5243

FORM "JP" STEVESTON, B. C. FILE No. 5243

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: Yee HAKATSU, Kaoye - YAMASHITA, Kaoye (Mrs. Akira)

HOME ADDRESS: Box 41, Dyke & Chatham St., Steveston, B. C.

REGISTRATION NUMBER 06246 SEX: Female AGE: 22

formerly....

OCCUPATION: Cannery Worker 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: None

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Akira

ADDRESS OF WIFE OR HUSBAND: Box 41, Dyke & Chatham St., Steveston, B. C.

NAMES OF ANY LIVING CHILDREN: None

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: Box 41, Chatham & Dyke St., Steveston, B. C.
Living with parents (Mrs M. Yamashita) 3d 4/19

2. LANDLORD'S NAME AND ADDRESS: None

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID:
None

4. STATE WHEREABOUTS OF LEASE: None

5. SUB-TENANTS, IF ANY (Give name, address, rent and to what date paid)
None

6. IF FARM LAND, PARTICULARS OF CROPS SOWN: None

STATEMENT OF PERSONAL PROPERTY OWNED:

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

1-living room suite; lamp stand;coffee table & side table;4-piece bedroom suite;closet;bed lamp & table lamp;electric clock;2-carpets;mantle clock; window shades & curtains;3-cushions;2-irons;1-table & 10 chairs - end Chatham St., living room suite & bedroom suite are being given to Mr. Y. Oye, Steveston, B.C. to take care of. Her furniture will all be tagged with her name. The rest of personal property will be left at Chathams & Dyke St., Steveston, B. C. with the goods of the family.

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

None

Brownlee -

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

FORM "JP" FILE No.

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 23rd day of April 1942.

A. McArthur
Witness

(Signature) Kaoye Yamashita

FOR DEPARTMENTAL USE

5146

INFORMATION FROM R.C.M.P.

Date Aug 9/43

Our File No. 5243

Full Name YAMASHITA (Nagae) Mrs. Akira.
(Surname in Block Letters)

Registration No. 06246 Male - Female (check) Age May 23, 1919

Former Address P.O. Box 250, Steveston, B.C.

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

Present Address Greenwood, B.C. (31/1/47).

Married - Single (check)

Name of Wife — 10986

Name of Husband Akira #05033

Name of Father Naajiro #04414

Name of Mother (nee UEYAMA) Len #04413

Names of Children under 16

Requested by RCMP. Registered with Custodian (Yes or No)

Additional Information Cannery Worker

File No. 5243 January 30, 1947.

LIABILITY SUMMARY

Re: Nacye (Mrs. Akira) YAMASHITA
Registration No. 06246

There are no claims against Mrs. Nacye Yamashita revealed on the file.

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

George Peters,
Office of the Custodian.

GP/EL

File No. 5243 January 30, 1947.

PERSONAL PROPERTY SUMMARY

Re: Nagye (Mrs. Akira) YAMASHITA
Registration No. 06246

Chattels: See Chattel Summary

Specified Articles: There are no Cameras, Radios, Fire Arms or Motor Vehicles revealed in the registration or the file.

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

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

George Peters,
Office of the Custodian.

GP/EL

File No. 5243 January 30, 1947.

CHATTEL SUMMARY

Re: Naoye (Mrs. Akira) YAMASHITA
Registration No. 06246
Evacuated - May 1, 1942.

Before evacuation, Mrs. Naoye Yamashita, declared on April 23, 1942, chattels left in the home of Mrs. Kazue Oye, Steveston, B. C. - see Schedule. However, when the chattels in Mrs. Oye's house were inventoried by J. D. Mather, Custodian's representative, on June 27, 1942, we find that he only inventoried a few items in the name of Mrs. Yamashita.

On November 1, 1944, and January 22, 1945, the Custodian removed practically all the goods inventoried by J. D. Mather. These items were auctioned and credited to the account of Mrs. Yamashita.

A letter was received from Mrs. Yamashita on March 16, 1944, in which she identifies herself as the person who left chattels stored in the home of Mrs. Oye, and she includes a list of chattels which she requests to be shipped to her. She stated these were purchased new only 3 months before her evacuation, when she was married. This list submitted by her is practically identical to the inventory taken by Mr. J. D. Mather. We feel, therefore, that she dealt with many of her chattels before evacuation.

The kitchen Fawcette range, which she declared in her letter, was sold by her direct to Mr. Erickson, the tenant of Mrs. Oye's house, and the funds from this sale were sent to the Custodian and credited to Mrs. Yamashita's account.

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

George Peters,
Office of the Custodian.

GP/EL

File No. 5243 January 30, 1947.

CHATTEL SCHEDULE

Re: Nacye (Mrs. Akira) YAMASHITA
Registration No. 06246

JAPANESE DECLARATION - APRIL 23, 1942.
Stored in Mrs. Kazue Oye's house.

1 Living room suite
Lamp stand
Coffee Table
Side Table
4 Pc. bedroom suite
Closet
Bed lamp
Table lamp
Electric clock
2 Carpets
Mantel clock
Window shades & curtains
3 Cushions
2 Irons
1 Table
10 Chairs

J. D. MATHER'S INVENTORY - June 27/42.
on File No. 5146

1 - 3 Pc. chesterfield
1 Small table
1 Bureau
1 Chiffonier
1 Table lamp
2 Chairs
3 Rolls oil cloth

ADDED IN LETTER OF MARCH 16, 1944.

1 Fawcette Range - sold direct Jan. 16/45 money ($15.) came through the Offic

GOODS REMOVED BY CUSTODIAN - NOVEMBER 1, 1944.

1 Folding moth-proof cabinet - auctioned
2 Rolls of linoleum - auctioned

GOODS REMOVED BY CUSTODIAN TO NO. 3 AUCTION,
January 22, 1945.

3 Pce. chesterfield set - auctioned
4 Pce. bedroom suite - auctioned
1 Electric clock - auctioned
1 Bed lamp - auctioned

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

G. Peters

George Peters,
Office of the Custodian.

GP/EL

NAME YAMASHITA, Nagye (Mrs. Akira)

REGISTRATION NO. 06246 FILE NO. 5243

The following chattels were sold by public auction at Steveston, B. C. on February 2, 1945.

-Bed lamp	$ 0.60
-Electric clock	7.50
-4 Piece bedroom suite	98.00
-3 Piece chesterfield set	75.00

Total			$
Less Expenses:	(Auctioneer's Fee:	$ 13.11	$ 181.10
	(Advertising:	5.91	
	(Moving:	14.86	38.88
Net Proceeds Credited:			$ 142.22

Members of Custodian Staff Present. Mr. Harris

Extracted from Auctioneering List No. Steveston 28.

Remarks.

NAME YAMASHITA, Maeye (Mrs. Akira)

REGISTRATION NO. 06246 FILE NO. 5243

The following chattels were sold by public auction at Steveston, B.C. on November 16, 1944.

2 Rolls linoleum	$ 4.25 ✓
Folding wardrobe ✓	0.25 ✓

Total	(Auctioneer's Fee:	$ 0.45	$ 4.50
Less Expenses:	(Advertising:	0.20	
	(Moving:	0.45	$ 1.10
Net Proceeds Credited:			$ 3.40

Members of Custodian Staff Present. Mr. Harris

Extracted from Auctioneering List No. Steveston 24.

Remarks. not listed on Steveston list

1419, 5243 & 4173

July 27, 1943.

Mr. Manjiro YAMASHITA,
Registration No. 05041,
Greenwood, B.C.

Dear Sir: Re: Chattels

As we have not been able to locate any of the chattels declared by yourself, your wife and your daughter-in-law at your house on the Atagi Dyke, we must presume you took these with you when you left the protected area.

Will you kindly acknowledge that this is the case and that you have nothing left of which the Custodian need care.

Yours truly,

R. B. Mackedie
Protection Department

RBM/ms

EVACUATION SECTION
Rec'd MAR 21 1944
File No. 52 K3, 5146
Ans.
Referred

SLOCAN CITY, B.C.,
MARCH 16, 44

CUSTODIAN OF ENEMY PROPERTY,
VANCOUVER, B.C.

SIRS:- YOUR REFER NO 5146

YOUR LETTER OF FEBY. 9 ADDRESSED TO MRS. KAZUYE OYE, IN CONNECTION WITH MY CHATTELS NOW STORED AT HER HOME AT STEVESTON, HAS BEEN REFERRED TO ME YESTERDAY.

IN REPLY PLEASE BE ADVISED THAT CHATTELS STORED AT HER HOME BY NAME "YAMASHITA" BELONG TO ME AND I WISH YOU WOULD KINDLY ARRANGE TO SEND GOODS MENTIONED ON ATTACHED LIST AT YOUR EARLIEST CONVENIENT WITH MY EXPENSE. I SINCERELY WISH TO KEEP THESE AS THEY WERE PURCHASED NEW ONLY THREE MONTHS BEFORE EVACUATION WHEN I WAS MARRIED.

THANKING YOU FOR YOUR PROMPT ATTENTION, I AM,

YOURS VERY TRULY
N Yamashita
(MRS NAOYE YAMASHITA)
REG *0624

See file 5146
for attached list of goods
belonging to above.

3 Bdles. Linoleum Dell
1 Bdle Blinds. (4 in 5 blinds) Missing
1 Living Room Set.
1 Bed Room Set
(1 complete Bed with Box Spring and Mattress - 1 Bureau and 1 Vanity Set with Large Round Mirror) Sold
1 Range Stove (Fancette) sold to Graham Feb 75
1 Electric Clock Dell
1 Closet Dell

DEPARTMENT OF LABOUR
CANADA

EVACUATION SECTION
Rec'd JUN 1 1944
File No. 5243
Ans.
Referred NCKelsen

BRITISH COLUMBIA SECURITY COMMISSION

360 Homer Street,
VANCOUVER, B.C.,
May 31st, 1944.

Supervisor, B.C.S.C., SLOCAN CITY, B.C.

Re: YAMASHITA, Naoye #06246

Custodian Release of April 18th for some linoleum, blinds, bedroom set, etc., from 681 7th Ave. Steveston:

We have information that these goods were sold to Mr. and Mrs. Pete Erickson, that is, so far as the three-piece Chesterfield and two bureaus are concerned.

With regard to the balance of the goods, the attached circular C-534 governs. We are not desirous of shipping anything to Interior Housing points.

You reported a deposit of $20.00, which will be refunded on request.

C.W.Fisher
Transportation

CWF:FT
c.c. Gen.Files
Treasury
Custodian of Alien Property ✓

EVACUATION SECTION
Rec'd APR 24 1944
File No. 5243
Ans.
Referred Jackedie

G-165-A

BRITISH COLUMBIA SECURITY COMMISSION.

CUSTODIAN RELEASE FORM

Address _____ Date April 18th 1944

Sloean City,B.C.

To: The Secretary of State, acting in his capacity as Custodian, Vancouver, B.C.

I, Naoye Yamashita, Police Registration No. 06246 hereby request you to release to me the under-noted property stored at 681 7th Avenue,Steveston,B.C. in possession of Mrs. Erickson and I release you from any claim whatsoever with respect to such property.

Description of Property:

Sold at Auction ✓ Not accepted Sold at auction 28 ✓
3 bdls. Linoleums - 1 bdle.Blinds - 1 Living Room set

Sold at auction
1 Bed Room set (1 complete bed with box mattress and spring- ✓
Sold at auction 28
1 bureau and 1 vanity set with large round mirror)

Sold at auction 28 ✓ Sold at auction
1 range stove (Enamette) - 1 Electric clock - 1 Closet and
✓ Sold at auction 28
1 Bed lamp (stored in 3rd drawer of another bureau)

Original Address Dyke,Steveston,B.C.

Date Evacuated to Vancouver _____

Date Evacuated to Present Address April 1943

Number in Family - 12 years and over Four

Number in Family - 5 to 11 years old _____

Number in Family - under 5 _____

TOTAL NUMBER IN FAMILY Four

Deposit $20.00

I agree to pay all charges as required by the British Columbia Security Commission.

APPROVED:
BRITISH COLUMBIA SECURITY COMMISSION

Per: G.T.King N Yamashita
Claimant Signs Here

Vancouver, B.C., April 22nd, 1944.

Mr. C.M.Harris, Custodian Agent, Steveston, B.C.
Custodian of Alien Property, 506 Royal Bank Bldg., Vancouver, B.C. ✓

Okay to ship goods by freight in the usual manner. Have a $20.00 deposit.
Mr. MacDonald will assist when requested.

B.C.SECURITY COMMISSION
C.W.Fisher- Transportation

CWF:EF

C
O
P
Y

Bldg. No. 7,
Greenwood, B.C.
Jan. 4, 1945

Mr. Peter Erickson,
681 - 7th Ave.,
Steveston, B.C.

Dear Sir:

In reply to your favour dated 25th November last year, in regard of my cooking stove, I will sell you as you offer for $75.00. About other stuff I wish you will send me before Custodian takes them away.

Yours truly,

SIGNED: A. YAMASHITA

MEMORANDUM

File Nos. 5243, 10986 January 15th, 1945

To: The Files
From: Mr. Mackedie

Re: YAMASHITA, Naoye (Mrs. Akira)

The above stored some of their chattels in the house of Masaharu OYE (file 5146) of which the tenant is Peter Erickson, who has bought some of the effects of the above including the kitchen range referred to in the letter of Jan. 4/45.

RBM:LM

June 19, 1945

Files 5146 & 5241

To: Mrs. MacArthur

From: F. Matheson

Re: Mrs. Hacye YAMASHITA, Reg. 06246 & Chattels stored at home of Mrs. Kazue OYE, File 5146

Mrs. YAMASHITA declared on AP, the following chattels as being left at Chatham & Dyke:

1 Lamp Stand
1 Coffee Table
1 Side Table
1 Closet x
1 Bed Lamp 1
1 Table Lamp
1 Electric Clockx
2 Carpets (Linoleum?)
Window Shades X
& Curtains
3 Cushions
2 Irons
1 Table & 10 Chairs

On April 15, 1944, Mrs. YAMASHITA requested shipment of the articles marked x, and reported these to be at Mrs. Erickson's, 661 7th Ave. Steveston, which I think is the former home of Mrs. Kazue OYE.

It is possible that some of the lamps, tables, etc. sold, and credited to Mrs. OYE, may be the property of Mrs. YAMASHITA.

Attached is list of the chattels reported to be the property of Mrs. YAMASHITA, stored at Mrs. OYE's house.

February 26/47

MEMORANDUM

TO: Government Counsel
FROM: B. MacAskill

Re: YAMASHITA, Naoye (Mrs. Akira)
File No. 5243 Reg.No. 06246

Naoye YAMASHITA declared goods left at Y. OYE's, Chatham Street, Steveston. She claimed goods left at Y. OYE's, where Mrs. Erickson occupied after evacuation.

Yaichi OYE (File 5792) is the father-in-law of Kazue OYE (file 5146). Both have registered their address as P. O. Box 28, Steveston, so Yaichi probably lived with his daughter-in-law. This would explain Naoye YAMASHITA's declaration of goods left at house of Mr. Y. OYE.

Possible agency - Naoye YAMASHITA left her goods in the house of Kazuye OYE who had leased her house to Mr. Peter Erickson for $1.00 for the duration of the war. These goods were left under the care of Mr. & Mrs. Peter Erickson - see claim.

Naoye YAMASHITA's claim states that goods were stored unpacked - if the articles were not well marked it is probable that some of the lamps, tables, etc. sold and credited to Mrs. OYE may be the property of Mrs. YAMASHITA for it would be very difficult to establish ownership of unmarked goods. All goods except those listed in Column #2 of Analysis, removed from house were taken as being Kazuye OYE's and sold as belonging to her.

B. MacA

DEFENCE BRIEF

GRAND FORKS
9 June 1948

(Mrs.) Naoye YAMASHITA

File No. 5243

Case No. 336

PERSONAL PROPERTY CLAIM

(All claims shown are Gross)

Household Goods Amended Claim	Sold for
$558.90	$185.60

Claim for Cook Stove $150. abandoned. (Trans. Page 4)

Goods value	$475.00	Sold by Auction for $185.60.
" "	83.90	Declared, not found.
	$558.90	

Claimant stated that some of her goods were left at the home of Y. OYE, Chatham Street, Steveston and some were left at the house at Chatham & Dyke Street where she was living with her father & mother-in-law, Mr. & Mrs. YAMASHITA, which house she stated was locked and the windows boarded.

Custodian made enquiries about these chattels left at Atagi Dyke to her parents-in-law but no reply was received to these enquiries.

It is submitted that certain of the goods in respect of this claim were left supposedly at the home on Dyke Street never came into the possession of the Custodian and therefore, do not come within the Terms of Reference.
As to the remaining goods, it is submitted they were sold for their fair market value.

NOTE: Custodian was asked to produce copies of the letters sent to the parents-in-law re these chattels.
(Trans. Page 9)

One copy dated 27/7/43 filed.

BMP/mw

CASE NO: 336

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

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(HIS HONOUR, JUDGE M.M. COLQUHOUN, SUB-COMMISSIONER)

Grand Forks, B.C.
June 9, 1948

IN THE MATTER OF THE CLAIM OF
NAOYE YAMASHITA

PROCEEDINGS AT HEARING

APPEARANCES:

HAROLD W. McINNES, Esq.,	appearing for the Dminion Government
A.E. COBUS, Esq.,	appearing for the Claimant.

L.A. DODD, Esq.,	Secretary to Grand Forks Sub-Commission
G.N.R. UPTON, Esq.,	Official Interpreter
G. HAMBLETON, Esq.,	Official Reporter

MR. COBUS: The claim, your honour, of Yamashita, Naoye, which is No. 110 on the Secretary's list.

THE COMMISSIONER: No. 336.

NAOYE YAMASHITA, the Claimant herein, being first duly sworn, testified through the official interpreter as follows:

MR. COBUS: I would ask leave, your honour, to amend the claim which is a claim for personal property only by showing a new value for chattels of $621.00 less 10% depreciation -- that is how she has arrived at her estimated value -- leaving an estimated value of $558.90. We show a credit to the Custodian of $260.60, leaving the net claim $298.30.

THE COMMISSIONER: Amendment allowed.

DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I produce to you a statement concerning the personal chattels for which you are submitting a claim. Did you instruct Mr. Leckie to prepare that statement and is that your signature?

A: Yes.

Q: Are the statements contained herein true to the best of your knowledge and recollection?

A: Yes.

MR. COBUS: I would ask leave to file the statement concerning personal chattels as the first exhibit.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. COBUS: Referring to that exhibit, the claimant has

listed all of the items for which she is making claim, showing the details with respect to each item, including price paid, and the estimated value as shown as a total of $558.90 which is the cost price less 10% depreciation.

Q: Witness, in your statement you show that all of these goods were purchased in December, 1941.

THE WITNESS: A: Yes.

Q: Were you married in 1941? A: Yes.

Q: You were married in December, 1941?

A: Yes.

MR. COBUS: Well, that explains that. She says that the chesterfield suite and bedroom suite were left at the home of Y. Oye at Chatham Street, Steveston, B.C., the other articles were left in the house at Chatham Street and Dyke Street where she was living with her father, and mother-in-law, Mr. and Mrs. Yamashita. She says that they were all evacuated in May of 1942 and, when leaving, the house was locked and the windows boarded. In her J.P. form she declared the location of her chattels as now stated. She is informed that the Custodian states that he wrote her father and mother-in-law in 1943, 1944, and 1945 inquiring about her chattels left at Chatham Street, Steveston. During those years she says she was living in Slocan City. She adds that her father and mother-in-law never informed her about those letters and the Custodian never wrote her at any time concerning

the chattels. She says she knows nothing about those letters.

If my learned friend would produce the Analysis of Personal Property Claim.

(Handed to Mr. Cobus)

MR. COBUS: I ask leave to file the Analysis of Personal Property Claim on behalf of the Crown.

(ANALYSIS MARKED EXHIBIT NO. 2)

MR. COBUS: The analysis indicates in the first column, which is taken from the J.P. form by the Custodian, that certain goods declared on April 23, 1942 were stored at Y. Oye's at Chatham Street, Steveston, B.C., and certain other chattels were left at Chatham and Dyke Street, Steveston, B.C. Her claim column on the analysis sheet under "Details of Claim" agrees with the now amended list of goods save for one item, the very last item in the list there, the new cookstove, which is abandoned, and all other goods remain.

Your witness.

MR. McINNES: It will be submitted, your honour, that certain of the goods in respect of this claim were left supposedly at the home on Dyke Street never came into the possession of the Custodian and therefore do not come within the Terms of Reference. As to the remaining goods, it will be submitted the same were sold for their fair market value.

CROSS EXAMINATION BY MR. McINNES:

Q: Mrs. Yamashita, these goods were purchased by you personally, were they?

A: Yes.

Q: Prior to or following your marriage?

A: Before my marriage.

Q: You married in December, 1941? A: Yes.

Q: You paid for them yourself? A: Yes.

Q: Where did you buy this chesterfield suite?

A: Woodwards.

Q: In Vancouver? A: Yes.

Q: And you paid $150.00 for it? A: Yes.

Q: Did you buy it with cash or did you have a bank account to write a cheque?

A: Cash.

Q: What business were you in that enabled you to pay accounts like this? A: I was working at the cannery, but I received the money from my mother.

Q: Yes. And that is the amount, and I suppose you used this chesterfield suite from September 1941 until you were evacuated, is that right?

A: Yes.

Q: When were you married? A: December, 1941.

Q: In that month, December? A: December, 1941.

Q: And you and your husband lived together at Steveston, is that right? A: Yes.

Q: Where is your husband now? A: Greenwood.

Q: Now, did you buy the other articles at Woodwards as well; for instance, the bedroom suite, $250.00? A: Restmore Company.

Q: Yes. Did you pay for that in cash, too?

A: Yes, cash.

Q: Now, in your J.P. form you refer to -- well, let me put it this way: In your claim form you have attached a list and you refer to a new cookstove, $150.00. A: Yes.

Q: Now, that cookstove is not referred to in your J.P. form.

MR. COBUS: My friend knows, of course, your honour, that the cookstove has been abandoned.

THE COMMISSIONER: I understood that.

MR. COBUS: It is not in issue now.

MR. McINNES: Would you mind if I cross-examined on it?

MR. COBUS: Well, I see no point in it, your honour.

THE COMMISSIONER: We may presently.

MR. McINNES: Q: Is that your signature on the J.P. form? A: Yes.

Q: You sold this stove yourself, did you not; you arranged the sale of it to Erickson, is that right? A: Yes. Somebody came from the Custodian and said that they would sell it.

Q: For $75.00? A: Yes.

Q: And you agreed to that? A: Yes.

Q: Now that was a new stove? A: Yes.

Q: Where did you buy that stove?

A: At Mac and Mac.

Q: You bought that in December, 1941, too?

A: Yes.

Q: Did you pay cash for it? A: Yes.

Q: $150.00? A: Yes.

Q: And you consented to the sale of it for $75.00 to Erickson? A: Yes.

Q: Is that right? A: Yes.

MR. McINNES: Perhaps my learned friend will now understand what I was leading to. Thank you, that is all.

RE-DIRECT EXAMINATION BY MR. COBUS:

Q: In answer to the question about the sale of the stove, witness, when you say you sold the stove, what you meant in fact was that you consented to the sale of the stove by the Custodian.

MR. McINNES: I think that is what my question said.

MR. COBUS: That is correct. I wanted to make certain that I understood it, Mr. McInnes. I might say that that is shown on the Analysis of Personal Property Claim as having been sold by tender for $75.00 and we have abandoned the claim, for good reason.

Your honour, if my learned friend could, would he tell me the date of the first inquiry made by the Custodian respecting the chattels and to whom the inquiry was directed?

MR. McINNES: Well, I don't understand my friend.

MR. COBUS: The note on the analysis sheet, if you look at it, you will find there is a remark to the effect that certain inquiries were instituted by the Custodian on certain dates in July -- whether it is July in each of the years -- in 1943, 1944, and 1945.

MR. McINNES: I would say the first inquiry was dated July 27, 1942 when Mr. Mather took an inventory.

MR. COBUS: I am making reference to the remark on the Analysis sheet on the extreme right-hand corner.

MR. McINNES: I have no information.

THE COMMISSIONER: Well, the language in the column referred to is quite clear, Mr. Cobus.

MR. COBUS: Except, your honour, I want to make certain that the letters were not addressed to the claimant.

THE COMMISSIONER: Well, the only evidence before the Commission is that they were addressed to her parents-in-law.

MR. COBUS: That is the evidence, your honour, of the claimant.

THE COMMISSIONER: That is the only evidence.

MR. COBUS: Yes. It seems very strange that the file wouldn't contain carbon copies of such letters, and if my friend won't admit that the inquiries were directed to the parents, then I would ask that he produce these letters before the hearings in Vancouver. Perhaps my friend will admit

that.

MR. McINNES: Well, I haven't any more information, your honour, than my friend has. All I know is what is contained on the analysis. There is no correspondence.

MR. COBUS: Would my learned friend undertake to produce copies of the letters to which those inquiries and the remarks in the remarks column of the analysis sheet refer?

MR. McINNES: If there are such letters I will undertake they will be produced.

MR. COBUS: Then will my learned friend indicate or undertake to explain the type of inquiry that is referred to?

MR. McINNES: I can't go any further than I have gone.

THE COMMISSIONER: That is fair. He undertakes to produce them if found.

MR. COBUS: Well, then, of course I will take objection to that remark, certainly, if any evidence is adduced or attempted to be adduced that any inquiry was directed to this claimant.

MR. McINNES: Which remark?

MR. COBUS: The remark in the analysis sheet.

MR. McINNES: I don't know anything about that.

MR. COBUS: I am not suggesting you do.

THE COMMISSIONER: Well, that is all on the record, Mr. Cobus.

MR. COBUS: That is all.

THE COMMISSIONER: Are there any other documents you

want produced?

MR. COBUS: I beg your pardon?

THE COMMISSIONER: Are there any other documents you want produced?

MR. COBUS: No, there are none.

THE COMMISSIONER: All right.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

Gordon Hambleton

G. Hambleton
Official Reporter

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

M.M. COLQUHOUN
Sub-Commissioner

5243

November 3rd, 1950.

Mrs. Naoye YAMASHITA,
c/o Great Northern Cannery,
Sherman P. O.,
B. C.

Dear ~~Sirs~~ Madam:

Re: Japanese Property Claims Commission

Case No. 336

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 ... $112.73.

Cheque in your favour is enclosed for $106.21

and we have paid the Co-Operative Committee .. $ 6.52

for legal fees as authorized by you.

Yours truly,

F.G. Shears
Director

FGS/js
1 encl.

Name of Claimant YAMASHITA, Masye Case 336

Custodian File 5945

REAL PROPERTY

Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)			V.L.A. Mission Village			Total
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices: % of Total	Amount	Sale Price	Total Award 125% of all Sale Prices: % of Total	Amount	

PERSONAL PROPERTY

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	

NETS

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	

MISCELLANEOUS CHATTELS

Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price	
27.90	185.60	55.68	43.41	131.40	57.05			112.73

TOTAL RECOMMENDATION 112.73

1540