chiffonier
1 bureau
1 k. stove
1 gas stove
2 trunks (clothing)
8 kitchen chairs
1 table
1 kitchen cabinet

File 5260 Sakamoto, ITO (Mrs. Sadakichi)

Kitchen utensils and wares
bicycle
carpenter's tools

File 1401 Heizaburo TAKENO

1 Motor & accessories
1 big pot
5 beds
bean grinder
3 stoves
1 Singer sewing machine
2 Wedges
1 bicycle
3 Fish nets & lines
Kitchen utensils
Bureau and trunks
6 chairs
4 axes
1 cross cut saw

MEMORANDUM

June 8, 1944.

To: The file No. 10697-4756

From: Mr. Mackenzie

RE: CANADA, Nio Sonjinkai

The above society owns the property at 22 Moncton Street. The house was used as a boarding house. The following Japanese families lived there:

Mrs. K. Ebisu	File	4539
Mrs. C. Hamaguchi	"	4493
Mrs. H. Nakamura	"	5467
Mrs. T. Shoji	"	5258
Mr. K. Taguchi	"	1129
Mrs. Sakamoto Ito	"	5260
Mr. Kazuichi Sakai	"	4756

The furniture and personal effects of Mrs. Ebisu and Mrs. Shoji are identified and we have chattels lists on either file.

Chattels in the house were all listed in the name of C. Hamaguchi and moved on October 14, 1942, to our warehouse No. 4.

When these goods are auctioned care will need to be taken to credit the respective owners with the proceeds.

REM:

NAME: SAKAI, Kazuichi

REGISTRATION No. 11130

FILE NO. 4756

The following chattels were sold by public
auction at Steveston, B. C. on March 31, 1944

4 Piece Bedroom Suite

101.00

Total

\$	101.00
\$	23.24
\$	77.76

Less Expenses: (Auctioneer's Fee: \$10.10
(Advertising: 4.20
(Moving: 8.94

Net Proceeds Credited:

Members of Custodian Staff Present.

Mr. Harris

Extracted from Auctioneering List No.

Steveston 10.

Remarks: Goods found at 155 Moncton St., Steveston, house owned by father-in-law of Mr. Sakai. The owner of the house, Senkichi Nishi, stated the bed-room suite belonged to his daughter, Mrs. Sakai.

NAME SAKAI, Kazuichi

REGISTRATION NO. 11130

FILE NO. 4756

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

2 Piece Bedroom set

26.00

*Transferred to
Chattel Surrogate Aest -
C. HAMAGUCHI on
12. SAKAI
13/3/47
C.S.*

Total

Less Expenses: (Auctioneer's Fee: \$2.60
Advertising: 1.33
Movings: 3.46

\$ 26.00

\$ 7.39

Net Proceeds Credited:

\$ 18.61

Members of Custodian Staff Present. Mr. Harris

Extracted from Auctioneering List No.

Steveston 34

Remarks. Auction Information - Dresser & mirror, Bed & Spring (ret'd by McMartin)
C. HAMAGUCHI (K. Sakai - added in. later).

CHATTEL SCHEDULE

File No. 4756

Sept. 11, 1947.

Re: Kazuichi SAKAI, Reg. No. 11130

Declared by Kazuichi
SAKAI on April 2/42
at the Mio Sonjin Kai
3rd Ave. & Moncton
St., Steveston.

Sold

Other Disposition

1 bedroom suite

4 piece bedroom suite-
March 31, 1944.

2 stoves

not found

kitchen utensils and wares

not found

fishing equipment

not found

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

/bm

B. Mac Lusk

No goods identified as property of Kazuichi Sakai found at Mio Sonjin Kai;
the bedroom suite was found at 155 Moncton St., home of Sakai's father-in-law.
In claim Sakai states all personal goods left at 155 Moncton. The bedroom suite,
which his father-in-law stated was the property of his daughter, was the only
property belonging to Sakai or his wife found by the Custodian.

August 11, 1947.

CHattel SUMMARY- Masutichi SAKAI, Reg. No. 11130

On April 21, 1947, Senkichi NISHI wrote this office stating that the four piece bedroom suite taken from his house at 151 Moncton Street, Steveston, B.C. was the property of his daughter, Mrs. E. SAKAI. So the two piece bedroom suite identified as belonging to SAKAI has been transferred to the Suspense Account, and a four piece bedroom suite, previously sold and credited to the account of Kumataro SAKIYAMA, File No. 4586, has been credited to SAKAI's account, as all of Mrs. SAKAI's chattels have been handled on this file.

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

/DM

A Mac Askill

Senkichi NISHI's file no. is 3919.

MEMORANDUM

To: Miss Girard
From: B. Macaskill

August 8, 1947.

Please transfer the following item to suspense account from the account of Kazuichi SAKAI, File No. 4756

1 - 2 pc. bedroom suite	18.5.45	\$26.00
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B. Macaskill

Accounting Department:

Charge to File 4756 and credit to Chattel Suspense Account- UNIDENTIFIABLE - G. HAMAGUCHI or K. SAKAI.

Statement 34 - Realized: \$26.00 -- Less Expenses: \$7.39 -- Credited: \$18.61
Transferred, August 13, 1947.

Auction Information -

Dresser and mirror, Bed and spring (ret'd McMartin)
Name G. HAMAGUCHI - K. SAKAI added in later.

C. Girard

Files 4586
4756
3919

August 8, 1947.

MEMORANDUM

To: Miss Girard

From: B. MacAskill

Re: SAKIYAMA, Kumataro - Reg. No. 05043
SAKAI, Kazuichi - Reg. No. 11130
NISHI, Senkichi - Reg. No. 05059

Please transfer the following items from the account of Kumataro SAKIYAMA, File No. 4586 to the account of Senkichi NISHI, File No. 3919.

31/3/44	2 New garden hoses	\$2.00
	Pair of boots	0.25
	2 Forks	1.25
	Double bladed axe	0.75
	Axes	1.25
	About 20' of garden hose	1.00
	" " " " "	2.75
	" " " " "	3.50
	Pair of binoculars	5.00
	Flower bowl	1.00
	Table lamp	1.50
	Bird cage	1.50
	Scale	1.60
	Lawn mower	7.00
	Hand cultivator	5.25
	Baby high chair	1.10

and to the account of Mr. Kazuichi SAKAI, File 4756:

31/3/44	4 Piece bedroom suite	\$101.00
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*B. Mac Askill
per P.G.*

ACCOUNTING DEPARTMENT:

Charge to File 4586 and credit as follows:

Stevenson 10	-Credit 4586	-Realised: \$34.05	-Less Expenses: \$7.83	-Credited: \$26.22
	" 3919	" \$36.70	" " 8.44	" \$28.26
	" 4756	" \$101.00	" " 23.24	" \$77.76
				<u>\$132.24</u>

Transferred, August 14, 1947.

C. Girard

LIABILITY SUMMARY

File No. 4756

Oct. 22/46

RE: Kasuichi SAKAI, Reg. No. 11130

The following claims were filed against Kasuichi SAKAI, both in connection with his fishing vessel, the "Blue Heaven" NW 2292:

Deinelet Engineering Works	\$41.80
B.C. Packers Ltd. (Mortgage)	586.57

Both of these accounts were paid from the proceeds of sale of this fishing vessel as shown on Specified Articles Summary on file.

The above summary is certified to be in accordance with the information on file.
Oct. 22/46
LEM:

L. McKinnon
L. McKinnon

SUMMARY TAKEN FROM VESSELS RECORDS

Date: June 26, 1944

Name: SAKAI, Kazuichi

Reg. No. 11130

File: 4756

Boat File No.: JFVDC 859

Name of Vessel: "Blue Heaven" 38'x9'x5' (1937) Fairbanks Diesel (1937)

Lic. or Reg. No.: New Westminster 2292

Naval No.: None

Owner's Valuation: \$4,000.00

JFVDC Valuation: None LLOYD'S VALUATION: \$4,100.00

Custodian Valuation: None

Date of Sale: May 27, 1942

Purchaser: British Admiralty Technical Mission

Signature on Sales Papers: K. Sakai

Selling Price: \$4,100.00

Paid to JFVDC or ~~Custodian~~: 4,100.00

Supervision Costs: 46.00

Balance due Owner: ~~Amount~~ \$4,054.00

Paid to: See below

Location of Boat at Sale: New Westminster

Claims Against Canadian Govt.: None

Additional Information: Balance of \$4,054.00 disbursed as follows:

Richmond Boat Builders	953.83
Canadian Fairbanks Morse	183.49
Vivian Engine Works Ltd.	1,017.67
Ueluelet Engineering Works	41.80
B. C. Packers Ltd. (Mortgage)	586.57
Kazuichi SAKAI (10/5/42)	1,269.64
	4,054.00

Jm Jackson
Oct 23/46

SUMMARY TAKEN FROM VESSELS RECORDS

Date: June 26, 1944

Name: SAKAI, Kazuichi

Reg. No: 11130

File: 4756

Boat File No.: JFVDC 910

Name of Vessel: "Blue Heaven"/"K.S." 36'x8 $\frac{1}{2}$ 'x5' (1939) Vivian 25 HP (1939)

Lic. or Reg. No.: New Westminster 2896

Naval No.: None

Owner's Valuation: \$3,500.00

JFVDC Valuation: None

Custodian Valuation: None

LLOYD'S VALUATION: \$3,180.00

Date of Sale: Requisitioned- Invoiced Oct. 3, 1942

Purchaser: Dept. of Munitions & Supply (Army)

Signature on Sales Papers: Kazuichi SAKAI

Selling Price: \$3,180.00

Paid to JFVDC ~~on Custodian~~: 3,180.00

Supervision Costs: 36.80

Balance due Owner: 3,143.20

Paid to: To Custodian on behalf of Kazuichi SAKAI

Location of Boat at Sale: New Westminster

Claims Against Canadian Govt.: None

Additional Information:

J. Macdonald
Oct 23/46

JS

Agreement for Sale of Vessel

BETWEEN:

Kamichi Salmi
Vancouver, B. C.

(hereinafter called the "Vendor")

OF THE FIRST PART

AND

BRITISH ADMIRALTY TECHNICAL MISSION

(hereinafter called the "Purchaser")

58 Lyon St. OTTAWA

OF THE SECOND PART

In consideration of the sum of \$1.00, the receipt of which is hereby acknowledged, we agree to the sale and purchase of the vessel hereunder described:

Name of Vessel: "BLUE HEAVEN"

Port of Registry: New Westminster, B. C.

Official Number: N.W. 2292

Length: 38 Ft. Breadth: 9 Ft.

Depth: 5 Ft.

Propelling power: 40 H.P. Fairbanks Diesel

For the price or sum of \$ \$4,100.00

Payable as follows: Cash

FURTHER, we the said Kamichi Salmi

for my heirs, covenant with the said BRITISH ADMIRALTY TECHNICAL MISSION, their assigns, that we have power to transfer in the manner aforesaid, the premises hereinbefore expressed to be transferred, and that the same are free from encumbrances, except as hereunder set out:

BALANCE of purchase price to be secured forthwith by mortgage on the vessel.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals this 27th day of May A.D. 1942.

SIGNED, SEALED and DELIVERED

in the presence of:

K. Kimura } I Sakai
217 Dunlop Ave,
Vancouver B.C.

Agreement for Sale of Vessel

BETWEEN:

KAZUICHI SAKAI,
PICTURE BUTTS, AITA.,
(hereinafter called the "Vendor")

OF THE FIRST PART

AND

HIS MAJESTY THE KING AS REPRESENTED BY THE MINISTER
OF MENTIONS AND SUPPLY, OTTAWA, ONTARIO, CANADA,
(hereinafter called the "Purchaser")

OF THE SECOND PART

In consideration of the sum of \$1.00, the receipt of which is hereby acknowledged, we agree to the sale and purchase of the vessel hereunder described:

Name of Vessel: "Blue Heaven" ("K.S.")

Port of Registry: New Westminster, B.C.

Official Number: NV-2896

Length: 36'

Breadth: 8' 6"

Depth: 5'

Propelling power: Vivian Motor 25 H.P.

Registered at the Port of New Westminster, B.C.

For the price or sum of \$ 3,180.00

Payable as follows: Cash

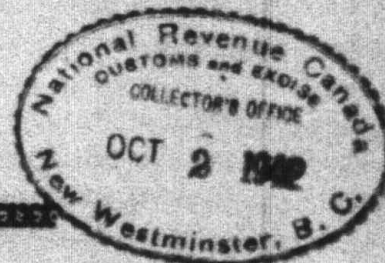
this 2nd Day of October 1942... A.M.
LICENSE
Register No. N.W. 2896 Photo No. B.C. 11111111

E. G. Anderson Registrar of Shipping

FURTHER, we the said Kazuichi Sakai

for my heirs, covenant with the said His Majesty The King and His assigns,

that we have power to transfer in the manner aforesaid, the premises hereinbefore expressed to be transferred, and that the same are free from encumbrances, except as hereunder set out:



IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals this 29th day of September, A.D. 1942.

SIGNED, SEALED and DELIVERED
in the presence of:

K. Kimura
217 Dunlevy Ave.,

Vancouver, B.C.

KAZUICHI SAKAI,

13. Xubung

Attorney

EXHIBIT No. 732-6
DATE Sept 29/42
FILED BY G. E. A. Rice

732

Lloyd's Register of Shipping

BRITISH COLUMBIA

1818 MARINE BUILDING
VANCOUVER, B.C.

EVACUATION SECTION
FEB 26 1949
4956
Matheson

25th February, 1949.

Office of the Custodian,
Japanese Evacuation Section,
Department of the Secretary of State,
Vancouver, B. C.

Attention: Miss F. Matheson

Dear Sirs:-

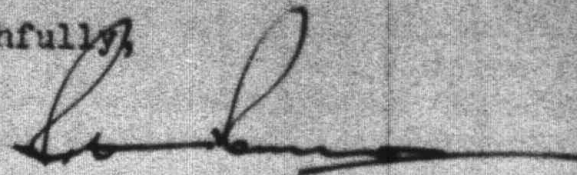
We duly received your letter of the
24th instant requesting a copy of our Survey Report on
the following vessel:-

"BLUE HEAVEN" - New Westminster 2896 - requisitioned
and purchased for the use of the
Royal Canadian Army Service Corps.

A copy of our Report No. C-996 is
enclosed herewith and it would be appreciated if you
would kindly return same, in due course, after it has
served your purpose.

We are, Dear Sirs,

Yours faithfully,



For the Surveyors.

RR/A
Encl.

COPY.

Lloyd's Register of Shipping

Port Vancouver, B. C.

April 1st, 1942.

No. C-996

This is to Certify that

ROBERT KENNIE

the undersigned Surveyor to this Society did at the request of the Director of Marine Services, Ottawa, examine the Single Screw Wood Trawler "BLUE HEAVEN" official number 2896NS owned by Kamaichi Sakai of Vancouver, B. C., with a view to ascertaining her present value.

This Fish Boat was reported to have been built in 1940; registered dimensions, length 36'.0, breadth 6'.5, depth 5'.0 and is propelled by a 25 B.H.P. three cylinder Vivian Gasoline Engine installed new in 1940.

The undersigned examined the Vessel afloat at Steveston, B. C., on the 27th March, 1942.

The general condition of the hull, engine and equipment is satisfactory for this class of vessel.

After making due allowance for age and condition, I have fixed the value of the "BLUE HEAVEN" at the time she was requisitioned at THREE THOUSAND ONE HUNDRED EIGHTY DOLLARS (\$3,180.00).

This appraisal is subject to adjustment should a further examination be made of Vessel on dry dock and machinery opened out for survey.

This appraisal makes no allowance for the value

This Certificate is issued upon the terms of the Rules and Regulations of the Society, which provide that:

"While the Committees of the Society use their best endeavours to ensure that the functions of the Society are properly executed, it is to be understood that neither the Society nor any Member of any of its Committees is under any circumstances whatever to be held responsible for any inaccuracy in any report or certificate issued by the Society or its Surveyors, or in any entry in the Register Book or other publication of the Society, or for any error of judgment, default or negligence of any of its Committees or any Member thereof, or the Surveyors, or other Officers or Agents of the Society."

TRUE HEAVEN

- 2 -

of fishing gear and no appreciation due to the emergency
of war is included.

A handwritten signature in dark ink, appearing to be 'H. L. Lloyd', written in a cursive style with a long horizontal flourish extending to the right.

SURVIVOR TO LLOYD'S REGISTER.

This is the vessel concerned in claim

M. V. "Blue Heaven" New Westminster Licence No. 2896

Requisitioned by Royal Canadian Army Service Corps on or before April 10, 1942.

Sold through Japanese Fishing Vessels Disposal Committee. Sales papers signed by Hideo Fukuyama, Attorney for Kazuichi Sakai, Sept. 29, 1942.

Sale Price: \$3,180.00 (Valuation by Surveyors of Lloyd's Register)

Owner's Valuation (1942) as shown by sheet of particulars supplied to JFVDC by representative of boat-owners: \$3,500.00.

Claim regarding this vessel has been withdrawn

M.V. "Blue Heaven" New Westminster Lic. 2292

Requisitioned for purchase by British Admiralty Technical Mission.
Sales Papers signed by K. Sakai, May 27, 1942.
Selling Price: \$4,100.00. (Valuation by Surveyors of Lloyd's Register
and J.F.V.D.C.)

Sale negotiated through Japanese Fishing Vessels Disposal Committee.

Owner's Valuation (1942) as shown by sheet of particulars
supplied to JFVDC by boat-owners representative: \$4,000.00.

Case No. 732 - Kazuichi SAKAI, File 4755

Boat Claim: "Blue Heaven"/"K.S", New Westminster Lic. 2896 - *June 1940*
36' x 8'6 x 5'
30 H.P. Vivian Gas
Purchased 1940 at price of \$4,000.00
Replanking 1941 cost \$20.00.
Painting 1941 " 50.00

Gross Claim: \$4,600.00

Sale: Sale through JFVDC. Sale papers signed by claimant's attorney, Sept. 29/42
This boat was requisitioned by the R.C.A.S.C. and was purchased by the
Dept. of Munitions & Supply.

Sale Price: \$3,180.00
JFVDC Charges: 36.80 (1%, plus \$5.00)
\$3,143.20 (paid to Custodian)

Valuation: Lloyd's - \$3,180.00

JFVDC "catalogue sheet" of information understood to have been
supplied by owner gives value as at January or February, 1942 as
\$3,500.00.

Lloyd's Register has been asked to let us have the report that
was made for the Dept. of Transport when boat was requisitioned.
This report will give description, age, condition & valuation.
See certificate filed behind this memo

/FM

TO
BRITISH ADMIRALTY TECHNICAL MISSION

- in account with -

1942 Marine Bldg. JAPANESE FISHING VESSELS DISPOSAL COMMITTEE
Vancouver, B. C.

PURCHASE PRICE of Japanese Fishing Vessel "BLUE HEAVEN"

LICENSED NO. H. W. 2292

NAVAL NUMBER

DESCRIPTION - TROLLER

LENGTH 30'

BEAM 9'

DEPTH 5'

ENGINE - FAIRBANKS DIESEL

SERIAL NO.

OWNER - KAZUICHI SAKAI

PURCHASE PRICE - as per AGREEMENT FOR SALE attached .. \$4,100.00

Price was determined through joint survey made by
Surveyors of Lloyd's Register of Shipping and Japanese Fishing
Vessels Disposal Committee, whose certifications appear below.

SHIPPED - CANADIAN PACIFIC RAILWAY - June 22nd. 1942.

as per Geny Rail Bill of Lading attached


Surveyor - Lloyd's
VANCOUVER, B. C.


Exec. Asst. - J.F.V.D.C.


Surveyor - J.F.V.D.C.


Vice-Chairman - J.F.V.D.C.

Vancouver, B. C. August 24th, 1942

Mr. Kiyochi Sakai

folio 859

in account with
J. F. V. S. C.

THE CLARKE & STUART COLUMBIAN SHEET, VANCOUVER, B.C.

1942

Sept 4

M.V. "Blue Heaven"

Commission

Survey

Gen. Hantoko Morse

Union Engine Works Ltd

Helicopter Engineering Works

Richmond Boat Builders

B. C. Packers Ltd - Mfg

Balance due K. Sakai

4100-

41-

5-

18549.00 940-10/26

101767. 941-✓

4180. 942-✓

93283. 943-✓

58657. 845-9/1

126964. 875-10/15

410000 4100-



Ex #975 taken by H. Kimura and mailed
to H. Sakai along with explanation
of various deductions (above)
10/5.

This mortgage applies to "Blue Heaven" TUV. 2896.

Paid by Cheque #941, 10/26/42.

See file and Lf.

June 11, 1948

Memorandum to Govt. Counsel

Re: SAKAI, Kazuichi, Reg. No. 11130, File 4756

Vessels The dimensions given in claim are slightly larger than those shown by our records, but we believe the two unidentified vessels in claim to be the two vessels, licensed in the name of claimant, that were sold through the Japanese Fishing Vessels Disposal Committee. No vessels known to belong to this man were sold by the Custodian. The vessels sold through the J.F.V.D.C. were as follows:

"Blue Heaven" H.W. 2292, requisitioned for purchase by the British Admiralty Technical Mission in April, 1942. Sales papers signed by claimant on May 27, 1942. Selling price: \$4,100.00 (Lloyd's valuation). This price was \$100.00 above the price placed on the boat in the sheet of particulars which the owner supplied to the J.F.V.D.C. in February, 1942. This appears to be the boat that is valued in claim at \$5,500.00.

✓ "Blue Heaven" H.W. 2896, requisitioned for charter by Dept. of National Defence (Army), in April, 1942. Sales papers signed Sept. 29, 1942 by Hideo Fukuyama, Attorney for Kazuichi Sakai. Sale negotiated by J.F.V.D.C. Sale Price: \$3,180.00 (Lloyd's valuation). In sheet of particulars supplied to J.F.V.D.C. by boat-owner the value placed on boat was \$3,500.00. This appears to be the boat valued in claim at \$4,600.00.

Net house - not reported to Custodian prior to claim.

Nets & Trolling Tackle - JP reported fishing equipment at 2nd & Moneton. No fishing equipment found by Custodian at 2nd & Moneton. Claim says goods left at 155 Moneton. No fishing equipment found by Custodian at 155 Moneton.

Bed-room suite reported to be at 2nd & Moneton, but was found at 155 Moneton and sold by Custodian.

Quilts Not reported prior to claim. Not found by Custodian.

House Utensils - JP reported kitchen utensils & wares at 2nd & Moneton. No goods identified as property of this man found at 2nd & Moneton. Claim states goods left at 155 Moneton. No goods, other than bed-room suite, found at 155 Moneton identified as claimant's property.

House 60'x26' 8-rooms (1/2 interest) Claim does not state where this house was located. No interest in house previously reported by Kazuichi Sakai. No reference to house answering description given in claim is in the file of Hirokichi Hama, who is said in claim to be the owner of the other 1/2 interest.

Franchison

/FM

MEMORANDUM

June 27th, 1949.

TO: B. Good
FROM: J. Cuning

Re: Mr. Virtue's letter of June 23, 1949, re
Case No. 732 - Kazuichi SAKAI

REAL PROPERTY:

This was not a Hakoda Bay property, being situated at Ueluelet.

Claimant did not declare any interest in a house at Ueluelet, and the first information the Custodian received connecting him with same was upon receipt of his claim wherein he claimed ownership on a 50-50 basis with Hisekichi HAMA (file 1744).

A "3 roomed wooden cabin" at Ueluelet was declared on Form JP by Hama and he represented himself as sole owner - noting that the cabin was on land owned by Mrs. L. Lyttleton (Executrix of the Lyche Estate).

Subsequent investigation by the Custodian disclosed that there was no written agreement covering cabins on this Estate, but that the original Japanese who settled there built under a verbal agreement that the houses would revert to the Estate upon their leaving the settlement.

The Claimant gave his JP address as Steveston, B. C., noted he fished the Skeena River and was formerly from Ueluelet.

Hama returned to Japan on August 2, 1946, in the knowledge that he had forfeited all rights to the cabin other than for the grant of re-entry rights given by the Lyche Estate.

The house claim by Sakai is therefore listed under "No Record At Any Time".

FISHING TACKLE:

Previously not separated on record sheets from household items. See new Award Sheet.

MISCELLANEOUS CHATTELS:

Our adding machines still insist on adding Page 6 of Virtue's own Exhibit 3 to a total of \$500.00.

FISHING VESSELS:

"Blue Heaven" N.W. 2896 requisitioned by JEDHQ (Army) April 1942. Sales papers signed September 29, 1942.

Sale completely negotiated by JFVDC and even if sales papers not signed until September 29, 1942, the whole transaction was outside the realm of the administration of the Custodian.
Boat is still considered to be a JFVDC sale.

JC/ER

Cuning

(by reason of a gift from his father - no evidence that his father owned any thing jointly with Hama. See page 102 father's ownership of house at Ueluelet)

Top of
by PFA. Hideo Takayama of Ueluelet
affidavit
p. 14 trans.

September 29, 1949

MEMORANDUM

From: F. Matheson

Re: Hideo Fukuyama, Reg. No. 04546

During the period from the latter part of January, 1942, to the end of June (or early days of July), 1942, Mr. Hideo Fukuyama was in such constant attendance at the office of the Japanese Fishing Vessels Disposal Committee that he was looked upon by the Committee employees as a fellow-worker.

Mr. Fukuyama had been educated in the Vancouver schools. He spoke fluent English and seemed equally at home in the Japanese language.

Mr. Fukuyama had been employed by the Ueluelet Fishing Company in a position of responsibility. In 1941 that company was reorganized and chartered as the Ueluelet Fisherman's Co-operative Association. Mr. Fukuyama remained with the new association, as an officer. I believe he was managing director of the Ueluelet Fisherman's Co-operative Association.

During the time he was associated with the Japanese Fishing Vessels Disposal Committee, Mr. Fukuyama was considered to be the representative of the boat-owners, second only to Mr. Kishizo Kimura (Committee member).

In this capacity, he took an active part in negotiations for the sale of a large number of vessels. He conversed with boat-owners in the Japanese language. He bargained with prospective purchasers to increase offers.

I do not know by what method the appointment of Mr. Fukuyama as boat-owner's representative and assistant to Mr. Kimura was made.

It was my understanding that he had been selected because of his knowledge of English and Japanese, because of his knowledge of boats and the fishing industry, because of his knowledge of Canadian business methods, and because his shrewd wit and amiable disposition made him an able bargainer.

Mr. Fukuyama was respected and liked by the members of the Committee staff. He was respected especially for the manner in which he worked to ensure that the boat-owners received adequate prices for their boats.

Mr. Fukuyama seemed to think that he had succeeded in his task of getting adequate prices for the boats. Shortly before his death, in 1947, Mr. Fukuyama visited the Custodian Office. At that time he said to me that "we" (he, I and those associated with us in the J.F.V.D.C.) had done a good job on the boats, that no one could complain about the prices at which the boats, sold through the JFVDC, had been sold.

Evidence given by some claimants at the hearings is the first indication I have received that Mr. Fukuyama, in any way, was considered to have failed in his work as agent for the boat-owners.

F. Matheson

8-57
Alpine Lodge Community

CHRISTINA LAKE, B.C.

Rec'd	APR 22 1943
File No.	257
Ans.	
done	

Cascade, B.C..

April 16th, 1943.

Office of the Custodian,
Fishing Vessels Department,
Royal Bank of Canada Bldg.,
Vancouver, B.C.

Sirs:-

Attention Miss F. Matheson.

Re Your File No. "G - 95"

With reference to the vessel "Blue Heaven" purchased by the Department of Munitions and Supply, Ottawa, the vendor Mr. Kazuichi Sakai, care Mr. A. Karl, R.R.#1, Barons, Alta., wrote me to request you a further payment to him, although he has received on account sum of \$200.00.

As Mr. Sakai, similar to those others sold their vessels to the Department of Munitions and Supply, agreed to waive his right of receiving charter money during the period of requisition, I would be much appreciated if his request be met if at all possible.

Thanking you in anticipation of your favorable consideration, I am,

Yours faithfully,

K. Kimura
Kishiso Kimura
Reg. No. 00232.

*of 1000000
to 75 = 12
month on account
by Sakai through the Gov*

Cascade, B.C..

April 16th, 1943.

Mr. Kazuichi Sakai,
Care Mr. A. Karl,
R. R. #1,
Barons, Alta.

Dear Mr. Sakai:-

With reference to your favor of February 21st, 1943, I am sorry to say that as I was absent for about one month I have been unable to write you sooner.

Regarding the remittance on the vessel "Blue Heaven" sold to the Department of Munitions and Supply, I was given to understand that the Custodian's Office will handle it in co-operation with the B.C. Security Commission.

Under the circumstance, I am conveying your request to the Office of the Custodian but at the same time, I would recommend you to communicate with the said Office yourself as well.

It is rather regretful that the remittance was not made sooner. however, I have no doubt that it will be made to you in due course.

Yours very truly,

Kishiso Kimura

VIRTUE & RUSSELL

BARRISTERS, SOLICITORS
AND NOTARIES PUBLIC

McFARLAND BUILDING, OPPOSITE COURT HOUSE

LETHBRIDGE, ALBERTA

A. GLADSTONE VIRTUE, N.C. K.C.
WILLIAM STAFFORD RUSSELL, B.A., LL.B.

22nd April, 1948

PLEASE REFER TO FILE NO. 3212 - 124

EVACUATION SECTION	
Rec'd	APR 24 1948
File No.	4756
Ans.	
Referred	

OFFICE OF THE CUSTODIAN,
Japanese Evacuation Section,
506 Royal Bank Building,
Hastings and Granville,
VANCOUVER, B.C.

Dear Sirs: RE: KAZUICHI SAKAI
Registration No. 11130

We are acting for this man, and have
filed a Proof of Claim.

We understand that the two fishing
vessels described in the proof, as well as the other
fishing equipment, was sold by the Custodian, but we
have received no particulars whatsoever.

Will you kindly let us have full part-
culars, including date of sale; name of purchaser;
goods covered, itemizing amounts obtained, etc. etc.

If, by any chance, you allege that these
boats, etc., were sold by someone else, we shall also
be pleased to receive full particulars in the same
manner.

Yours truly,

VIRTUE & RUSSELL,

Per

V/L

VIRTUE, RUSSELL & MORGAN

BARRISTERS, SOLICITORS
AND NOTARIES PUBLIC

McFARLAND BUILDING, OPPOSITE COURT HOUSE

LETHBRIDGE, ALBERTA

A. GLADSTONE VIRTUE, M.C.K.C.
WILLIAM STAFFORD RUSSELL, B.A., LL.B.
FREDERICK JOHN MORGAN, B.A., LL.B.

23rd June, 1949

PLEASE REFER TO FILE NO. 3212 - 124

D.T. BRAIDWOOD, ESQ.,
c/o Messrs. Sutton, Braidwood & Morris,
Barristers and Solicitors,
506 Royal Bank Building,
VANCOUVER, B.C.

Dear Mr. Braidwood:

RE: SETTLEMENT AWARDS
Kazuichi Sakai, Case No. 732,
Custodian File No. 4756

*Letter = Elotaro Sakai
REFAT
File # 12236*

REAL PROPERTY:

This man claims for a half interest in a house at Ucluelet. We are unable to ascertain from the evidence whether or not this was included in what we call the "Hakoda Bay" group of properties. If it was, then we would like that particular part of the claim dealt with by Mr. Justice Bird when he is dealing with the Hakoda Bay properties. If it is not a Hakoda Bay property then we are claiming \$500.00 for the half interest.

FISHING TACKLE:

There is a claim for fishing tackle totaling \$600.00 which is not dealt with in any way in the Award form. We seek further information from you in that regard.

MISCELLANEOUS CHATTELS:

The claim here was for \$535.00, which does not seem to correspond with the figures given in the Award.

FISHING VESSELS:

We are claiming on the usual basis for the fishing vessel "Blue Heaven #2" which was not sold until September, 1942, and we will ask for the usual award in this regard.

The fact that negotiations took place prior to July 1st, 1942, in our opinion, does not alter our right to an award in this respect.

Amended Form Sent 7/7/49

D.T.BRAIDWOOD, ESQ.,
VANCOUVER, B.C.

23rd June, 1949

- 2 -

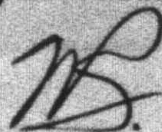
RE: SETTLEMENT AWARDS
Kazuichi Sakai, Case No. 732,
Custodian File No. 4756

We shall be pleased to hear from you further
regarding all the above matters.

Yours truly,

VIRTUE, RUSSELL & MORGAN,

Per



V/L

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS that I

Name **KAZUICHI SAKAI**

Address **UCIUMINT, B. C.**

Occupation **FISHERMAN**

do hereby make, nominate, constitute and appoint

Name **HIDEO FUKUYAMA**

Address **1809 VENABLE STREET, VANCOUVER, B. C.**

Occupation **SALES MANAGER**

my true and lawful attorney for me and in my name, place and stead and for my sole use and benefit, to sign and execute all bills of sale, mortgages or releases of mortgage, all discharges and releases and all chattel mortgages or releases of chattel mortgages. AND IN PARTICULAR to execute all documents of any nature whatsoever which may be required by the Japanese Fishing Vessels Disposal Committee relative to the transfer of the vessel to owners who are not of Japanese origin, and/or to execute all documents of any nature whatsoever in connection with the sale, transfer, release or discharge of the vessel

Name of vessel **"K. S."**

Port of registry or license **NEW WESTMINSTER, B. C.**

Official number or license **2896 H.V.**

and for all and every of the purposes aforesaid do hereby give and grant unto

HIDEO FUKUYAMA, said attorney, full and absolute power and authority to do and execute all acts, deeds, matters and things necessary to be done in and about the premises, and also to commence, institute and prosecute all actions, suits and other proceedings which may be necessary or expedient in and about the premises as fully and effectually to all intents and purposes as I could do if personally present and acting therein, and also with full power and authority for

HIDEO FUKUYAMA, said attorney, to appoint a substitute or substitutes, and such substitution at pleasure to revoke I hereby ratifying and confirming, and agreeing to ratify, confirm and allow all and whatsoever my said attorney or such substitute or substitutes shall lawfully do or cause to be done in the premises by virtue hereof.

IN WITNESS WHEREOF I have hereunto set my hand and seal the **27th** day of **April** A.D. 1942, at **Vancouver** in the Province of British Columbia.

SIGNED, SEALED AND DELIVERED
in the presence of:

217 Dunlop Ave.,

Vancouver, B. C.

EXHIBIT NO. **732-4**
DATE **Sept. 29/48**
FILED BY **G. S. O. Rice**

K. Sakai / *Kazuichi Sakai*

Acknowledgement of Witness

TO WIT: }

PROVINCE OF BRITISH COLUMBIA }

I, Kishizo Kimura of the City of Vancouver
in the Province of British Columbia, make oath and say:

1. I was personally present and did see the within instrument duly signed and executed by Kazuichi Sakai the party thereto, for the purposes named therein.
2. The said instrument was executed at Vancouver, B. C.
3. I know the said party, and that he is of the full age of twenty-one years.
4. I am the subscribing witness to the said instrument and am of the full age of sixteen years.

SWORN BEFORE ME at the City of

Vancouver

in the Province of British Columbia, this

9th day of April
A.D. 1942

Ry. D. Guier
A Commissioner for taking affidavits within
British Columbia.
A Notary Public in and for the Province of
British Columbia.

K. Kimura

MEMORANDUM

TO: MR. BRAIDWOOD
FROM: MRS. A. G. McARTHUR

Re: Case 732 - Kasuichi SAKAI

In this case the Claimant, Kasuichi Sakai, is claiming \$500. as half the value of a house stated by him to have been jointly owned by Hama and his father, Shotaro Sakai. He states in the Transcript, Page 5, that his father gave him his share in 1932.

The father, Shotaro Sakai, declared, August 8, 1942, a four-roomed, one storey, bungalow and a 36 x 24 net house situated on land owned by the Lyche Estate, for which he claims he paid \$25.00 per annum ground rent to the Administrator of the Lyche Estate at Ucluelet. In support of his claim to ownership, the Alberni-Clayquot Assessment District bills him as owner of improvements in 1942 valued at \$250.00. Shotaro Sakai declared ownership of gear and nets stored in the net house and stated that on evacuation he boarded up the net house but moved his household chattels for storage to No. 5 house, Fraser's Bay. (This was another Japanese settlement on leased property.)

H. G. Hinton of Geo. Touche & Company, Victoria, was instructed by the Custodian to investigate and reported fully on Sakai's property (September 30, 1942). He located the net house, boarded up. He states that the house is listed with the Provincial Assessor as House No. 12, Lyches Bay, Ucluelet, and both buildings were located on property owned by Mrs. Alma Littleton, Executrix of the Lyche Estate. The house is described as a four-roomed, frame bungalow about twenty-five years old, both house and net house in poor condition - house vacant and no contents. Nothing found in the net house. Estimated sale value \$150.00. No definite information as to lease arrangement but subsequent correspondence indicates that ground rent and taxes were paid by the owners of the houses through one of their number.

On March 23, 1942, Const. D. H. Howell, in charge of the Ucluelet Detachment of the B. C. Police, reported to the Custodian giving a list of the Japanese owners of the buildings on the Lyche property. Opposite each building he placed a valuation which he stated in his report was given to him by the owner before evacuation. The value of Shotaro Sakai's house was listed as \$350. Shotaro Sakai was informed on October 3, 1942, that under the circumstances his equity in the house was doubtful. Shotaro Sakai returned to Japan on May 31, 1946, and the Custodian's last report to him again informed him that legal equity in the building had not been established.

With reference to the statement made by the claimant, Kasuichi Sakai, that his father owned a half interest with Hirokichi Hama in an eight-roomed house, this is not supported by Hama's file. Hirokichi Hama declared to the Custodian on March 21, 1942, that he owned a three-roomed wooden cabin built on land belonging to Mrs. A. Littleton, Ucluelet. H. G. Hinton reported on June 3, 1942, that Hama's house was "a slum shanty in poor condition with no rental value and little sale value even for the lumber therein". Hama returned to Japan on August 2, 1946. Hama was also told that no legal equity in the building had been established. According to Const. Howell's report, Hama also valued his house at \$350.

Assessment Notice for 1942 of the Alberni-Clayquot Land District shows improvements valued at \$250.00 belonging to Hirokichi Hama.

Obviously Shotaro Sakai and Hirokichi Hama owned two separate cabins, each assessed at \$250.00 and valued by their respective owners at \$350.00.

There is no evidence anywhere that either of these owners made a gift to Kazuichi Sakai, the Claimant.

After the Japanese Evacuation, up until October-November 1944, when the R.C.A.F. Station at Ucluelet was closed, some of the dwellings in this Japanese settlement were rented from Mrs Littleton by Air Force personnel who endeavoured to make necessary repairs to make them habitable.

During this period correspondence was carried on between the Custodian and Mrs Littleton and her solicitor, Mr A. G. McCulloch of Port Alberni. It was finally agreed that some compensation might be given to the Japanese for the buildings situated on the Estate property. An appraisal was therefore made by Mr G.H. Gilroy-Moore, together with Frank Everett representing the Lyche Estate. This appraisal dated October 23, 1944, signed by Mr. Gilroy-Moore, was reported to the Custodian on October 24, 1944. At the time the appraisal was made some of the Air Force families were still in possession. The Appraiser stated that he had some difficulty in identifying some of the houses listed by Const. Howell and he was unable to definitely relate any value to houses belonging to either Hirokichi Hama or Shotaro Sakai, but house No. 12 stated by H.G. Hinton to belong to Shotaro Sakai, was valued by Mr Gilroy-Moore at \$250.00. The position is, therefore, briefly as follows: House No. 12, identified as belonging to Shotaro Sakai, was assessed at \$250.00, declared by Shotaro Sakai to be worth \$350.00, stated by H.G. Hinton to have a sale value of \$150.00, and appraised by Mr Gilroy-Moore at \$250.00. Mr Gilroy-Moore in letters dated August 29, October 5, and October 24, 1944, amplifies statements made in his appraisal concerning the dilapidated condition of these dwellings.

It should be noted that nowhere in reports made to the Custodian's office concerning this Japanese settlement is there any mention of an eight-roomed house owned by any person or persons. Further, not even a suggestion of a gift to Kazuichi Sakai can be found in the files of any of the persons concerned, nor did Kazuichi Sakai produce any proof of a gift at the time of the hearing. Kazuichi Sakai stated in his evidence that his father gave him his interest in the house in 1932 at which time Kazuichi was seventeen years of age.

With reference to the settlement with the owner of the land, the Custodian agreed to accept one-half of the appraiser's valuation of the buildings, namely \$577.50, the Lyche Estate to bear one-half of the cost of the appraisal. These funds have not yet been apportioned but it is proposed to apportion them in relation to the values given by the Japanese owners to Const. Howell in 1942. The total value according to the Japanese was \$10250.00. Sakai's share on the basis of his own valuation of \$350.00 will therefore be very little.

With reference to the net house for which Sakai makes a claim of \$50.00, and gear and nets in Ucluelet for which his total claim is \$600.00, the net house was declared by Shotaro Sakai in 1942 to belong to him and also the gear and nets stored therein.

With reference to sale of the Fishing Vessel and the Power of Attorney signed by Kazuichi Sakai in favour of Hideo Fukuyama, consideration should be given to the fact that Kazuichi Sakai was a native-born Canadian, was apparently educated in Canada and twenty-seven years of age at the time of the Evacuation. Hideo

Net House

Sale of vessel
Power of Attorney

Fukuyama, who died about two years ago was twenty-nine years of age at the time of the evacuation and was Managing Director of the Ucluelet Fisherman's Association. He also was Canadian born and spoke English and Japanese. He was given special permission to remain in the Restricted Area as representative of the boat owners and after his evacuation, was permitted to return to carry on negotiations for other Japanese. As a matter of fact two other Japanese persons were allowed to remain to represent the boat owners, the others being Miwa, an officer of the Prince Rupert Fishing Company, and Sakamoto of Steveston. Under these circumstances it would seem unreasonable to repudiate his Power of Attorney.

A handwritten signature in dark ink, appearing to be 'J. Miwa', with a horizontal line drawn underneath it.

AGM/AC
September 28, 1949.

CASE NO. 732.

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

JAPANESE PROPERTY CLAIMS COMMISSION.

B E F O R E

(HIS HONOUR JUDGE R. M. EDMANSON, SUB-COMMISSIONER)

10

Lethbridge, Alberta,
 September 29th, 1948.

IN THE MATTER OF THE CLAIM OF
KASUICHI SAKAI.

PROCEEDINGS AT HEARING.

20

APPEARANCES:

G.E.A. RICE, Esq., K.C.,

appearing for the
 Dominion Government.

W.S. RUSSELL, Esq.,

appearing for the
 Claimant.

MISS LILLIE THOMAS,

Secretary.

D.J. HANDFORD, Esq.,

Official Interpreter.

B.R. HOWARD, Esq.,

Official Reporter.

30

2
K. Sakai,
In Chief.

THE SECRETARY: Case No. 732, Kazuichi Sakai.

KAZUICHI SAKAI, the claimant herein,
being first duly sworn, testified
through the Interpreter as follows:

MR. RUSSELL: Your Honour, in this case there is a claim
for two fishing vessels. We have been instructed
to abandon the claim to one of these vessels.

THE SUB-COMMISSIONER: They are both named "Blue Heaven",
one is No. 1 and the other is No. 2.

10 MR. RICE: I think it is "Blue Heaven" is one and the
other is "Blue Heaven No. 2".

THE SUB-COMMISSIONER: No, 1 and 2.

MR. RICE: No, just "Blue Heaven" is the name of one
vessel and "Blue Heaven No. 2" is the name of
the other one.

THE SUB-COMMISSIONER: According to Paragraph 5 (d)
in the proof of claim.

MR. RICE: The way I have it listed is "Blue Heaven"
and then in brackets "K.S."

20 THE SUB-COMMISSIONER: Oh, I see.

MR. RUSSELL: The fishing vessel, "Blue Heaven No. 1",
which was sold for \$5500.00 is being abandoned,
or the claim for that is being abandoned. And in
the summary of evidence...

MR. RICE: ...Just a minute. As I understand it, the
"Blue Heaven" has no further designation on it
than that, and the purchase price on that vessel
was \$3180.00.

30 THE SUB-COMMISSIONER: It appears in the claim as
\$5500.00; that is the one that he is abandoning.

3
K. Sakai,
In Chief.

MR. RUSSELL: You will see in your analysis there is one that was sold for \$5500.00; that is the one we are abandoning. It is the one for which we are claiming \$5500.00, or were claiming \$5500.00, and which was sold for \$4100.00.

MR. RICE: The one sold for \$4100.00 is being abandoned?

MR. RUSSELL: Yes, that is right.

MR. RICE: That is different.

MR. RUSSELL: The one that was sold for \$3180.00 we are still claiming for, and the notation on page 7 of the summary of evidence which says, "Re: 'Blue Heaven No. 2': Sold in May, 1942," can be struck out as well.

THE SUB-COMMISSIONER: Well, I have not got it yet; you have not put it in.

MR. RUSSELL: I will strike it out before it goes in there.

DIRECT EXAMINATION BY MR. RUSSELL:

Q This is your summary of evidence in support of your claim, Mr. Sakai? A: Yes.

Q This was prepared upon your instructions and signed by yourself? A: Yes.

Q And you instructed me to abandon the claim for the one vessel which I have just spoken to His Honour about? A: Yes.

Q You have instructed me to abandon the claim for one vessel, is that right? A: Yes.

Q You are still claiming for this boat here (indicating)?

A Yes.

K. Sakai,
In Chief.

Q But there is one boat which you are not claiming for?

A: Yes.

THE SUB-COMMISSIONER: And the one that he is not claiming for is the one that you mentioned?

MR. RUSSELL: Yes. I will put the summary in again exhibit.

(SUMMARY MARKED EXHIBIT NO. 1).

MR. RUSSELL: Q: You are claiming under your real property for a building? A: Yes.

10 Q How did you come to own that building?

A It was handed over to me by my father.

Q Was that a gift of it?

A Yes.

Q Where was this dwelling house for which you are claiming located? A: Veluelet.

Q Did you ever live in it? A: Yes.

Q Did it have plumbing? A: No.

Q Was it on a foundation at all?

A We had a well and the pump. It wasn't cement.

20 Q It wasn't cement? A: No.

Q I notice here you say that the cost of the building is \$1000.00. How do you know that it cost \$1000.00? A: For building I think it would be more.

Q It would be more? A: Yes.

Q Why do you say it cost \$1000.00 then?

A Oh, by the time I got from my father, you know.

Q That was the value, depreciated value of the building? A: Yes.

30 THE SUB-COMMISSIONER: When did he get it from his father?

*Shitara Sakai
returned to Japan
May 31, 1946.*

Note: father assessed in 1942

K. Sakai,
In Chief.

A I think it was about 1932.

MR. RUSSELL: Q: Do you know what it cost your father to build?

A: No, it was built so early, you know, and I was away for awhile, you know, and I don't know how much it cost him to build it.

Q Well, what you have done really is you have just assessed a value now of what you think that building is, is that what that \$1000.00 represents?

10 A Yes.

Q Well, did you have any basis of arriving at the value of \$1000.00?

A: It was half of a duplex house, two houses joined together, in other words.

Q Yes?

A: And it had a porch in front and a shed behind, and that is my estimate of a fair price, \$1000.00.

Q Well, have you any experience in evaluating houses? Why did you say \$1000.00?

20 A Yes, a little experience.

Q I see. What experience have you had in evaluating houses and so on?

A: I am doing carpentry work now.

Q And from your knowledge of carpentry work, do you think that this house was worth \$1000.00 when you were evacuated?

A: Yes.

Q I notice you are claiming for nets and fishing tackle and so on here, and a lot of the equipment that you are claiming for was new?

30 A Yes.

this within was 26300 old in 1942

W. H. Hamilton says Sakai's house was 2540 old

K. Sakai,
In Chief.

Q How did it happen that so much of it was new when you left? A: Since I left there, you know, I wasn't at home, you know, I was in Steveston at that time, you know.

Q Yes? A: And for the trolling tackle I need more stuff what I claim there, hooks and swivels and stuff, and before I came here or know I was coming here I was out in Steveston for five or six months, and I haven't got the chance to go up to my own house to clear the things by myself, you know, and I can't remember what, you know, because when I was living there in that time, well, I collect everything in the place, well, I did collect lots, you know, but when I was living for somewhere else for a long time, or something like that, and I put together and I would know, but I was in Steveston and I can't tell so many of the stuffs, so that I left quite a bit of things.

20 Q Where were all these nets and so on?

A In Ueluelet, it is in the island, and I was up near Vancouver at that time.

Q You had been in Steveston about four or five months, you say? A: Yes.

Q And when you left Ueluelet these nets and so on were there, is that right?

A Yes.

Q So far as the best of your knowledge goes?

A Yes.

30 Q Well, you haven't answered my question. I notice

...7...
K. Sakai,
In Chief.

you have 2400 feet of wire which was new,
two dozen spoons which were new, 500 pounds
of lead of which 200 pounds was new, and I
just wondered how it happened that it was all
new. Had you just started fishing?

A No. I got lot of old things but I put in the
boat for the ballast, old nets. ✓

Q You put it in the boat for ballast?

A Yes. We need about 300 pounds, I mean about three
tens of rocks or lead anyway for the boat ballast
for tipping, you know, in the waves; that is why
I don't know how many pounds, about six or seven
hundred pounds always I did carry in the boat.

Q Well, you are just claiming for your best nets,
is that it?

A: Yes, best nets,

whatever I figure.

Q This list is not by any means all of your nets,
is that right?

A: Yes. I have

a bunch of old ones, hooks and stuff left, but
I can't tell you how much of the new it was too,
because you don't like to do the things in the
wrong, you know, so that I don't say for the old
ones, you know, and whatever I figured or could
tell on the new I just write it down.

THE SUB-COMMISSIONER: Q: What about these 1500 lbs.

of nets, is that the old stuff that was at
the bottom of the boat?

A: No, that is in

the net house at Ueluelet.

Q Oh, I see.

MR. RUSSELL: Q: On page 6 of your personal property

*Did he
declare
to Sagami
fishing
equipment
as left
in boat
Apr 21-42
Shelton Sakai
declared Aug 8
that his nets
were stored
in net house at
Ueluelet & not have
boarded up.*

K. Sakai,
In Chief.

*This was
the father's
net house
in Uchida*

summary you claim a net house which was built in 1934. You say that you paid \$50.00 for it and you value it at \$50.00 in 1942; was that right?

A No, we didn't build it, we bought it.

Q I didn't say that you bought it or built it, I say that you value it now or you valued it when you were evacuated at \$50.00?

A Yes.

Q How do you explain that the building didn't go down in value over a period of seven or eight years?

A: Well, it was apoor building, you know, when we bought it, you know, and it isn't on the, what you call it, the foundation, cement foundation or something like that.

Q I see.

A: Just what I don't know how I could explain it to you or not, but it could float on the waters, a log house like, and it makes floors lumpy too, but after we bought it we did repairs, you know, so that I figured it wouldn't be any difference between then and it would be worth more than when I bought it.

Q I see. Now, in your summary of evidence you list a bed-room suite, a mattress, chiffonier, dresser, bench and bed?

A: Yes.

Q Now, that altogether cost \$135.00. Is that what that means? You see here (indicating)?

A Yes.

Q When were you evacuated? When did you leave? When were you evacuated from B.C.?

A In May, I think.

*These
were in
Gleason
in the
Canada
Museum
Honjinkai*

June 24/42

K. Sakai,
In Chief.

Q Of what year? A: 1942.

Q Now, you bought this bed-room suite in 1941?

A Yes.

Q And you paid \$135.00 for it?

A Yes.

Q You say that when you were evacuated it was still worth \$135.00, you see? Why had that not gone down in value?

A: Well, it is worth just the same for me. Well, it was brand new. Well, I did use it.

Q You used it a little bit, is that it?

A Yes.

Q Does the same apply to the quilts?

A The quilts, we never was use it.

Q You never used them at all?

A No.

Q Why would you buy ten quilts and never use them?

A Well, I got to tell you, when we married, you know, and she brought it over with her.

Q Oh, I see. A: So that I can hardly tell, but it had been used about three months or so, and that is why.

Q I see. A: She got it but she leave it at home and when we married and we use about three months or so, and we haven't got any time to use the quilts or anything like that, and we leave it. The bed-room suite, that is the \$135.00 value, the bed-room suite was used for about three months or so, but the quilts weren't used at all.

K. Sakai,
In Chief.

Q I see. Now, you are claiming for a boat which I think you described, I don't know what the name of it was for sure, but you describe it as 36 feet long, eight feet six inches wide, and you bought it in 1940. That is the boat that you are claiming for. May be you can tell me, Did you have two boats called "Blue Heaven"?

A Yes.

Q Did one have "Blue Heaven 1" in front of it?

10

A No; we haven't.

Q How did you identify the different boats?

A Well, when we was registering it they was chasing after us, but we still got the same "Blue Heavens" and haven't got the numbers on them.

Q Well, the boat I am speaking of had a 30 horsepower Vivian gas engine in it; do you know that one?

A Yes.

Q Now, you say you paid \$4000.00 for that boat?

A Yes.

20

Q Who did you pay that money to?

A Well, that goes to the carpenters and engines and what we bought by the parts, tanks and stoves, and we paid that.

Q Did it come to exactly \$4000.00?

A It must be a little more or a little less, but I can't remember properly, you know, because my old man's been working on it, and while I figure that way, even not bad, but I thought it should be about \$4000.00, that is what I put in the claim, but I should like to put more, but after the

30

K. Sakai,
In Chief.

father give me a letter for the nets, you know, and I find out how much the nets new cost, you know, and I ask for the claim, you know, and I don't like to charge too much up, so that I just for the nets \$400.00, but father give letter \$500.00, but the net new would cost about \$1500.00, but I still claim for net \$400.00.

Q But to get back to this boat; you say it cost you \$4000.00?

A: Yes.

18

Q This boat motor that you speak of, was it a new motor when you bought it?

A: Yes, everything was new.

Q Do you know how much the motor cost?

A Yes.

Q How much?

A: \$1100.00.

Q Do you know how much the cost was to have the hull built?

A: About \$1400.00.

Q About \$1400.00?

A: Yes.

Q What other fittings were there new on the boat?

20

A Well, we got the sinks and the stoves and the mattress and these other things, range, and all that.

Q Was that included in the cost?

A Yes.

Q It was in the cost?

A: Yes.

Q And considering all these items you decided that \$4000.00 was what you paid for the boat?

A Yes, just when we got it down on the water, but after I got to put on the drawers and things then, and I just work on it.

30

Q I notice you re-planked the hull in 1941?

K. Sakai,
In Chief.

A Yes, just before I left to here, it was about four or five months ago, but the boat was taken before that.

Q And I notice that you painted the vessel in 1941?

A Yes, we used to paint every year.

Q You used to paint every year?

A Yes, and at the bottom we used to paint about three or four times a year.

Q Well, you say the boat cost approximately \$4000.00, and you re-planked it for \$20.00, and you painted it for \$50.00, and yet you say in '42 it is valued at \$4600.00. Now, why had it gone up in value over and above its original cost of \$4000.00?

A That means I carried the loads in that boat.

Q Loads?

A: Yes, for the ballast

and I been working on her for making the drawers and everything else, whatever I like to, and I just let the carpenters done the halfway, not exactly halfway, three-quarters way down, and then after I take it and I get the boards and I work on it.

Q And you tell me or estimate your work after this cost was laid down came to about \$600.00?

A Yes.

Q I see. All right.

MR. RICE: I am submitting, your Honour, that there has been no evidence or sufficient evidence before you to show that the claimant here has any title to the building^S which he claims was given to him by his father. His father is a Japanese national X

*1/2 rd in House &
7th House
both at U.S. Naval
30*

K. Sakai,
Cross Exam.

and any property belonging to him would be confiscated by Canada for the benefit of Canada until a treaty of peace determines what happens to the property of Japanese nationals in this country.

MR. RUSSELL: Of course, that is since the war; this gift was made considerably prior to the war.

Who says so?

MR. RICE: That is just the point, the gift was made by a Japanese national. There is nothing to substantiate the gift. There is no record whatever here of the gift.

The house was accused to his father in 1942.

THE SUB-COMMISSIONER: Well, that is for Mr. Justice Bird to adjudicate upon on the evidence before him.

MR. RICE: I am submitting that the chattels were sold for their fair market value. I am submitting that the vessel was sold by the claimant through his attorney at an agreed price of \$3100.00. I am submitting that certain articles that there is no record of at any time, the Custodian cannot be held responsible for, and if the Custodian is responsible for any goods or chattels of the claimant the claim made to the same is exorbitant.

I wish to tender as an exhibit an analysis of personal property claim.

(ANALYSIS MARKED EXHIBIT NO. 2).

CROSS EXAMINATION BY MR. RICE:

Q I show you a J.P. form dated the 21st of April, 1942 (indicating); does that bear your signature?

A Yes.

K. Sakai,
Gross Exam.

Q That is your document, your J.P. form, where you declared what property you left in the evacuated area?

A: Yes, that is my signature.

MR. RICE: I tender this document as an exhibit.

(J.P. FORM MARKED EXHIBIT NO. 3).

MR. RICE: I really don't understand why my learned friend does not admit this second claim, or abandon the claim to the second vessel. I mean, we have documents here showing that the claimant signed a Power of Attorney authorizing the sale of the vessel, and it was sold at \$3150.00.

THE SUB-COMMISSIONER: Well, will Mr. Russell admit it?

MR. RICE: I don't want to press the matter, but it might save time.

MR. RUSSELL: I think, your Honour, that is a technical matter that will have to be argued later on, whether the Power of Attorney was valid.

THE SUB-COMMISSIONER: I see. All right.

MR. RICE: Q: I show you a Power of Attorney dated the 27th of April, 1942 (indicating); is that right?

A Yes.

Q And it is from yourself to Hideo Fukuyama. Does that bear your signature? A: Yes, that is my signature.

Q That is your signature? A: Yes.

Q And that is a Power of Attorney that you gave Hideo Fukuyama on the 27th of April, 1942, is that right?

A: Yes.

MR. RICE: I will tender the Power of Attorney, your

K. Sakai,
Cross Exam.

Honour, as an exhibit.

(POWER OF ATTORNEY MARKED EXHIBIT NO. 4).

MR. RICE: And I would point out that the claimant herein appointed Hideo Fukuyama as his true and lawful attorney to execute any documents of any nature whatsoever that may be required by the Japanese Fishing Vessels Disposal Committee relative to the transfer of the vessel to owners who are not of Japanese origin, and to execute any documents of any nature whatsoever in connection with the sale, transfer, release or discharge of the vessel. The name of the vessel is "K.S.", the port of registry, Vancouver, B.C., official number or license, 2896 H.V.

Q That vessel was known by "K.S.", was it not?

A Yes.

Q It had the name "Blue Heaven" and had the other name "K.S."?

A Yes.

20 THE SUB-COMMISSIONER: "Blue Heaven No. 2". It is known as "Blue Heaven No. 2" on the records.

MR. RICE: Yes, but the real name of the vessel was "K.S."

Q I show you another document (indicating); is that the registration document of your vessel?

A Yes.

Q That document was completed by you or under your instructions?

A: Yes, my father.

Q It was completed on your father's instructions?

A Yes.

30 Q And your father owned this boat, or did you own it?

K. Sakai,
Cross Exam.

A He put the names in my name, but, well, he just give it to me.

Q Oh, I see. It is really your father's boat then?

A But in the register it was my name on it.

Q Oh, I see. Your father put it? Your father bought it?

A Put the money in for me and he just ordered for me.

Q It was your father's money that bought the boat, but it was put in your name? A: Yes.

Q And your father said that the value of the boat at the time this document was prepared was \$3500.00? That is on there (indicating). Is that right?

A I believe this refers to when the boat was first built.

Q Well, it says there "present value" both in English and in Japanese, does it not?

A The witness wants to know when this was prepared.

Q I don't know. You prepared it, did you not? That is a copy of the registration sheet of your boat, is it not?

A: Yes.

Q It is. I will tender that as an exhibit, your Honour. It speaks for itself. It is a copy of the registration sheet of the claimant's boat.

(DOCUMENT MARKED EXHIBIT NO. 5).

MR. RICE: I produce as an exhibit an agreement for sale of the vessel completed by the claimant's attorney Fukuyama.

(AGREEMENT MARKED EXHIBIT NO. 6).

MR. RICE: It shows that the vessel was sold to His Majesty the King as represented by the Minister of Munitions and Supply, Ottawa, Ontario, Canada,

K. Sakai,
Cross Exam.

on the 29th of September, 1942, at a price of \$3180.00 cash. In this agreement the boat is described by two names "Blue Heaven" and "K.S."

Q You are claiming for 2400 feet of wire. What kind of wire?
A: Stainless wire for trolling main line.

Q What size?
A: I couldn't tell you the size.

10

Q I should think it would make a lot of difference in the price of it?
A: No, there is no difference in the size for main trolling wire.

Q There is no difference in the size?

A No.

Q You don't know what size it is?

A No.

Q How many rolls or speels were there?

A There is eight.

Q There were eight speels complete?

A Right.

20

Q How much a speel?
A: About 50 fathoms on one speel.

Q How much did it cost a speel?

A About \$11.25 600 fathom.

Q A speel cost how much?
A: 600 fathom. They sell it 600 fathom. No, 600 feet.

Q How many feet was on a speel then?

A I make a mistake.

Q Correct yourself; I am not trying to confuse you.

A I was just telling you the trolling machine, but for the reels or speels, you know, new speels have

30

K. Sakai,
Cross Exam.

600 feet, 100 fathoms, in each spool; some got 150 fathoms.

Q You said there were eight spools?

A No, that is the whole thing then. I was talking about the trolling machine, but that is spool too.

Q Well, you say there is 2400 feet of wire, and you say that it was on eight spools, is that correct?

A No, that isn't enough for all lines.

Q Well, would there be more spools than eight, or less?

10 A For the spools, you know, you require on the spools, on the trolling equipment on the boat, you require 50 fathoms for each spool, and there was eight spools there.

Q How long had you been using this wire?

A One wire is brand new and the rest been using for a years; and some about three year stuff, but I can't use it.

Q You say one wire was brand new?

A Yes, just ready for next Spring, you know.

20 Q And how long was that one wire?

A About 200 fathoms, I think.

Q 1200 feet, six feet to a fathom?

A Yes.

Q 1200 feet new then? A: Yes.

Q The rest of it was old wire? A: Yes, a year.

Q With kinks in it too, I suppose?

A I don't write down, but there is lots of old wires I didn't set it down because no use doing it.

Q You have got it down here 2400 feet of new wire; now you tell me 1200 feet of new wire?

K. Sakai,
Cross Exam.

A Gosh, there must be a mistake then.

Q You must have the mistakes, not me; I am just telling you what your claim shows.

THE SUB-COMMISSIONER: I understood him to say that it was 1200 feet that he was claiming for.

MR. RICE: No, he said 2400 feet new wire.

THE SUB-COMMISSIONER: But according to his earlier evidence, 1200 feet was all he is claiming for.

MR. RICE: No, it was new wire.

10

A The balance was a year old.

Q In your personal property claim you value a stove you bought in 1939 for \$20.00, and you have got it stepped up to \$35.00. What jumped that stove in price?

A: No, I didn't get that for \$20.00.

Q That is what your claim says.

MR. RUSSELL: No, that was taken out.

MR. RICE: It wasn't taken out of this claim.

MR. RUSSELL: There are lines over it.

20

MR. RICE: Not in this one. The lines are over the top.

A It is rubbed here.

Q How much did you buy it for?

A About \$40.00.

Q Do you know how much? A: I don't know. It was my father bought it.

Q It was your father's stove; it isn't your stove?

A I can't get that.

Q It was your father's stove, it isn't yours, is it?

A Yes, everything was my father's, but he give it to me, the house and everything.

30

K. Sakai,
Cross Exam.

Q When did your father go back to Japan?

A After this war.

Q After the war?

A: Yes.

THE SUB/COMMISSIONER: Q: You mean after the war finished?

A Yes.

MR. RICE: Q: After the war finished?

A Yes.

Q What did he do, go on the first boat?

A No.

10 Q Well, he declared himself a national, didn't he,
and wanted to go back?

A I don't know what conditions he went back on, but
he went back.

Q Did your mother go back with him?

A Yes, mother was in the Old Country before.

Q Oh, I see. The dishes that you value at \$50.00,
you are just guessing at that?

A Yes, because there is nobody to watch.

Q And the books that you value at \$25.00, that is
another big guess, isn't it?

A Oh, I think I got more than that; I got Old Country's
books and this country's books.

Q And you might have less than that too?

A No, not less than that.

MR. RICE: I point out that my learned friend's adding
machine is on the hummer again on this claim, as
these things total to \$500.00 instead of \$535.00.
(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

I hereby certify the transcript correct.

"S.R. HOWARD" Official Reporter *SHW*

I hereby certify that the foregoing transcript purports
to be an accurate record of the evidence adduced before me.

SUB-COMMISSIONER.

File No.
4756

DEFENCE BRIEF

Kazuichi SAKAI,
Reg. No. 11130

File #4756

Case #732

Lethbridge, Alta.
Sept. 29, 1948

Case #732

*Case #732
File #4756*

PERSONAL PROPERTY CLAIM - GROSS

<u>Gross Claim</u>	<u>Appraisal</u>	<u>Sold for</u>
\$6200.00 as revised Exhibit #1 pages 1-8 inc.		

1. Bedroom Suite

\$135.00
as revised claim

Nil

\$101.00
at auction

Witnesses:-

1. W.G.B. Thompson
Auctioneer,
2. G.M. Harris,
Staff, Steveston

Submissions:-

As noted on revised Analysis of Personal Property Claim under "Remarks" the Claimant shows only \$59.15 as received for this item (Exhibit #1, page 8) whereas his account was credited \$77.76 net (Gross \$101.00).
- Auction sheet on claim file -.

2. Vessel
"Blue Heaven No.2"
Licence No. 2896
\$4600.00
as revised Claim

Lloyd's Register
Surveyor
\$3180.00

\$3180.00
at tender

Witnesses:-

1. Lloyd's Register
Surveyor re
Vessel
2. K. KIMURA,
Vice Chairman
J.F.V.D.C.
3. Hideo FUKUYAMA,
Attorney under
Power of Attorney
by Kazuichi SAKAI
April 27, 1942.

Submissions:-

1. Blue Heaven No. 2, is known as "K.S." in Power of Attorney and Agreement for Sale. Sale Agreement is dated Sept. 29, 1942.

2. According to memo to Government Counsel June 11/48 it is stated that the value placed on boat was \$3500.00 by boat owner. This was in 1942 prior to sale. Memo is on claim file. Present claim \$4600.00. Transcript page 16, lines 9-23 inc. incl. ing Exhibit #5.
Vessel sold through H.F.V.D.C.

File No.
4756
Kazuichi SAKAI,
Reg. No. 11130

3. Nets, Tackle,
lines, House
utensils, etc.

Declared but not
found.

\$865.00
as revised
Claim

4. Dwelling House
Net House and
Quilts

No record at
any time.

\$600.00
as revised Claim

Submissions:-

1. None of the three items under "no record at any time" was reported to the Custodian prior to the claim in November 1947. The Claimant claims a half interest in the Dwelling House with Hirokichi HAMA. However, no reference to such a house appears on the HAMA file.

Analysis of revised Personal Property
- to be filed.

\$6200.00 -Total
as revised

BRD/DD.

December 15, 1948

File No.
4756
Kasuiichi SAKAI,
Reg. No. 11190

Summary of Defence Witnesses	Where required	Summary of Documents to be filed.	Witness proving same
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W.G.B. Thompson	Auctioneer Chattels		
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G.M. Harris, Staff- Steveston	Auctions		
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Lloyds' Register Surveyor	Appraiser Vessel		
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Analysis of
Revised Personal
Property -

BRD/DD.

December 15, 1948.

Name of Claimant **SAKAI, Kameichi**Case **732**Custodian File **4736**

<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 & 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	
							.00 600.00		420.00		420.00
<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				
135.00	101.00	30.30	74.81%	265.00	198.24			228.54			
TOTAL RECOMMENDATION											648.54

CLAIM NO. 788 - YOSHIHARA Motoichiro

CLAIM NO. 732 - SAKAI Kazuichi

The claimants present this claim in respect of a fishing vessel, on the basis that the vessel had been vested in the Custodian prior to the date when the sale, later mentioned, was completed.

It appears that this vessel was appraised on instructions of the Japanese Fishing Vessel Disposal Committee by a Lloyd's Surveyor, and subsequently was requisitioned for purchase by a Department of Government at the appraised price. The Bill of Sale was later executed by an Attorney appointed by the claimant. It is not shown that the Custodian participated in any respect in this transaction, the sale having been in my opinion consummated by the Japanese Fishing Vessels Disposal Committee. In these circumstances I consider that the claim does not fall within the terms of reference, and therefore reject it.

H. I. BIRD

Commissioner.

March 2nd 1950.

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788

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