

7305

BUREAU POWELL STREET
OFFICE OF THE CUSTODIAN

FILE No. 7303

EXHIBIT No. 1102 - J

DATE OCT 7 1948

JAPANESE SECTION

FILLED BY

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

PERSONAL INFORMATION

NAME: KITAMURA Tomi (Mrs. Tokizo)

HOME ADDRESS: 473 Powell Street, Vancouver, B. C.

REGISTRATION NUMBER 00454 SEX: Female AGE: 44 yrs.

OCCUPATION: 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: Tokizo 70099 00200

ADDRESS OF WIFE OR HUSBAND: Now at Camp #2, Jasper, Alta.

NAMES OF ANY LIVING CHILDREN: Hideo Georgey (M), Fumiye (F), Toskikazu (M),
Osamu (M), Takako (F)

ADDRESS OF CHILDREN: Toskikazu at Ocean Falls, B. C., all others at 473
Powell St., Vancouver, B. C.

AGE OF CHILDREN: 16, 18, 18, 14, 11 yrs. respectively

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

35/10
37/15

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: Located at 473 Powell St., Vancouver, B. C.
4-room suite in apartment block--downstairs
2. LANDLORD'S NAME AND ADDRESS: Mrs. S. Sogawa, 473 Powell St.,
Vancouver, B. C.
3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID: Monthly
rental of \$10.00, paid to end of May, 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:

4 double beds complete, 3 tables, 9 chairs, 2 desks, 1 sewing machine,

1 kitchen stove, 1 sawdust burner, 1 heater, 1 wicker basket, 1 china

cabinet, kitchen utensils, chinaware, 3 bureaus

~~All of above left in care of the custodian~~ Now located at 473 Powell

St., Vancouver, B. C. and Key will be left with the
landlord as above.

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)
Two \$5.00 War Savings Certificates owned by Osamu and Takako, in owners' possession.
8. BANK ACCOUNTS: None
9. LIFE INSURANCE: None
10. INTEREST IN ANY ESTATES OR TRUSTS: None
11. SAFETY DEPOSIT BOX: None

LIABILITIES:

1. PERSONAL DEBTS: None
2. TRADE DEBTS: None

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

I certify that the above information is true and complete and fully discloses all my property of every description in any protected area in British Columbia and sets forth all my liabilities direct and indirect.

Dated this 1st day of May, 1942.

A. J. McArthur

Witness

(Signature) Tomi Katamura

FOR DEPARTMENTAL USE

✓
INFORMATION FROM R.C.M.P.

Date 14-4-43.

Our File No. 7305

Full Name KITAMURA - Iomi (Mrs. Tokizo)
(Surname in Block Letters)

Registration No. 00454

Male - Female ☒
(check)

Age 3-2-1898

Former Address

473 Powell St., Vancouver, B.C.

Date Evacuated

1-6-42

Naturalized - Canadian-Born - National
(check)

Present Address

Bridge River, B.C.

Married - Single ☒
(check)

Name of Wife

Name of Husband

Tokizo - 00205

Name of Mother

nee HAYASHI - Yone
Japan

Name of Father

Deceased

Names of Children under 16

see Lush sheet

Requested by

Any

Registered with Custodian

(Yes or No)

Additional Information

housewife

MEMORANDUM OF FURTHER PARTICULARS OF:

KITAMURA, Tomi (Mrs.)

473 Powell St., Vanc'r, B.C.

Reg. No. 00454

The following is a list of goods
which will be left at 473 Powell St., Vanc'r, B.C. the
home of Mrs. Sogawa who will have the key to same.

Stored in upstairs room of the above building the following:

1-kitchen table	1-clothes closet	
1-kitchen cabinet	4-chairs	(children)
1-couch	Moving Picture Projection machine	
Kitchen utensils & Wares	1-desk	
1-sewing machine	books	
1-chiffonier	Hopper for sawdust burner	
Japanese typewriter	Miscellaneous articles.	

Signed, Tomi Kitamura

June 1/42
A.L.M.

File Nos. 13492
7305 ✓

October 13, 1943.

MEMORANDUM

TO: File

FROM: Mr. Spain

Re: 473 Powell Street

Mr. Toshikazu KITAMURA (disabled with only one leg and allowed to remain in Vancouver) called at this office to inquire about a few articles which they (he and more particularly his mother) left in a locked room at the above address. The principal item of any value was a small stove which he intended to sell.

On visiting the premises in company with Mr. D. A. Smith, we discovered that the room had been entered and contents removed.

Mr. KITAMURA said there was nothing we could do about it and also informed us that he would advise his mother.

GBS/HMS

Iokizo Kitamura
39 Caroline Ave
Toronto 8 Ont.
Reg No 00205.

Mr O.B. Dusenbury
Office of the Custodian.
Vancouver B. C.

EVACUATION SECTION	
Rec'd	JUN 23 1941
File No.	10099
Referred	Dusenbury

Re file No 10099.

Dear Sir -

Many thanks for your letter
and Cheque of \$15.20 which from
Nanaimo Shipyard to Nishida Tosi.

Regarding our personal
Property left in 473 Powell St.
When we left for Minto Mine B. C.
on June 1st 1942. On 31st May
of same year we went to your
Representative at Fuji Chop Suey
house and registered all of things
which we didn't ship to Minto Mine

a week before and going to left it there. 473 Powell St. and gave our last house key to Registrar who received it. But in your letter, I understand all of our things had been removed from there and you have none of our belongings in your charge, and also stated you have advised to my son Doshirazu about it in October 1943.

I don't understand why our personal property had been disappeared without your knowledge. or removed from there without your consent. all of our things which was left in 473 Powell St was registered with you my wife gave a copy (itemized) to Registrar and she (my wife) have one. your representative assured my wife that Custodian will remove it within a week for safe keep. That the reason we gave key to your officer.

During past 5 years we all felt safe for our things for we had it registered with you.

even when we were advised by
our friend in Vancouver ⁱⁿ August of
1942 that our place 473 Powell
St. had been broken in from back
door and at 1943 my son Toshikazu
relay your advice but we thought
that you will give us Money for it
after you have sold it.

Please look into this matter
at your earliest convenience. As
you know we have no way of
getting into house after we left
Vancouver on 1st June 1942.
Consider these facts and hope to
have your investigation

Sincerely yours
Kitamura

P.S. May ^{27th} (2) 1942. I was at
Decogine, Alta. Work Camp. and
my family were in 473 Powell St.
at that time. I have never
said to you or anybody that I
have no personal effect.

ORIGINAL LETTER ON FILE No. 4207 - Kichiro SOGAWA
Reg. No. 01770.

C
O
P
Y

Slocan City, B.C.,
July 28, 1942.

Mr. H.F.Green,
Dep't of Sec.of State
office of the Custodian,
Vancouver, B.C.

Dear Sir:

In reply to yours of the 22nd, file no.4207 and 2787, I wish to state that the properties of both my father and mine are securely locked up in one room of our house. The house is placed in care of the firm of Loewen & Harvey, and it is my belief that the Custodians have already been informed of this arrangement. Also the property is insured against fire.

Will you kindly get in touch with our agents for further details?

Yours truly,

"K. M. Sogawa"

C
O
P
Y

4207
2787

July 22nd, 1942.

Mr. Kichiro Sogawa, Reg. #01770, and
Mr. Masanori Kenneth Sogawa, Reg. #11313,
Slocan, B.C.

Dear Sir:-

In your registration forms signed during April, you declared a number of effects left at 473 Powell Street. Since then, we understand that some have been sold while the balance have been securely locked up in one room at 473 Powell Street.

We have an inventory of the effects belonging to Kichiro Sogawa, but no inventory of those belonging to Masanori Kenneth Sogawa and as none of the goods are marked, it would be difficult to identify them. If you are satisfied with the arrangements you have made to store these goods, we will leave them where they are, unless it becomes necessary to move them for the sake of renting the property. In this case, we would inventory them, move them to storage, and send you a complete list for your information.

If the above is satisfactory to you, please confirm in writing and if not, please let us know your wishes. Should these goods be insured against fire, and if so how much? If the premises are rented we could pay the premiums from the proceeds, but if not, we should have to ask you to send us the money.

Yours truly,

H. F. Green
Manager Protection Dept.

HFG:IF

10099/7305

June 24th, 1947.

Mr. Tokizo KITAMURA,
Reg. No. 00205
39 Caroline Avenue,
Toronto 8, Ontario.

Dear Sir:-

We received your undated letter today acknowledging our cheque for \$15.20 and referring to personal property which you claim to have left at 473 Powell Street.

In reviewing the situation we find that your present letter is in error in some respects as it does not correspond with the details on record.

You now say "I have never said to you or anybody that I have no personal effects". In order to correct this we have prepared and are forwarding herewith copy of your registration dated May 27th, 1942 (not May 2/42). You will notice on page two of same under "Statement of Personal Property owned", the word "None" which clearly confirms what we said in our letter to you of the 10th instant.

At no time since the date of your registration have you written to this office, according to your file, regarding any personal effects of yours, which you would likely have done had you declared having left any in our control.

In respect to your wife's declaration, dated May 1st, 1942 and June 1st, 1942 she says of certain effects listed at 473 Powell St. "Mrs. Sogawa, who will have the key to same", also "key will be left with landlord as above". It seems evident that Mrs. Sogawa had the key or keys to any rooms in which your wife's effects were stored. However a close check of Mrs. Sogawa's file #8747 and of her husband, Kichiro Sogawa, who owned 473 Powell St. (File #4207) does not reveal any mention of any chattels at that address other than those belonging to the Sogawas.

In October 1943 your son, Toshikazu Kitamura called at this office in regard to his own and his mother's effects. He and D.A. Smith our representative, visited the premises and discovered that the room had been entered and that there were no effects there. Our memo at that time states also "Mr. Kitamura said there was nothing we could do about it and also informed us that he would advise his mother". Although your son was later at our office on other business, he apparently did not make any further reference to the chattels in question, and we did not hear from you or Mrs. Kitamura in respect to them.

In view of the circumstances, there was nothing more for us to do in the matter.

Yours truly,


B.R. Dusenbury,
Office of the Custodian.

BRD/ED.
Enc. 1.

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.

7305

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

(1) NAME Kitamura, Tomi. (RCMP) Reg. No. 00454.
(Print) Surname Given Name

(2) Pre-Evacuation Address 473, Powell St., Vancouver, B.C.

(3) Present Address 39 Caroline Ave. Toronto, Ont.

(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 receivable) - - - - - \$

(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 in ground

floor of 473 Powell St. Vancouver, B.C. with permission of the Custodian.
(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)

House.

(c) How stored or packed at time of evacuation in 2 rooms of ground floor and

locked. Key was handed over to the Custodian.

(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 Custodian.

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

1.	Estimated Value \$
2.	Estimated Value \$
3.	Estimated Value \$
4.	Estimated Value \$
5.	Estimated Value \$
6.	Estimated Value \$
7.	Estimated Value \$
8.	Estimated Value \$
9.	Estimated Value \$
10.	Estimated Value \$

TOTAL CLAIM FOR PROPERTY LOSS \$

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)) - - - - - \$ 611.85

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

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

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, Tomi Kitamura
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 6th day of December)
A.D. 1947.)

Tomi Kitamura
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.

Itemized description of personal property which is the subject of the claim.

1 only Desk -----	10.00
1 only Couch Bed -----	17.50
1 only Sewing Machine White -----	75.00
1 only Cloth Cabinet -----	15.00
1 only Cupboard -----	12.00
1 set of Kitchen Cabinet, hardwood -----	25.00
4 only Chairs -----	6.00
1 only Chiffonier -----	15.00
1 only Travellers case -----	10.00
1 only Harper for Sawdust Burner -----	1.50
1 only Wash Tub large (galvanized) -----	2.75
1 only Typewriter (Japanese) -----	75.00
1 set of Christmas Tree Decoration electric -----	3.25
2 box of Christmas Tree Decoration (ornaments) -----	3.50
1 only 10 gal. water tank (galvanized) -----	3.50
3 only Flash Light (metal) without batteries -----	4.00
2 Linoleum Floor Covering for 2 Large Rooms -----	23.00
1 only Silk Umbrella, ladies -----	3.00
1 only Gents Umbrella -----	2.00
1 only Projector -----	9.00
1 only Lunch Kit -----	.75
Carpenters Tools, 1 set vise, 2 chisels, 1 plier, 1 wrench 1 set drill, 1 draw knife, 1 Japanese plane -----	11.75
21 noted Japanese Novels -----	38.65
1 set of Paint -----	2.25
12 School Books, Japanese -----	4.50
Total -----	\$ 373.90.

2 Dictionary, (Japanese) 2 English Japanese Grammars, 1 English Japanese Text Book for letters, 1 book for photographic study -----	\$373.90
14 Dresses, silk, woollen, party -----	15.65
4 Girls dresses silk, cotton -----	97.00
6 Ladies cotton dresses -----	7.95
2 prs. Gents, 2 prs. Ladies, Shoes -----	9.75
5 prs. boys and girls shoes -----	18.00
1 pr Knee boot (white rubber) -----	14.50
1 pr. Miners Boot (white rubber) -----	3.00
1 only Flower vase china -----	3.25
2 Flower vase glass -----	1.50
1 only Water jug -----	2.65
2 Glass Jar -----	.75
1 Shinto Shrine -----	3.50
9 woodenhanger -----	3.75
1 large iron rice pan -----	.75
1 large aluminium boiler -----	3.25
1 dish pan (enamel) -----	1.75
1 frying pan steel -----	2.00
1 sauce pan -----	.95
1 Japanese Obon (wooden tray) -----	1.25
2 set of square bowls, kasane-bachi, 3 to a set -----	2.25
4 glass plater -----	5.00
2 Japanese large plater, sushi-sara -----	1.00
4 large plater -----	6.00
15 sake cup, 6 sake heater, 1 sake wash bowl -----	3.50
1 set of Chawan mushi bowls 6 to a set -----	4.75
	2.50
Total -----	\$590.10

	\$590.10
2 only hashi-sashi, china utencil for chop stick	.90
14 pcs. Rice bowls and dishes -----	1.40
3 ohachi, large china bowls -----	3.25
1 Ohitsu, wooden rice container -----	1.85
1 Kome-age, or Shoke, split bamboo rice drainer ---	1.65
1 small same as above for noodle -----	.75
1 lacquered wooden food utencil -----	1.75
1 set of steam rice cooker wooden seiro -----	2.50
1 kitchen table -----	7.50
Total -----	\$612.85

Name of Claimant KITAHARA, Tami

Case 1102

Custodian File 7305

REAL PROPERTY											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			
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 CHATELS											
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				
			46%	611.95	281.45				281.45		
TOTAL RECOMMENDATION											281.45

7305

October 6th, 1950

Mrs. Tomi KITAMURA,
12 Goady Ave.,
Toronto, Ontario.

Dear Madam:

Re: Japanese Property Claims Commission
Case # 1102

We have received from the Co-Operative Committee on Japanese Canadians, Release executed by yourself covering the award recommended under the above Commission, for the sum of \$281.45.

Cheque for \$265.05 is enclosed herein, and the sum of \$16.40 has been paid to the Co-Operative Committee on Japanese Canadians for legal fees as authorized.

Yours truly,

F. G. Shears
Director

FOS:RK
Encl.

DEFENCE BRIEF

Toronto, Ontario.
October 7, 1948.

(Mrs.) Tomi KITAMURA

File No. 7305

Case No. 1102

Both Mr. & Mrs. KITAMURA appeared in this case.

Chattel Claim

\$611.85

Declared not found.

Witness: D.A. Smith, Staff.

References:

Transcript P.9, lines 27-30:-

Claimant states list given to Custodian same as list attached to original claim form.

Only list found on file is the one dated June 1, 1942, signed by Tomi KITAMURA (on claim file).

Transcript P.11, lines 28-30 and P.12, lines 1&2:-

Claimant states that there was another larger list dated June 1, 1942, which he gave to Custodian along with the key

Transcript P.12, lines 16 & 17:-

He states he left goods at Mrs. Sogawa's place on orders from the Custodian.

Transcript P.13, lines 28-30 and P.14, lines 1-12:-

Claimant states he does not own Japanese typewriter. He was asked to take care of it and in accordance with an agreement made between the owner of the typewriter and himself he is claiming for same.

Loewen & Harvey were agents for the Sogawa property.

See General Remarks on Personal Property Claim Analysis.

Submission:-

Transcript P.14, lines 19-25:-

"It is submitted, your honour, that as these chattels were under the custody of a person other than the person of the custodian the custodian is not responsible. It is further submitted in any event that the values placed on these different articles were exorbitant. That is the case for the defence, your honour".

1
2 IN THE MATTER OF THE "INQUIRIES ACT"
3 R.S.C. REVISED STATUTES OF CANADA 1927, CHAPTER 22.
4

5 JAPANESE PROPERTY CLAIMS COMMISSION

6
7 BEFORE

8
9 HIS HONOUR, JUSTICE F.A. McLENNAN, SUB-COMMISSIONER.

10
11 Toronto, Ontario,
12 October 7, 1948.

13
14 IN THE MATTER OF THE CLAIM OF
15 MRS. TOBI KITAHARA

16
17 PROCEEDINGS AT HEARING

18
19 APPEARANCES:

20 K.A. CHRISTIE, Esq., K.C.,

appearing for the
Dominion Government,

21
22 R.A. HUNT, Esq.,

appearing for the
Claimant.

23
24
25 A. SMITH, Esq.,

Secretary,

26 G.H.A. UPTON, Esq.,

Official Interpreter,

27 A.S. VERTON, Esq.,

Official Reporter.

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MR. TOMI KITAHARA, the claimant herein, being first duly sworn, testified through the interpreter as follows:

MR. BEST: Perhaps I should explain, your honour, that since this witness does not speak English and is not really as familiar with matters as her husband, that, with my friend's permission, I do not intend to make this examination very long but will call the husband immediately, who will be more helpful.

DIRECT EXAMINATION BY MR. BEST:

Q. That is your signature?

A. Yes.

Q. And, was that document prepared upon your instructions?

A. Yes.

MR. BEST: It will be Exhibit 1.

(PARTICULARS OF PERSONAL CHATTELS, MARKED EXHIBIT NO. 1)

Q. Now, you are making a claim for certain furniture and goods which were left by you at 473 Powell Street, Vancouver. Is that correct?

A. Yes.

MR. BEST: I wonder if my friend would like to put in the analysis of this stage? It might facilitate things.

MR. CHRISTIE: Your honour, I tender as Exhibit 2 the Analysis of Personal Property Claim.

(ANALYSIS OF PERSONAL PROPERTY CLAIM, MARKED EXHIBIT NO. 2)

MR. BEST: Q. Where did you live before you

Mrs. T. Kibben,
MR. K.

1 were evacuated?

2 A. 473 Powell Street.

3 Q. I understand your husband also conducted
4 a taxi business from that address. Is that correct?

5 A. Yes.

6 Q. Your husband was evacuated in May of 1942
7 and you were left behind for some time? Is that
8 correct?

9 A. My husband went to the road camp.

10 Q. And you agreed then, did you, that so far
11 as claiming for any of your actual assets it would be
12 done in your name?

13 A. Yes.

14 Q. And, when did you leave 473 Powell Street?

15 A. About the beginning of June, was evacuated
16 to Minn.

17 Q. And were all the goods for which you are
18 claiming left in your part of 473 Powell Street?

19 A. Yes.

20 Q. Now, apparently you had a white sewing
21 machine, Mrs. Kibben, which you left there. Is that
22 correct?

23 A. Yes.

24 Q. I do not know whether there is much else I
25 want to ask you, unless my friend wishes to cross-
26 examine you on valuations.

27 That is all.

Mrs. T. Eitner,
Dr. ex.

EXHIBIT-EXHIBIT BY MR. CHRISTY:

Q. Mrs. Eitner, I produce the J.P. Form.
Is that your signature?

A. Yes.

Q. And on that J.P. Form you declare the
personal property as follows: "Four double beds complete
three tables, nine chairs, two desks, one sewing
machine, one kitchen stove, one wood-burner, one
heater, one wicker basket, one china cabinet, kitchen
utensils, chinaware and three bureaus." Is that
correct?

A. Yes.

Q. And subsequently attached to this J.P.
Form is a memorandum containing a further list of
household articles? A. Yes.

Q. Now, is this list on June 1 in addition
to the list as set out on page 2 of the J.P. Form?

A. I would ask that you put that question to
my husband.

Q. You do not know?

A. No.

Q. Do you know whether the woodburner which
is on this list is the same as the hopper for woodburner
burner, or is that a separate part? Does one include
the other? If you do not know perhaps your husband
knows.

Q. That is the hopper for this woodburner.
The hopper is separate to the woodburner but it is
attached. It is detachable. The woodburner hopper
is detachable from the woodburner, isn't it? It is

1 a part of the cabinet bureau.

2 Q. You stored these goods at 475 Pennell
3 Avenue and you left the key with the owner, Mr. Sargent?
4 Is that right?

5 A. Yes.

6 Q. When did you notify the custodian that you
7 had done this? A. Yes. I advised the Custodian
8 at the time I was arrested of this and I gave the key
9 to the Custodian.

10 Q. Do you remember what date you gave the key
11 to the Custodian?

12 A. Just before I was arrested to Hinton.

13 MR. CHRISTIE: Perhaps Mr. Best will bring
14 up when she was arrested, the exact day, date.

15 MR. BEST: Yes. I think she said June 1.

16 THE WITNESS: Early June.

17 MR. CHRISTIE: Q. Now, Mrs. Kitchener, in
18 examining the Analysis of Personal Property Claim I
19 find a great many bottles or articles which were not
20 on the J.P. Form. What is the explanation of that?

21 MR. CHRISTIE: I tender the J.P. Form as
22 Exhibit 2.

23 (J.P. FORM, MARKED EXHIBIT NO. 2)

24 THE WITNESS: I could not give details of this
25 stuff. There was no space on the J.P. Form and I could
26 not remember all this detail.

27 Q. Now, Mrs. Kitchener, what type of sewing
28 machine was this? Was this the treadle type or was
29 it an electric sewing machine?

30 A. It was the treadle.

Q. Where did you purchase it?

A. I bought it in Vancouver, the white machine.

Q. Now, "I noted Japanese novels." When were they purchased?

A. Some time before.

Q. Well, what time before?

A. Some time ago.

Q. How many years ago? Old books have not much value.

A. About 1935 or 1936.

Q. Do you remember what you paid for these books at that time?

A. 10 or 20 cents per volume.

Q. With regard to "old dresses, silk, woollen, party," whose dresses were they? To whom did they belong?

A. Myself and my daughter.

Q. How old is the daughter?

A. She was 18 then.

Q. How old were the dresses?

A. They were new.

Q. Were the whole 14 dresses new?

A. Yes.

Q. What did you pay for them?

A. Various prices.

Q. How many? A. Various prices.

Q. That does not tell us very much. The "various prices" does not help us very much.

A. There was one at \$12, 2 at \$5 each, one at \$3 and the remainder were from \$4. to \$6.

1 Q. That is all right. I will not pursue that
2 question. You have two glass jars, \$3.50. What
3 size were those glass jars?

4 A. What is the price?

5 Q. Two glass jars, \$3.50. What size were
6 those glass jars? Were they quart or gallon jars?

7 A. These were flowerpots.

8 Q. There are vases shown later on here; two
9 glass jars are indicated below.

10 A. These were for putting flowers in.

11 Q. You have vases in other places. Did Mrs.
12 Sugawara give you any explanation as to what happened
13 to your goods? A. No.

14 Q. That is all, thank you.

15
16
17 RE-EXAMINATION BY MR. BERRY:

18 Q. One or two questions, Mrs. Kikawa:
19 My friend asked you about the J.P. form being
20 filled in. Could you tell us just when you filled
21 that in and where, the circumstances?

22 A. I signed this at the Fuji Chop-uey place
23 on Powell Street at the beginning of May. There
24 were a number of people there and there was an
25 interpreter there. There were a number of people.
26 The Fuji Chop Suey was one of the places where the
27 Canadian saw people.

28 Q. You told my friend that you did not
29 intend that to be a complete list of your chattels
30 at that time, that. Is that correct? A. No.

Mr. T. Kitemura,
Mr. Q.

There was not time and I could not remember everything.

Q. That is all.

MR. T. KITEMURA, being first duly sworn,
testified as follows:

EXHIBIT EXAMINATION BY MR. Q.

Q. Mr. Kitemura, you are the husband of the
deceased, Mrs. Kitemura?

A. Yes, sir.

Q. And would you tell us first of all when you
left 675 Powell Street?

A. Well, I was sent to the road camp near
Jasper, Alberta, on March 2. I believe it was the
second, if my memory is correct, of 1942.

Q. Yes? A. And I was recalled back
to join my wife on May 27, I think, I arrived in
Vancouver.

Q. How long were you there back in Vancouver?

A. I was there until between ---

Q. From May 27 how long did you stay?

A. I was there to June 1.

Q. What did you do about your chattels and your
furniture?

A. Well, I came back from Jasper, I think it
was May 27, on the morning of May 27. I am not certain
but I am sure it is that date. I asked my wife where
we are going and what she has done with my personal
chattels. She said she had waited for me. We went
over, me and the wife went over it piece by piece.

Q. Yes? A. We went through our goods, listed piece by piece and put all the list right in handwriting to the Custodian on June 1 morning we both left from Vancouver to catch the train to Hazelton. That is the way the train goes to the White River. I gave my wife the key. The wife has got the key and all the list left with the custodian because Mrs. Rogers refused to have my goods in her place and so I went to the Custodian and he told me she had no right to refuse my use of room for my stuff, she will be instructed and the Custodian will take care of it.

Q. You want Mrs. Rogers would not take it, she had no right to refuse to let you leave your stuff in the portion of the house 475 Powell Street you were renting?

A. That is what the Custodian told me.

Q. And that is where the goods were lost?

A. Yes.

Q. And, with respect to this list which you gave to the Custodian, that list was given where, at this shop-very place?

A. Yes. That was the Custodian's office during that evacuation time, because we could not go to the head office, you see.

Q. So that the list which was given to the Custodian's office was the same as this list, which you attached to your original claim form?

A. Yes, sir.

1 Q. That is the copy of it?

2 A. That is the copy of it.

3 Q. And from this original claim form the
4 list appearing on this analysis was copied?

5 A. Yes, sir.

6 Q. Is that your understanding?

7 A. Yes, sir.

8 Q. Just one or two questions about one or two
9 of these items: There is the item of Japanese type-
10 writer. Was that in your taxi office at 473
11 Powell?

12 A. Yes, sir.

13 Q. You used it in connection with your
14 business?

15 A. Actually it was not my typewriter because
16 it belongs to a friend of mine for safe-keeping for
17 him.

18 Q. I see. With respect to this traveller's
19 case, was that yours?

20 A. That was mine, yes, sir. I used to be
21 a salesman.

22 Q. That was a large leather case?

23 A. Yes, a large leather case.

24 MR. CHRISTIE: Which one is that, Mr. Best?

25 MR. BEST: Near the top of the list, \$10.

26 All right, thank you.
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EXHIBIT - CONTINUATION OF MR. CHRISTIAN

Q. You told my friend that you made out a list on June 1, 1942, and you left it with the Custodian. Are you sure that that is not the list which is signed Tom Klemm and dated June 1, 1942. Are you sure that is not the list to which you are referring?

A. May I look at it?

Q. Yes. This is the part of it. We have a list --

Q. Did you leave a list with the Custodian dated June 1, 1942, which is different from this list and was it signed by you? We have no record of it.

A. Please no. May I explain this matter a little further?

Q. Yes. What my wife listed on May 1 was when she was getting us from Reed camp to go to Alberta for sugar-beet. That is the time she listed it. She intended to go to sugar-beet. She did not get the list back to her. Instead of that she just left it there and we went over it again as I told you, piece by piece, before June 1 and all the list was completed, so I went over to Custodian and the Custodian told us to leave it at GVS, so I put it in handwriting. That is the copy of my chain. I did put all the articles in piece by piece, sir.

Q. Are you telling this Commission that you made another list larger than this?

A. Yes, sir.

Q. And dated June 1, 1942, which you gave to

Q. Did you ever discuss it with her?

A. No, sir.

RE-EXAMINATION BY MR. BRET:

Q. You rented part of this Sugawa house?

A. Yes, sir. The whole downstairs was my apartment and also upstairs.

Q. It was your apartment and your office?

A. Yes, sir.

Q. You lived there?

A. Yes, sir.

Q. That was your home?

A. Yes, sir.

Q. And it was in those rooms the goods were left, not in any part of the house which Mrs. Sugawa occupied?

A. No, sir.

Q. Just one further question: With respect to this Japanese typewriter, I take it that that belonged to another Japanese Canadian?

A. Yes, sir.

Q. And do you know as a fact that that person has claimed before this commission for that typewriter or not?

A. No, sir, because he has not it. It was in my possession. It was left in me.

Q. I want to be clear about this. You are telling this commission that this asset, this typewriter belonged to another Japanese Canadian who was

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Q. Who gave the machine to you?
A. Yes.

Q. Left it in your care and arranged that
insofar as the purposes of this Commission were
concerned that you should be the claimant for it?

A. Yes, sir.

Q. Is that the situation?

A. Yes, sir.

Q. And you know as a fact that no other
person is claiming for that typewriter?

A. That is right, sir.

Q. All right.

MR. CHRISTIE: Is that your case?

MR. BENT: That is all.

MR. CHRISTIE: It is submitted, your honor,
that as these chattels were under the custody of
a person other than the person of the custodian the
custodian is not responsible. It is further submitted
in any event that the value placed on these different
articles were exorbitant. That is the case for the
defense, your honor.

MR. BENT: I do not know whether or not this
is very important or whether my friends objects to
it, but Mr. H. H. H. explains to me that on cross-
examination my friend asked Mr. H. H. H. about these
novels and apparently he says that she mis-understood

and thought he was talking about some magazines or something. He says he knows about them, and he bought them, not his wife.

If my friend wishes to cross-examine Mr. Kikawa about them I am quite prepared to allow him to.

MR. CHRISTIE: In these claims they are claiming for novels of 10 years of age. In my experience they are worth very little after five or six years.

(PROCEEDINGS ADJOURNED SINCE 12)

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

A. W. Veltch
"A. W. Veltch"
Official Reporter.

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

John A. McElhin
Deputy Comm.