

6526

BUREAU POWELL STREET
OFFICE OF THE CUSTODIAN
JAPANESE SECTION

EXHIBIT No. 1469-1

DATE FILE NOV 19 1948

FILLED BY

K. A. Christie

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: NAKAMACHI, Gunji (Father) NAKAMACHI, Yukino (Mother)
NAKAMACHI, Akiko (Daughter)

HOME ADDRESS: 2584 Oxford St., Vancouver, B.C.

02606 Father Male 54

REGISTRATION NUMBER 02505 Mother SEX: Female AGE: 43

12624 Daughter Female 23

OCCUPATION: Photographer, Housewife, Nurse

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

EMPLOYER: Self, ----, St. Pauls Hospital

MARRIED? Yes, Yes, No.

NAME OF WIFE OR HUSBAND: Gunji (husband) Yukino (wife)

ADDRESS OF WIFE OR HUSBAND: 2584 Oxford St., Vancouver, B.C.

NAMES OF ANY LIVING CHILDREN: Akiko (F), Nobuo (M)

Mary (F) Yoshio (M) Kimio (M)

ADDRESS OF CHILDREN: All at 2584 Oxford St., Vancouver, except Kimio who is at Hastings Park working.

AGE OF CHILDREN: 23, 17, 18, 12, 21

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: 2584 Oxford St., Vancouver, B.C.

6 Roomed wooden house.

2. LANDLORD'S NAME AND ADDRESS: Mr. K. Kato, 2760 Alma Road,

Vancouver, B.C.

3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID:

\$20.00 monthly, Paid to April 15th, 1942

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:

2 beds, 1 dresser, linoleum for 3 rooms, kitchen table & chairs,

Leaving these things at 2584 Oxford St., Vancouver, B.C.

Radio turned in to Kelly Piano Co. for safekeeping.

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

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)
One \$100 Victory Bond Purchased in 1942.
In Mr. Nakamachi's possession.

8. BANK ACCOUNTS: None

9. LIFE INSURANCE: \$2000 with the New York Life Insurance Co.,
Wife, beneficiary, Policy No. unknown, policy in owners possession.

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 28th day of April 1942

M L Blackwood
Witness

(Signature)

G. Nakamachi
Y. Nakamachi
A. Nakamachi

FOR DEPARTMENTAL USE

260

.R.G-68

INFORMATION FROM R.C.M.P.

Mental Hospital

Date February 8/43

✓
Full Name G. NAKAMACHI
(Surname in Block Letters)

✓
Registration No. 02606 Male - Female
(check)

Age JAN. 13, 1888

Former Address 532 Princess St., Vancouver, B.C.

Date Evacuated MAY 19, 1942 Naturalized - Canadian-Born - National
(check) ✓

Present Address Greenwood, B.C.

✓
Married - Single
(check)

Name of Wife Yukine - 02505

Name of Husband _____

Name of Mother _____

Name of Father _____

Names of Children under 16 Yoshie 1/12/30

Our File No. 65261

Registered with Custodian
(yes or no) _____

Requested By E. Sutton

Additional Information Photographer

COPY

6526

COPY

December 20th, 1949

Mr. R. J. McMaster,
Campbell, Brasier, Fisher & McMaster,
Royal Bank Building,
Vancouver, B. C.

Dear Sir:

Re: Case No. 1269 - Gunji NAKAMACHI

As requested by you we enclose Custodian cheque
in the amount of \$174.93 payable to the above Japanese. This
amount represents the nett proceeds from the sale of all
chattels by auction in connection with this case.

Gross amount of sale	\$ 245.25
Less expenses	<u>70.32</u>
	\$ 174.93

Kindly acknowledge receipt.

Yours very truly,

C. H. Reed
Office of the Custodian

CHR:BK
Encl.

14th December 1949.

To: Mr. Shears

From: Mr. Macdonald

Case 1269

In this case \$223.25, being the proceeds of auction sales was held in suspense account. Of the three people concerned this man is now the only one with a claim. The Commissioner cannot decide the correct distribution of the funds held in suspense and this case will have to be settled either on the basis of this claimant getting all or part of the money in suspense or none. I wonder if you would be good enough to have the file looked at and see if your office can come to some decision with regard to these funds.

Mr. Shears, I have examined the file. No further light has been thrown on the contested ownership but Mr. Naka has abandoned her claim so I would recommend that the total in Chattel Suspense be given to the above since Mr. Naka abandons all claim to any further.

Total given in Chattel Suspense is \$ 245.25

If you agree we will transfer the full amount to credit of Nakamachi's Account and send him our cheque.

16/12/49.

Shears

OK Shears

RECEIVED

Case 1269
File 6526 & 0/181

MEMORANDUM

December 19th, 1949.

TO: Accounting Dept.

FROM: Jean Spratt

Transferred to Chattel Suspense from account of Gunji NAKAMACHI, File 6526, proceeds from Auction Vancouver 49, Vancouver 50 and Vancouver 54, owing to the fact that it was impossible to separate which goods belonged to Gunji NAKAMACHI and Tomijiro NAKA. Mrs. NAKA has now abandoned all claim to any portion of the chattels and it has been decided to allow NAKAMACHI to have the proceeds from the sale of all the Chattels.

Will you please transfer from Chattel Suspense, 0/181, to account of Gunji NAKAMACHI, File 6526, Reg. 02606:

Proceeds Sale Vancouver Auction No. 49 - \$ 96.35	less Expenses \$24.50	
" " " " 50 - 147.90	" " 45.52	
" " " " 54 - 1.00	" " .30	
	<u>\$245.25</u>	<u>\$70.32</u>

J. Spratt

Accounting Department.

Please Debit Chattel Suspense, 0/181, and Credit Gunji NAKAMACHI

Vancouver 49	\$96.35	Less Expenses \$24.50	=	71.85
" 50	147.90	" " 45.52	=	102.38
" 54	1.00	" " .30	=	.70

026/30

RECEIVED 215.15.11.11.11

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

EXHIBIT No. 1269-4

DATE NOV 19 1942

SIGNED BY

G. B. Spain

PHONE PACIFIC 6131

PLEASE REFER TO

FILE NO. 6526

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

November 20th, 1942.

Mr. Gunji NAKAMACHI,
Registration No. 02606,
GREENWOOD, B. C.

EVACUATION SECTION	
Date	JAN 8 1943
File No.	6526
Ass.	<i>Spain</i>
Refer.	<i>Spain</i>

Dear Sir:

We have found it necessary to remove personal property under your name from 2584 Oxford Street, to the Custodian safe warehouse at 992 Powell Street.

The list of chattels, under your name, is attached in duplicate and if you find same correct, please return one signed copy to this office for our records, the other copy may be retained by you for your future reference.

We assume that you have no further personal property in the restricted area of British Columbia requiring our attention.

Your prompt reply would be appreciated.

Yours truly,

G. B. Spain

G. B. Spain,
Protection Department.

GES/EH
Encl.

November 20th, 1942.

File: 6526

Name: Gunji NAKAMACHI

Reg.No: 02606

EVACUATION SECTION
JAN 8 1943
<i>Sporn</i>
Referred

CHATELS

✓ 3 Small tables 13	✓ 1 Large clothes cupboard, all in pieces
✓ 1 Piano stool 1x	✓ 1 Large mirror
2 Ironing boards	✓ 1 Small mirror
✓ 3 Gal. crock	✓ 12 Dining room chairs 36-6A
1 Mattress discarded	✓ 1 Rocking chair 3
5 Carton household utensils	✓ 8 Kitchen chairs 30 X 2
✓ 2 Dining room tables (round)	✓ 2 Boxes
✓ 6 Sets, bed ends 15	✓ 3 Table leafs
✓ 4 Sets bed rails	✓ 4 Pictures
✓ 5 Springs (bed)	1 Crate windows
✓ 1 Hat rack 3	✓ 1 Stand clothes rack
✓ 1 Chesterfield 3	1 Screen door
✓ 2 Chesterfield chair 3	1 Wash stand
1 Pair crutches 3	1 Old dressers 11-12-13-14-15
2 Small mattresses discarded	1 Old buffet 3
✓ 1 Mirror stand	1 Davinett
✓ 1 Bdle. screen frames	✓ 3 Rollis lino
2 Screen doors	5 Boxes
1 Chesterfield couch	✓ 4 Cartons
1 Buffet 3	✓ 1 Lamp stand
✓ 2 Rollis lino	✓ 1 Electric heater
1 Bdle. boards	✓ 1 Small basket
✓ 1 Centre table 3	✓ 1 Mat
1 Silver cup	✓ 1 Cushion
1 Silver trophy	✓ 1 Boiler
✓ 3 Dressers	1 Tub
1 Kitchen cupboard	✓ 2 Old chairs
✓ 1 Gramophone 3	1 Umbrella stand
✓ 2 Bed tables 3	1 Sack capooks
✓ 2 Bbles. rag mats	

This represents all my chattels in the restricted area of British Columbia.

Date. January 4, 1943

Signed

G. Nakamachi

Please sign and return one copy to this office.

S. sold by Auction - 3/10/45. I sold by auction 26/9/45
Vancouver 54 Res. 49.

X - sold by Auction. 22/8/45

Vancouver 50

88 " " " 19/9/45 - Van 52.

EXHIBIT No. 1269-6
DATE NOV 19 1948
FILED BY K. A. Christie

8 Greenlaw Avenue,
Toronto, Ontario,
~~December 1, 1947.~~
Sept. 29, 1948

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

Dear Sir:

Enclosed you will find copies of the account sales submitted to me, and also your letter regarding it. The reason I did not attend to your request, is that I did not approve of the action taken, and that its returns were much too little.

I have marked the items which belong to me by an "X" to identify them from Miss Kato's effects. I have set my values, opposite these goods, for which I am claiming. The total amounting to \$944.50.

In addition to these I also claim for the loss of the following articles which were under your custody, but I find are not on the chattel list.

Davnette	\$70.00
3 Oil Paintings (scenery)	
1 painting	\$50.00
2 paintings @ 15.00	80.00
Umbrella Stand	5.00
Clothes Rack Stand	10.00
	<u>\$165.00</u>

The above sums put together amounting to \$1,109.50 is my total claim.

Yours very truly,

Gunji Nakamachi
Gunji Nakamachi.

NAME NAKAMACHI, Gunji

REGISTRATION NO. 02606

FILE NO 6526

The following chattels were sold by public auction
at 992 Powell St., Vancouver, B. C. on July 26, 1945.

	<u>Auction Sale</u>	<u>Value Claim</u>
✓ X Gramophone.....	\$9.00	\$30.00
Dinner table, buffet & 6 diners.	10.00	
X China Cabinet.....	25.00	50.00
End table	2.00	
Chesterfield and 2 chairs	32.00	
Center table	2.50	
X Center table.....	1.00	4.00
X Center table.....	2.75	10.00
X Center table.....	5.00	15.00
Hat rack	1.00	
8 chairs	4.00	
Rocker	2.10	

Total		<u>\$96.35</u>
(Auctioneer's fee; \$9.63		
Less Expense (Advertising; 2.69		
(Moving; 12.18	<u>24.50</u>	
Net Proceeds Credited:		<u>\$71.85</u>

Members of Custodian Staff Present. Mr. Wills

Extracted from Auctioneering List No. Vancouver 49.

NAME NAKAMACHI, Gunji

REGISTRATION NO. 02606

FILE NO. G/181

The following chattels were sold by public auction
at 992 Powell St., Vancouver, B. C. August 22, 1945.

	Auction Sale	Value Claim
X Vase (brass).....	\$4.50	\$25.00
X Vase (brass).....	1.50	15.00
X Vase.....	.70	4.00
X Carving set.....	2.00	10.00
X Electric Iron.....	1.75	7.00
X Table lamp.....	.75	3.00
X Electric toaster.....	1.75	7.00
4 Vases	2.75	
X Tray & lacquerware, etc.....	2.50	20.00
X Dishes.....	1.60	15.00
X 2 Bowls.....	1.00	4.00
X 2 glass.....	1.75	4.00
X Glassware.....	1.00	5.00
X Box dishes.....	1.50	15.00
X Nest of tins.....	.50	1.50
X Box dishes & cutlery.....	1.75	15.00
X Dishes & pan.....	.25	5.00
Aluminum roaster	1.00	
X Box dishes.....	1.50	15.00
X Kitchenware.....	1.10	10.00
X 5 Umbrellas.....	1.50	15.00
X Tools.....	2.75	15.00
X Car pump.....	.90	2.00
X Trays & Toys.....	1.00	3.00
X 3 Platters.....	1.25	15.00
X Electric Clock.....	4.00	15.00
Electric heater	1.75	
Garden tools.	.50	

Carried fwd. 44.80

NAME NAKAMACHI, Gunji

REGISTRATION NO. 02606

File No. G/181

The following chattels were sold by public auction at

992 Powell St., Vancouver, B. C. on August 22, 1945

	Auction Sale	Our Claim; Value
Brought fwd.	44.80	
X Garden tools.....	.50	\$4.00
X Lacrosse stick, etc.....	.50	7.00
X Xmas decorations & games.....	.40	5.00
X Kitchenware.....	.50	5.00
X Iron Pot.....	.75	3.00
Kitchenware	2.00	
X Dishes.....	2.25	20.00
X 3 pairs Clippers.....	3.50	13.00
X Carton miscellaneous.....	2.00	10.00
X 2 Trays.....	2.50	10.00
X Cutlery.....	2.00	10.00
X Box Kitchenware.....	1.50	15.00
X Carton dishes & doll.....	2.25	15.00
X Glass bowls.....	1.50	10.00
Tailor's Iron	0.75	
X Electric Coffee Percolator.....	7.50	16.00
X Miscellaneous dishes.....	2.00	20.00
X 4 figures.....	1.50	8.00
Mattock, sledge, & etc.	1.75	
2 Burner Gas plate	1.00	
2 Cartons Miscellaneous	1.00	
X 3 small tables.....	.50	6.00
3 Cartons coat hangers	.65	
Steel Square	1.30	

Total \$84.90

Less Expenses: (Auctioneer's fee: \$8.49
Advertising: 5.71
Moving: 11.93
26.13

Net Proceeds Credited: \$58.77

Members of Custodian Staff Present. Mr. Wills
Extracted from Auctioneering List No. Vancouver 50.

NAME NAKAMACHI, Gunji

REGISTRATION NO. 02606

FILE NO. 6526

The following chattels were sold by public auction
at 992 Powell St., Vancouver, B. C. on August 22, 1945.

	<u>Auction sale</u>	<u>Value</u> <u>Our Claim</u>
X Electric plate.....	\$ 2.75	\$8.00
3 gal. crock	1.25	
picture	1.00	
X Copper boiler etc.....	0.75	5.00
X Cushions, etc.....	1.00	5.00
Rubber mat & cocoa mat.	1.85	
X Photo equipment.....	3.75	6.00
X Photo Equipment..(roller with motor	6.00	65.00
X " "	.25	1.00
X " "	.75	2.00
X " "	.75	2.00
X Basket & miscellaneous.....	1.50	5.00
X Metronome.....	4.50	15.00
X Mirror.....	2.25	10.00
Mirror	3.25	
End table	1.00	
2 Japanese Mats	1.00	
X Dining table & 6 chairs.....	10.00	90.00
X Smoker stand & lamp.....	3.00	7.00
X Dresser.....	5.50	15.00
Full length mirror & stand.	15.00	
X Single bed & spring.....	12.00	20.00
X " &	12.00	20.00
Bed & Spping	2.00	
Bed & Spring	4.00	
X Bed & Spring.....	6.50	15.00
5 rolls linoleum...	7.00	

Carried forward 112.10

NAME NAKAMACHI. Gunif

REGISTRATION NO. 62606

FILE NO. 6526

The following chattels were sold by public
 auction at 992 Powell St., Vancouver, B. C. on August 22, 1945.

	<u>Auction Sale</u>	<u>Our Claim: Value</u>
Brought fwd.	\$112.10	
X 1 roll linoleum.....	8.00	\$15.00
X 1 roll linoleum.....	12.00	28.00
Old Wooden Cupboard	.25	
X Chest of drawers.....	4.00	15.00
X Chest of drawers.....	7.00	25.00
X Wicker stand & table.....	.25	3.00
X 5 chairs.....	2.30	10.00
X Table, piano stool and screen..	2.00	15.00

Total	(Auctioneer's fee: \$14.79	\$147.90
Less,	(Advertising 9.95	
Expenses (Moving: 20.78	45.52	
Net Proceeds Credited:	\$102.38	

Members of Custodian Staff Present. Mr. Wills
 Extracted from Auctioneering List No. Vancouver 50.

NAME NAKAMACHI, Gunji

REGISTRATION NO. 02606

FILE NO. G/181

The following chattels were sold by public auction
at 992 Powell St., Vancouver, B. C. on September 5, 1945.

	<u>Auction Sale</u>	<u>Value Claim</u>
Cross cut saw	\$2.25	
X 2 Cedar Cardboard wardrobes.....	.25	\$1.00

Total		<u>\$2.50</u>
(Auctioneer's fee;	\$0.25	
Less Expenses: (Advertising;	0.16	
(Moving;	<u>0.40</u>	<u>0.81</u>
Net Proceeds Credited:		<u>\$1.69</u>

Members of Custodian Staff Present. Mr. Wills

Extracted from Auctioneering List No. Vancouver 51.

NAME NAKAMACHI, Goro
REGISTRATION NO. 02606

FILE NO. 6526

The following chattels were sold by public auction
at 992 Powell St., Vancouver, B. C. on October 3, 1945.

	<u>Auction Sale</u>	<u>Value Claim</u>
X Part Dresser.....	\$1.00	\$10.00

Total		<u>\$1.00</u>
(Auctioneer's fee; \$0.10		
Less Expenses: (Advertising; 0.05		
(Moving; 0.15	<u>0.30</u>	
Net Proceeds Credited:		<u>\$0.70</u>

Members of Custodian Staff Present. Mr. Wills

Extracted from Auctioneering List No. Vancouver 54.

DEC 12 1947

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

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

6526

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

- (1) NAME Nakamachi Gunji (RCMP) Reg. No. 02606
(Print) Surname Given Name
- (2) Pre-Evacuation Address 2584 Oxford Street, Vancouver, B.C.
- (3) Present Address 8 Greenlaw Avenue, Toronto, Ontario
- (4) REAL ESTATE
- (a) Street Address (if any) _____
City or Municipality, Province
- (b) Legal description (lot number, block number, section number, etc.) _____

- (c) Type of Real Property (cross out words which do not apply):
(i) Farm
(ii) Residence Type of business _____
(iii) Business
(iv) Any other type of property (describe) _____
- (d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.) _____
- (e) Fair market value at date of sale (estimate this to the best of your ability):
(i) Land - - - - - \$ _____
(ii) Buildings - - - - - \$ _____
(iii) If business, put value on business as going concern
(including land and buildings, tenancies, chattels,
fixtures, stock-in-trade, goodwill and accounts re-
ceivable) - - - - - \$ _____
(iv) Total value (if you cannot give separate values for lands and buildings just
fill in total value) - - - - - \$ _____
(v) Amount at which Custodian sold property and credited your account - - \$ _____
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - \$ _____
- (5) PERSONAL PROPERTY
- (a) Place or places at which property was left by the claimant at date of evacuation
2584 Oxford Street, Vancouver, B.C.
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
Property left in the house, the residence.
- (c) How stored or packed at time of evacuation Packed and stored in the upstairs-
rooms and in the basement of the house.

(over)

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

In care of the owner of the house.

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

1. List as given to Custodian	Estimated Value \$	944.50
2. Davinette	Estimated Value \$	70.00
3. 3 oil paintings (scenery)	Estimated Value \$	
4. 1 painting \$50.00	Estimated Value \$	
5. 2 paintings @ 15.00	Estimated Value \$	80.00
6. Umbrella Stand	Estimated Value \$	5.00
7. Clothes Rack Stand	Estimated Value \$	10.00
8.	Estimated Value \$	
9.	Estimated Value \$	
10.	Estimated Value \$	

TOTAL CLAIM FOR PROPERTY LOSS \$ 1109.50

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

- (f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e)) - - - - - \$ 1109.50

- (6) (a) Place at which claimant prefers to be heard.
(Vancouver, Kamloops, Nelson, Lethbridge,
Moose Jaw, Winnipeg, Toronto or Montreal.)

- (b) Do you require the services of an interpreter
at the hearing? Yes or no No

Prefer to be heard at Toronto.

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

DOMINION OF CANADA,

County of York)

TO WIT:)

I,

of

Toronto

of the City

in the Province of Ontario

DO SOLEMNLY DECLARE THAT:

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

DECLARED before me at the City)

of Toronto)

in the County of York)

this 8th day of December)

A.D. 1947.

RA Best

A Commissioner &c.

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

CANADA

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

PHONE PACIFIC 5131

PLEASE REFER TO

FILE NO. 6526 & 12981.

506 ROYAL BANK BLDG.

HASTINGS AND GRANVILLE

VANCOUVER, B. C.

July 28/48.

Kenneth A. Christie, K.C.,
320 Bay Street,
Toronto, Ontario.

Dear Sir:

Re: Toronto Sub-Commissioner's hearings
and claims of -
Gunji NAKAMACHI - Reg. No. 02606.
Mrs. Tomatsu OKADA - Reg. No. 10284.

In connection with the claims filed by the above
named Japanese, now listed for hearing before Toronto
Sub-Commissioner.

Chattels belonging to Gunji NAKAMACHI and Mrs.
Tomatsu OKADA (formerly Hisa KATO) are inextricably mixed.

Could you please arrange for these two claims to
be heard together so that the question of chattels can be
sorted out to the satisfaction of both parties.

Yours very truly,


B. Good,
Comptroller.

BG/JS

MEMORANDUM

To: Files 6526
12981
12829
II 1209

January 14, 1948.

From: Frances May

Re: Chattels on above files

In his declaration of April 28, 1942, to the Custodian, Gunji NAKAMACHI, File 6526, reported effects left at 2584 Oxford St. These premises were occupied by Miss Hisa KATO, File 12981, who also reported chattels left at that address. Mr. Green's memo of March 25, 1944, on file 6526 states that all the contents at 2584 Oxford St. were moved to storage in the name of Gunji NAKAMACHI. Due to the similarity of names, these effects became mixed in the warehouse and during the sale with those of Mr. and Mrs. Tomejiro NAKA, Files 12829 and II 1209. The goods were sold for the total net sum of \$174.93 at Vancouver Auction 49, 50, and 54.

In order that these funds could be credited to the correct persons, the parties concerned were sent a list of the goods sold with the request that they identify the articles belonging to them. However, as we have been unable to obtain from the persons concerned the information required to identify ownership, the proceeds of the goods sold in the name of Gunji NAKAMACHI at Vancouver Auctions 49, 50, and 54 have been transferred in whole to Chattel Suspense.

Frances May

Copy for File 6526

12981
6526

March 31, 1944.

Miss Hisa KATO,
Registration 10284,
359 Sackville Street,
Toronto, Ontario.

Dear Madam:

We are in receipt of your letter of March 20, 1944, requesting shipment of your Chesterfield Suite etc. and now enclose Custodian Release Form which we would ask you to fill in and send to the B. C. Security Commission who will arrange the shipment.

We have a credit balance in your favour amounting to \$35.34 which could be applied to the payment of packing, transfer and freight charges. Before releasing this amount, however, we would require from you the R.C.M.P. receipt for the General Electric Radio which we sold at auction for the amount mentioned.

On receipt of the Custodian Release Form through the medium of the B. C. Security Commission, we will endeavor to separate your chattels from those of Mr. Gunji NAKAMACHI.

When sending the release forms, please refer to Inventory Number 147 in the name of Mr. Gunji NAKAMACHI.

Yours truly,

Geo. B. Spain

Protection Department.

GBS/pls

MEMORANDUM

File No.: 12981
6526

March 28th, 1944

To: Mr. Spain

From: Mr. Green

Re: Miss Hisa KATO
Gumji NAKAMACHI

All the contents of 2584 Oxford Street were moved to storage on November 4th, 1942, under the name of Gumji Nakamachi. As pointed out in yours of May 3rd, it seemed probable that some of these belong to Miss Hisa Kato. As the premises were her property, there is a question in my mind whether all the contents should not have been credited to her account in the first place.

In this case, the articles requested by her were declared on the "JP" and we think may be reasonably assumed to be her property. If it is at all accessible and shipment can be made, please send her Form 107.

When you send her Form 107, you might ask any questions that will help to clarify the respective ownership of articles and at the same time advise her about the radio which has been sold for \$35.34. If she will send us the R.C.M.P. receipt, we can either send her these funds or use them for making shipment. The camera, of course, must be retained for the time being.

HFG:IF

File 6326 & G/181

MEMORANDUM

December 19th, 1949.

TO: Accounting Dept.

FROM: Jean Spratt

Transferred to Chattel Suspense from account of Gunji NAKAMACHI, File 6326, proceeds from Auction Vancouver 49, Vancouver 50 and Vancouver 54, owing to the fact that it was impossible to separate which goods belonged to Gunji NAKAMACHI and Tamihiro NAKA. Mrs. NAKA has now abandoned all claim to any portion of the chattels and it has been decided to allow NAKAMACHI to have the proceeds from the sale of all the chattels.

Will you please transfer from Chattel Suspense, G/181, to account of Gunji NAKAMACHI, File 6326, Reg. 02606:

Proceeds Sale Vancouver Auction No. 49	-	\$ 96.35	less Expenses	\$24.50	
" " " " " 50	-	147.90	" "	45.52	
" " " " " 54	-	1.00	" "	.30	
		<u>\$245.25</u>			<u>\$70.32</u>

J. Spratt

Accounting Department.

Please Debit Chattel Suspense, G/181, and Credit Gunji NAKAMACHI

Vancouver 49	\$96.35	Less Expenses	\$24.50	=	71.85
" 50	147.90	" "	45.52	=	102.38
" 54	1.00	" "	.30	=	.70

cm/j

CONFIDENTIAL

MEMORANDUM

Files #12981
3108
6526

June 30, 1943.

TO: File

FROM: Mr. Spain.

Re: 253A Oxford Street.

All chattels at the above address were removed to 992 storage under the name of G. WAKAMACHI, File #6525, Inventory No. 147.

As the chattels were mixed, it was impossible to separate under individual ownership.

GBS/MFP

[Handwritten signature]

MEMORANDUM

Files #12981
6526

May 3, 1943.

To: FILES

From: Mr. G. B. Spain.

Re: 2584 Oxford St.

All chattels at the above address were removed to Custodian storage at 992 Powell Street as per inventory No. 147, Nov. 4th, 1942.

It was impossible to separate and list under individual ownership. These chattels were therefore listed under the name of NAKAMACHI, Genji, (file 6526) although it is probable that chattels belonging to Miss Hiss KATO (file 12981) are mixed and included.

GBS/MFP

NAME WAKAMACHI, Gunji

REGISTRATION NO. 02606

FILE NO. 6526

The following chattels were sold by public auction at
992 Powell St., Vancouver, B.C. on July 26, 1945.

Gramophone	\$ 9.00
Dinner table, buffet and 6 diners	10.00
China cabinet	25.00
End table	2.00
Chesterfield and 2 chairs	32.00
Center table	2.50
Center table	1.00
Center table	2.75
Center table	5.00
Hat rack	1.00
8 Chairs	4.00
Rocker	2.10

Total		\$ 96.35
Less Expenses:	(Auctioneer's Fee: \$ 9.63	
	(Advertising: 2.69	
	(Moving: <u>12.18</u>	\$ 24.50

Net Proceeds Credited: \$ 71.85

Members of Custodian Staff Present. Mr. Wills

Extracted from Auctioneering List No. Vancouver 49.

Remarks.

NAME NAKAWACHI, GunjiREGISTRATION NO. 02606FILE NO. 6526

The following chattels were sold by public auction at 992 Powell St.,
Vancouver, B. C. on August 22, 1945.

Electric plate	\$ 2.75
3 Gal. crock	1.25
Picture	1.00
Copper boiler etc.	0.75
Cushions etc.	1.00
Rubber mat and cocoa mat	1.85
Photo Equipment	3.75
Photo Equipment (roller with motor)	6.00
Photo Equipment	0.25
Photo Equipment	0.75
Photo Equipment	0.75
Photo Equipment	1.50
Basket and miscellaneous	1.50
Metronome	4.50
Mirror	2.25
Mirror	3.25
End table	1.00
2 Japanese mats	1.00
Dining table and 6 chairs	10.00
Smokers stand and lamp	3.00
Dresser	5.50
Full length mirror and stand	15.00
Single bed and spring	12.00
Single bed and spring	12.00
Bed and spring	2.00
Bed and spring	4.00
Bed and spring	6.50
5 Rolls linoleum	7.00
Total	
Carried forward	\$ 112.10

NAME NAKAWACHI, Gunji

REGISTRATION NO. 02606

FILE NO. 6526

The following chattels were sold by public auction at 992 Powell St.,
Vancouver, B. C., on August 22, 1945.

	Brought forward	\$ 112.10
1 Roll linoleum		8.00
1 Roll linoleum		12.00
Old wooden cupboard		0.25
Chest of drawers		4.00
Chest of drawers		7.00
Wicker stand and table		0.25
5 Chairs		2.30
Table, piano stool and screen		2.00

Total		\$ 147.90
Less Expenses:	(Auctioneer's Fee: \$14.79	
	(Advertising: 9.95	
	(Moving: <u>20.78</u>	\$ <u>45.52</u>
Net Proceeds Credited:		\$ <u>102.38</u>

Members of Custodian Staff Present. Mr. Wills

Extracted from Auctioneering List No. Vancouver 50.

Remarks.

NAME Gunji NAKAMACHI

REGISTRATION NO. 02606

FILE NO. 6526

The following chattels were sold by public auction at
992 Powell St., Vancouver, B.C. on October 3, 1945.

Part Dresser

\$ 1.00

Total		\$ 1.00
	(Auctioneer's Fee: \$0.10	
Less Expenses:	(Advertising: 0.05	
	(Moving: 0.15	\$ 0.30
Net Proceeds Credited:		\$ 0.70

Members of Custodian Staff Present. Mr. Wills.

Extracted from Auctioneering List No. Vancouver 54.

Remarks.

FILE NO. 6/187

Chattel Mortgage
ack.

The following chattels were sold by public

auction at 332 Powell St., Vancouver, B. C. on August 22, 1945

Vase (brass)	4.50
Vase (brass)	1.50
Vase	0.70
Carving set	2.00
Electric iron	1.75
Table lamp	0.75
Electric toaster	1.75
4 Vases	2.75
Tray and lacquerware etc.	2.50
Dishes	1.60
2 Bowls	1.00
2 Glass	1.75
Glassware	1.00
Box dishes	1.50
Nest of tins	0.50
Box dishes and cutlery	1.75
Dishes and pan	0.25
Aluminum roaster	1.00
Box dishes	1.50
Kitchenware	1.10
5 Umbrellas	1.50
Tools	2.75
Car pump	0.90
Trays and toys	1.00
3 Platters	1.25
Electric clock	4.00
Electric heater	1.75
Garden tools	0.50

*Keep on file
make 4 copies*

Carried forward

44-388

NAME UNIDENTIFIABLE - 1934 NOV 14 1945

REGISTRATION NO. - -

FILE NO. 9/181

The following chattels were sold by public
 auction at 992 Powell St., Vancouver, B. C. on August 22, 1945.

	Brought forward	\$	44.80
✓ Garden tools			0.50
✓ Lacrosse stick etc.			0.50
✓ Mats. decorations and games			0.40
✓ Kitchenware			0.50
✓ Iron pot			0.75
✓ Kitchenware			2.00
✓ Dishes			2.25
✓ 3 Pair clippers			3.50
✓ Carton miscellaneous			2.00
✓ 2 Trays			2.50
✓ Cutlery			2.00
✓ Box kitchenware			1.50
✓ Carton dishes and doll			2.25
✓ Glass bowls			1.50
✓ Tailors iron			0.75
✓ Electric coffee percolator			7.50
✓ Miscellaneous dishes			2.00
✓ 4 Figures			1.50
✓ Mattock, sledge and etc.			1.75
✓ 2 Burner gas plate			1.00
✓ 2 Cartons miscellaneous			1.00
✓ 3 Small tables			0.50
✓ 3 Cartons coat hangers			0.65
✓ Steel square			1.30

Total

(Auctioneer's Fees \$ 8.49

Less Expenses: (Advertising 5.71

(Movings 11.93

Net Proceeds Credited:

\$	84.90
\$	26.13
\$	58.77

Members of Custodian Staff Present.

Mr. Wille

Extracted from Auctioneering List No.

Vancouver 50.

Remarks.

Goods belonging to NAKA, Tomijiro (file Int. 1209) and
 NAKAMACHI, Sumji (file 6526) impossible to separate.

IDENTITY No. 1209-5
DATE NOV 1 9 1945
NAME UNIDENTIFIABLE - See below NAKA, Tomijiro
NAKAMACHI, Gunji

REGISTRATION NO. - -

FILE NO. 6/281

The following chattels were sold by public
auction at 992 Powell St., Vancouver, B. C. on September 5, 1945.

Gross out saw
2 Cedar Cardboard wardrobes

2.25
0.25 ✓

Total
Less Expenses: (Auctioneer's Fee) \$0.25
(Advertising) 0.16
(Moving) 0.40

Net Proceeds Credited:

\$	2.50
\$	0.81
\$	1.69

Members of Custodian Staff Present.

Mr. Wills

Extracted from Auctioneering List No.

Vancouver 51.

Remarks.

Goods belonging to NAKA, Tomijiro (file Int. 1209) and
NAKAMACHI, Gunji (file 6526) impossible to separate.

1 IN THE MATTER OF THE "INQUIRIES ACT"

2 PART I. REVISED STATUTES OF CANADA 1987, CHAPTER 22.

3
4 JAPANESE PROPERTY CLAIMS COMMISSION

5
6 B E F O R E

7 HIS HONOUR, JAMES J.A. MCGIBBON, SUB-COMMISSIONER.

8
9
10 Toronto, Ontario,

11 November 18, 1948.

12
13
14 IN THE MATTER OF THE CLAIM OF

15 SUNJI KAWABUCHI

16
17 PROCEEDINGS AT HEARING

18
19
20 APPEARANCES:

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

appearing for the
Dominion Government,

22 R.A. BIRD, ESQ.,

appearing for the
Claimant.

23
24 A. SMITH, ESQ.,

Secretary,

25 C.E.R. WYTON, ESQ.,

Official Interpreter,

26 A.B. VETTER, ESQ.,

Official Reporter.

1 MR. BENT: This is a personal chattels claim,
2 and, as Mr. Christie has just pointed out to me, we
3 have not credited the Custodian with what actually
4 has been apparently obtained for these goods, because
5 there has been some question of the ownership and the
6 money has not been paid over to the claimant, it is
7 being held in the Custodian's Expense account. Obviously
8 if we prove that the claimant is the owner of these
9 properties then this money would ^{be} his and we should
10 deduct it from the amount. I think, for the purposes
11 of the Commission, we should credit the total in this
12 column. Is that your point, Mr. Christie?

13 MR. CHRISTIE: Yes.

14 THE SUB-COMMISSIONER: Are you in a position to
15 amend your claim now?

16 MR. BENT: Yes. It is a matter of totalling that
17 column. The claimant has not received anything as yet.
18 Obviously the Custodian has sold all these goods but
19 he has not credited it to the claimant, the claimant
20 not having received anything on the claim but put down
21 that he valued the goods at \$1,100., gross odd, and no
22 deductions, but that is wrong, of course. If the
23 goods are his then this money should and would be
24 credited to his account with the custodian and we would
25 deduct that from the \$1,100.

26 THE SUB-COMMISSIONER: How would it be if Mr.
27 Christie makes a statement to the court in regard to
28 it, we can hear the evidence and leave the deductions
29 to be made out in British Columbia?

30 MR. CHRISTIE: Could you not do it now?

1 MR. BEST: Yes.

2 MR. CHRISTIE: These two goods were mixed up
3 and the Custodian wrote to the claimant asking him
4 to mark with an "X" those goods which were sold at
5 auction which belonged to him and providing this
6 morning he proved he is the owner of those goods they
7 should be deducted from the claim and we be given
8 credit. The claim will show "sold by custodian -
9 nothing," which is not true, because we sold a great
10 many goods.

11 THE SUB-COMMISSIONER: Who is going to add the
12 claim?

13 MR. CHRISTIE: We can go ahead.

14 THE SUB-COMMISSIONER: Subject to the deduction at
15 the end we will hear the evidence.

16
17 GUY H. NAKAMACHI, the claimant herein, being
18 first duly sworn, testified
as follows:

19 DIRECT EXAMINATION BY MR. BEST:

20 Q. Is that your signature? (Indicating)

21 A. Yes.

22 Q. And was that form prepared upon your
23 instructions?

24 A. Yes.

25 Q. And do you swear the contents are true? You
26 say that is correct as it was prepared by you? You
27 say that is correct, as it was prepared for you, rather?

28 A. Yes.

29 Q. I see.

30 I am filing as Exhibit 1 the particulars of

PERSONAL CHATTELS CLAIM.

(PARTICULARS OF PERSONAL CHATTELS CLAIM,
MARKED EXHIBIT NO. 3.)

MR. BENT: There was one claim which should have been heard, really, with this one, and we intended to facilitate the operation of the commission by having them heard together. Mrs. Shum who was formerly a Miss Erto owned the house in which these goods were stored. She did have some chattels and had filed a claim. However, they apparently were not of great value and she has now decided to abandon her claim entirely. Consequently she is not before the Commission. It might have facilitated things if she had been here, but we did not know until very recently that she did not intend to press her claim and did not take any steps, or perhaps we might have to subpoena her here on this matter.

I do not think I am saying anything to my friend's prejudice if I say that the fact this Mrs. Erto has abandoned her claim and has not questioned this claimant's ownership of most of these goods I think would indicate that she is satisfied that most of these goods actually did belong to this particular claimant.

MR. CHRISTIE: You are making this statement on her behalf that she is abandoning it?

MR. BENT: Yes. We have been notified by Mrs. Erto that she is abandoning her claim because we did intend to have her here today and present her claim with Mr. Nakamachi, but she told us that she was not going to pursue the matter.

MR. CHRISTIE: I will tender as Exhibit No. 3,

the Analysis of Personal Property Claim.

(SUMMARY OF PERSONAL PROPERTY CLAIM,
MARKED EVIDENCE NO. 3)

Q. Now, I understand that before evacuation
you lived in Vancouver. Is that right?

A. Yes.

Q. And apparently at the time of evacuation
you made some arrangement with Miss Rato to store your
goods in her house at 2224 Oxford Street. Is that
right?

A. Yes. That is right.

Q. Incidentally, is she any relation to you
or is she just a friend?

A. She is my good friend.

Q. She is a good friend? A. Yes.

Q. Now, where were these goods of yours stored
in Miss Rato's house? Were they put in one room or ---

A. It is a big house, a six-room house.

Q. Yes? A. And I left the stuff upstairs
in one room and in the basement.

Q. You left the stuff upstairs in one room and
in the basement? A. In the basement.

Q. Well now, at that time did you take any steps
to mark your goods as belonging to you or did you just
feel that if the Custodian knew that your goods were in
this house that that was sufficient?

A. I marked some and others I did not.

Q. I understand that the list which you have
compiled now and which you have presented to the
Commission in your claim form actually was copied from

G. Nakaguchi,
H.K.M.

1 a list which was provided to you by the Custodian when
2 your goods were moved from 8884 Oxford Street to 922
3 Powell Street? Is that right?

4 A. Yes.

5 Q. And you had the further assistance of the
6 auctioneers with which the Custodian was good enough
7 to provide us to double-check them? Is that right?

8 A. Yes.

9 Q. Incidentally, I believe that you have had
10 considerable correspondence with the Custodian about
11 these matters?

12 A. Yes.

13 Q. But to date you have not actually received any
14 money from the Custodian for them?

15 A. No.

16 Q. With respect to this gramophone which you say
17 was valued at \$30. and you paid \$35. for it in 1930,
18 was it a small gramophone which would sit on a table or
19 was it a large model?

20 A. Just about this high, with the cabinet.

21 Q. Was it electrically driven or did you wind
22 it up?

23 A. Just the winder.

24 Q. Apparently you had a brass vase here, which
25 you brought from Japan. Did you bring that from Japan,
26 yourself, and did some other member of your family --

27 A. Yes. I got it myself.

28 Q. What was your occupation prior to evacuation?

29 A. I was in the photographic business.
30

G. Sakaguchi,
Def. Ex.

Q. Is that this photographic equipment which you have claimed for would be equipment which you used in your business?

A. Yes.

Q. Were there any cameras used, or, included in 1947? A. No.

Q. There is just one large item, roller, with motor, and you estimated that at \$45. Can you tell us just what that was?

A. Well, this is just used for photographic work. It was some equipment for enlarging.

Q. The other smaller items, I take it, were the usual small pieces of photographic equipment you would have around your shop?

A. Yes.

Q. In respect of this diningroom table and six chairs, were these chairs to match the table? Were they one set?

A. A set for the table.

Q. And you paid \$95. for them in 1940?

A. Yes.

Q. Did you buy them from a store or from some friend?

A. A store.

Q. I see. How large a family did you have prior to evacuation?

A. Seven.

Q. And would these dishes and cutlery include the dishes, cutlery for the whole family, then?

A. Yes.

G. Mikumachi,
DET.-CR. - CR.-CR.

Q. Now about this roll of linoleum? It obviously
had not been laid, or, had it been, or had you taken
it up and rolled it up?

A. Just rolled up.

Q. Had it been used? A. Just about only
two or three months; just almost new, you know.

Q. I think most of the other items are a
question of valuation.

Do you know whether any of your goods were
mixed up with a man's called Naka?

A. No. I never mixed them up.

Q. Do you know a Mr. Tomajiro Naka?

A. I do not know him.

Q. You do not know him? A. No.

MR. CHRIST: That is all, your honour.

CHIEF EXAMINATION BY MR. CHRIST:

Q. I am showing you a J.P. Form dated April 28,
1942. Is that your signature (Indicating)?

A. Yes.

Q. Whose signatures are these (Indicating)?

A. This is my daughter signed that, I think.
This is my wife's.

Q. Your daughter and your's?

A. And this is mine.

MR. CHRIST: I file this J.P. Form as Exhibit 3.
(J.P. FORM, MARKED EXHIBIT NO. 3)

Q. And I am showing you a list of chattels
dated November 28, 1942, and sent to you by the Custodian

G. Christy,
Frank.

office and I believe you signed this on January 4, 1943.

Is that your signature (indicating)?

A. Yes.

Q. And these were all goods belonging to you?

A. Yes.

Q. You owned all these goods?

A. Yes.

MR. CHRISTY: I will file this inventory as
Exhibit A.

(Inventory, DATED JANUARY NO. 4)

It was signed by the claimant on January 4, 1943.

THE SUBCOMMISSIONER: What is the date?

MR. CHRISTY: The claimant signed it on
January 4, 1943, even though it is dated at the top
November 20, 1942.

Q. Now, you gave a list here totalling \$944.50.
That included, in that sum, one divanette and right
below that you have divanette, \$70. It seems to me
that you are claiming for that article twice. Did you
have more than one divanette in your house?

A. Yes. I have two, one used in the studio.

talking about. You have an umbrella stand here, \$5.,
and included in this total of \$944.50 you have an
umbrella stand. Is that a duplication in preparing this
list?

A. I think it is some coat-hanger.

Q. Have you two umbrella stands, as such?

A. There was a combination umbrella stand and
hat rack, and one umbrella stand.

Q. Is that all you had altogether, two, two
things? A. Yes.

Q. All right, then; here is a clothes rack
and stand, and here is another clothes rack stand, in
the other line. Did you have two clothes-rack stands,
then? I think there is duplication here.

MR. HUNT: There might be one or two, but
I think the claim is ---

MR. CHRISTY: He has a total of \$944.50 for all
these goods and he lists separate goods here and here
is a divanette \$70., and one over here (indicating).
There is an umbrella stand here (indicating) and one
over here (indicating) and there is a clothes rack
stand, clothes rack stand.

MR. HUNT: The claim, itself, does not show
duplication. There is the divanette \$70. These
are broken down that way.

MR. CHRISTY: You have a divanette in two
places.

MR. HUNT: Not on this list.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

MR. CHRISTIE: Yes.

MR. HEST: I want to find it here.

THE HON. COMMISSIONER: It looks to me as if he is
bound by the list he signed on January 4, because he
said "this represents all my chattels in the restricted
area of British Columbia."

MR. CHRISTIE: That is my point. There is only
one there. He has two divanets, two umbrella stands,
and he gave this in additionally.

Q. How many paintings did you have altogether?

A. I had five paintings.

MR. CHRISTIE: I think the rest is a question
pretty well of appraisal, your honour. All the goods
are appraised for. He estimated the goods at a certain
value. They were sold at auction at another value.
Most of them are very small items. I do not think
it would pay us to go into them.

That is all, thank you.

MR. HEST: We make the total of the sale of the
claimant's goods by auction, and, as Mr. Christie has
just said, I think they were all sold by auction,
\$222.50, so that the claimant's claim would be reduced by
taking the \$222.50 from the \$1,300.00.

THE HON. COMMISSIONER: Which makes \$107.50.

MR. HEST: Which would be the reduced claim.

That is all.

MR. CHRISTIE: I file the auctioneer's sheet as
Exhibit B.

MR. HEST: Incidentally, were they totalled?

1 Sometimes they are totalled, sometimes they are not.

2 MR. CHRISTIE: Yes. They are totalled separately.
3 They are not totalled as a whole.

4 (EXHIBITIONER'S SHEETS, MARKED EXHIBIT NO. 5)

5 There is one further exhibit which should be
6 filed.

7 The Custodian sent the claimant a letter asking
8 him to mark those articles which belonged to him and
9 I have a letter here dated September 29, 1943, signed ---

10 Q. Is this your signature (indicating)?

11 A. Yes.

12 MR. CHRISTIE --- signed by the claimant, and
13 opposing each item which he owned in this list which
14 was forwarded to him he marked an "S" as being his
15 property and not Miss Kato's.

16 I think, perhaps to complete the record, that
17 should go in as Exhibit 6.

18 (LETTER, SEPTEMBER 29, 1943, MARKED EXHIBIT
19 NO. 6)

20 It is submitted that these articles of personal
21 property which were sold at auction were sold at their
22 fair market value.

23 It is submitted that there are certain articles
24 on this Analysis of Personal Property Claim which
25 have been duplicated and that the claimant is bound by
26 the list which he signed on January 4, 1943.

27 MR. BERRY: On that specific point I quite
28 agree that he is bound so far as those items are con-
29 cerned, but I do not think there is anything to pre-
30 clude him from adding additional items and if my friend

15
G. Nakamura,
Gr. ex.

1 takes the position which he has a perfect right to, that
2 these additional items never came within the custody
3 of the Tribunal that may be a defense, but I think
4 there are one or two items where there is doubt as to
5 whether there was duplication. I am not prepared to
6 admit that all the items are duplicated, but I will
7 admit there are one or two which are.

8 THE SUB-COMMISSIONER: I think you would be bound
9 by it.
10

11
12 (PROCEEDINGS ADJOURNED SINCE HERE)

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

16 *A. D. Veitch.*

17 A. D. Veitch,
18 Official Reporter.

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

24 John A. McIlhenny,
25 Deputy Commissioner.
26
27
28
29
30

DEFENCE BRIEF

Toronto, Ontario.
November 19, 1948.

Gunji NAKAMACHI

File No. 6526

Case No. 1269

PERSONAL PROPERTY CLAIM
(All claims shown are Gross)

Chattels

\$1109.50

(a) Goods valued by claimant
at \$944.50

(Auction) Sold for
\$223.25

These funds are in chattel suspense account.

Witness: Wm. Wills, ex-staff.
Thompson & Co., Auctioneers.

(b) Goods valued by claimant
at \$165.00

Not accounted for, theft, etc.

Witness: G.B. Spain, ex-staff.

Note:

There seems to be some confusion as to the actual claim used - see Transcript P.9, 10 & 11. The amended claim has been prepared according to Exhibit #1.

The Sub-Commissioner, however, suggests that he thinks the claimant is bound by the list he signed January 4, because the claimant said "This represents all my chattels in the restricted area of British Columbia."

Transcript P.5, line 26:
Claimant states he marked some of his goods and the others he did not.

Submission:

Transcript P.12, lines 19-26:

"It is submitted that those articles of personal property which were sold at auction were sold at their fair market value.

It is submitted that there are certain articles on this Analysis of Personal Property Claim which have been duplicated and that the claimant is bound by the list which he signed on January 4, 1943".

Summary of Defence
Witnesses

Where Required

Summary of Documents
to be filed

Witness
Proving same.

Wm. Wills

G.B. Spain

/js

Name of Claimant **SAKAMACHI, Gumi**Case **1269**Custodian File **6526**

<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	
<u>MISCELLANEOUS CHATELS</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			
944.90	223.25	66.97	23.62%	165.00	38.97					
TOTAL RECOMMENDATION										105.94

December 8th, 1950.

Mr. Gunji NAKAMACHI,
8 Greenlaw Avenue,
Toronto, Ontario.

Dear Sir:

Re: Japanese Property Claims Commission

Case No. 1269

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 ... \$105.94.

Cheque in your favour is enclosed for \$105.94
and we have paid the Co-Operative Committee .. Nil
for legal fees as authorized by you.

Yours truly,

FGS/js
1 encl.

F.G. Shears
Director