

10005-

BUSINESS

**BUREAU POWELL STREET
OFFICE OF THE CUSTODIAN
JAPANESE SECTION**

FILE NO. _____

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: KUTSUKAKE, Kimiyo (Mrs. Hisao)

HOME ADDRESS: 22 W. Cordova St., Vancouver, B.C.

REGISTRATION NUMBER 00935 SEX: Female AGE: 26

OCCUPATION: MM Beauty Parlor doing business under name of
"Frieda's Beauty Shop", 684 E. Hastings St., Vancouver, B.C.

(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

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Hisao

ADDRESS OF WIFE OR HUSBAND: Kaslo, B.C.

NAMES OF ANY LIVING CHILDREN: MM Naomi (F)

ADDRESS OF CHILDREN: 22 W. Cordova St., Vancouver, B.C.

AGE OF CHILDREN: 4

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

2. 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: 22 W. Cordova St., Vancouver, B.C.
3 storey rooming house.
2. LANDLORD'S NAME AND ADDRESS: Mrs. Kosaka, 22 W. Cordova St.,
Vancouver, B.C.
3. PARTICULARS OF LEASE AND RENT AND DATE TO WHICH PAID:
\$22.00 a month room & board. Paid to the 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.
Located at: 684 E. Hastings St., Vancouver, B.C.--1 permanent wave
machine, 3 hair driers, 1 steamer, 1 facial chair, 1 manicure table
& chair, 5 mirrors, 1 work stand, 1 hair washer, -- all to be left
at said address until evacuation, and then declarant states she will
take all with her except the steamer, facial chair, & manicure table
& chair, which will be stored at Pratt's Beauty Supply, 645 Seymour,
Vancouver, B.C. They will have the key.

2. HORSES, LIVESTOCK AND OTHER ANIMALS, POULTRY AND PETS: None

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

4. INSURANCE CARRIED ON ABOVE PROPERTY:

None

5. MORTGAGES, LIENS AND OTHER CLAIMS ON PROPERTY IN POSSESSION OF OTHERS:

None

6. MONEYS OWING TO YOU (State if any of these debts assigned and if so, to whom):

None

7. BONDS, DEBENTURES, SHARES, STOCKS OR OTHER SECURITIES (State whereabouts):

None

8. BANK ACCOUNTS:

None

9. LIFE INSURANCE: Prudential Life Insurance Co., Vancouver, B.C.

\$1000 on life of declarant, and \$500 on life of daughter. Policies in owner's possession. Policy Nos. unknown.

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 26th day of May 1942

A. McArthur

Witness

(Signature)

L. McArthur

FOR DEPARTMENTAL USE

INFORMATION FROM R.C.M.P.

DATE 30/1/43

ir File No. 10005

Full Name KITSUKAKE, Kiriyo (Mrs. Hissao)
(Surname in Block Letters)

Registration No. 00935

Male - Female
(Check)

Age May 2, 1916

Former Address 22 W. Cordova St., City

Date Evacuated Aug. 7/42 Naturalized - Canadian-Born - National
(Check)

Present Address Kato, B. C.

Greenwood, B. C.

Married - Single
(Check)

Name of Wife _____

Name of Husband Hissao #02563

Name of Mother KOZAKA, Toyo #05766

Name of Father SUZUKI, Shuzo #00958

Names of Children under 16 Pat. Naomi 17/3/38

Requested by AM

Registered with Custodian (Yes or No)

Additional Information Beauty parlor at 684 E. Hastings St. (owner)

C
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P
Y

FORM "JP"

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

FILE NO. 10005

PERSONAL INFORMATION

NAME: KUTSUKAKE, Kimiyo (Mrs. Hisao)

HOME ADDRESS: 22 W. Cordova St., Vancouver, B. C.

REGISTRATION NUMBER : 00935

SEX: Female

AGE: 26

OCCUPATION: Beauty Parlor doing business under name of
"Frieda's Beauty Shop". 684 E. Hastings St., Vancouver, B. C.

EMPLOYER: Self

MARRIED: Yes

NAME OF HUSBAND: Hisao

ADDRESS OF HUSBAND: Kaslo, B. C.

NAMES OF CHILDREN: Naomi (F)

ADDRESS OF CHILDREN: 22 W. Cordova St., Vancouver, B. C.

AGE OF CHILDREN: 4

STATEMENT OF ALL REAL PROPERTY: None

STATEMENT OF REAL PROPERTY OCCUPIED:

LOCATION: 22 W. Cordova St., Vancouver, B. C. 3-storey rooming house

LANDLORDS NAME AND ADDRESS : Mrs. Kosaka, 22 W. Cordova St. Van. B. C.

PARTICULARS OF LEASE AND RENT: \$22.00 a month room & board. Paid to
the end of May, 1942

STATEMENT OF PERSONAL PROPERTY OWNED:

DESCRIPTION & LOCATION: Located at: 684 E. Hastings St., Van. B. C. -- 1
permanent wave machine, 3 hair dryers, 1 steamer,
1 facial chair, 1 manicure table & chair, 5 mirrors,
1 work stand, 1 hair washer, -- all to be left at
said address until evacuation, and then declarant
states she will take all with her except the steamer,
facial chair, & manicure table & chair, which will
be stored at Pratt's Beauty Supply, 645 Seymour, Van. B. C.

LIFE INSURANCE: Prudential Life Insurance Co., Vancouver, B. C. \$1000
on life of declarant, and \$500 on life of daughter.
Policies- in owner's possession. Policy Nos. unknown.

Dated this 26th day of May 1942

(Signature) K. KUTSUKAKE

Witness

ey

RE - KUTSUKAKE, KIMIYO (Mrs. Hisao),

22 West Cordova Street, Vancouver, B. C. - 00935

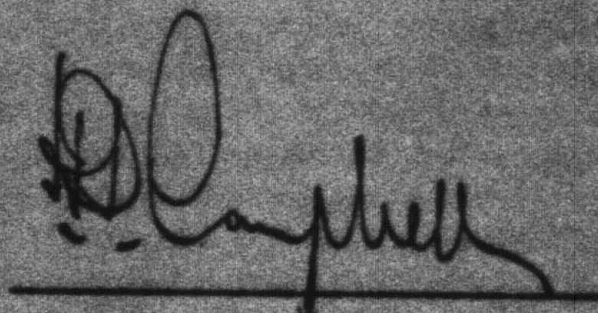
YOUR FILE NO. 10005.

1. As the result of your authorization to me to investigate the circumstances surrounding the Declaration of the above, one of my staff called at 22 West Cordova Street on June 6, where Mrs. Kutsukake was supposed to be living. He was advised that she had already been evacuated to Kaslo.
2. On endeavouring to investigate the premises at 684 East Hastings Street, where Mrs. Kutsukake apparently had carried on a Beauty Parlor business under the name of "Frieda's Beauty Shop", I found the shop locked up and apparently half empty.
3. On June 9 I again endeavoured to find some trace of this party or manner of access to the premises, without any success.
4. On looking into the matter again on June 13 I was able to obtain a key to the premises at 684 East Hastings Street, from Mrs. Kosaka, Landlady of the rooming house at 22 West Cordova Street, who stated this had been left there by a party unknown.
5. When obtaining access to the Beauty Shop, on that date, by means of this key, I found that a Mrs. Erickson was on the premises, who stated that she had purchased from Mrs. Kutsukake six chromium chairs, six booths and all the plumbing and lighting fixtures belonging to the declarant left on the premises. Mrs. Erickson states this sale was made for an amount of \$200.00, was a cash transaction and she accordingly has no evidence to confirm her statement.
6. Reference to the "JP" Declaration shows that Mrs. Kutsukake intended to store most of her equipment with Pratt's Beauty Supply Co., 645 Seymour Street. I have contacted this Company and they advise me that Mrs. Kutsukake had delivered to them all the equipment which she had not sold to Mrs. Erickson. Subsequently on June 13, (Saturday last), they received a wire from Kaslo from the declarant asking them to ship all the equipment to her via Kaslo, Nelson Motor Freight Company of Nelson, B. C., to their terminal at Kaslo. They tell me that the Terminal Cartage Company looked after the actual crating and local delivery to this Transport Company.
7. On enquiring from Pratt's Beauty Supply Company if they were in a position to verify in any way the sale to Mrs. Erickson, they were able to advise me to the extent that Mrs. Kutsukake had told them that she intended to do so but they were unable to confirm the actual fact or the amount involved.
8. It is apparent from the above that all the declared property of Mrs. Kutsukake has been either disposed of or shipped to her outside the protected area. Reference to the "JP" Declaration shows that she has declared no personal or trade debts. On enquiring from the Pratt's Beauty Supply Co., from whom she purchased most of her equipment, they confirmed the fact that she had a very good business and credit reputation.
9. In view of the above I am closing my file in this case and recommend to you that in order to complete your file you write Mrs.

-2-
Re- Kutsukake, Kimiyo (Mrs. Hisao)

Kutsukake at Kaslo and endeavour to obtain a letter from her that she has removed or sold all the property which she voluntarily declared to your Office, and at the same time obtain a confirmation from her that she had no debts. If you do this I would appreciate a letter advising me that you were able to confirm the information obtained through my investigation and that the file is permanently closed.

June 15, 1942.



10005
XI 1007

July 6th, 1949.

Mrs. Kimiyo KUSUKAKE,
Registration No. 00935,
Box 568,
Greenwood, B. C.

Dear Madam:

Personal goods now in Custodian storage include
1 bundle of pictures, 2 large framed photos and loose photos
listed in the name of Kasekiichi KUSAKA.

We have written to Mr. KUSAKA regarding these
articles but he has not replied to our letters and, we believe,
through perusing your file, that there is a possibility they
belong to you.

If you think said goods are your property and you
wish to receive the same, please notify the Custodian at your
earliest opportunity, giving your full name and address for
shipment.

Failing to hear from you by the above date, the
Custodian will assume that you have no interest in these goods,
and will dispose of them at his discretion.

We enclose a stamped addressed envelope for your
reply.

Yours truly,

W. J. Johnston,
Office of the Custodian.

WJ3/jn
WJ3

COPY for 10003

Int. 1007
299

February 20, 1947.

Mr. Kanekichi KOSAKA,
Reg. No. 01551,
C/o Fernham Hostel,
Montreal, P.Q.

Dear Sir:

In April 1944 a quantity of chattels were removed from 22 West Cordova Street to storage. A few of the items were marked Shuso SUZUKI and a trunk was found marked with your name. The items marked were shipped to Mr. Suzuki and the trunk to your wife at Kaslo. The bulk remaining was moved to storage in your name and as such sold by auction as per auction sheets attached, the proceeds being included in remittances made periodically to your wife at your request.

Mr. Shuso SUZUKI has advised us that, though the goods were not marked, they all belonged to himself and his daughter. We note that neither you nor your wife declared any chattels, and we hope, that with the auction sheets which are enclosed, Mr. SUZUKI and yourself will be able to arrive at a satisfactory settlement.

Yours truly,

F. Matheson,
Office of the Custodian.

CG

Enclosure (2)

February 14, 1947.

PERSONAL PROPERTY SUMMARYRe: KUTSUKAKE, Kimiyo (Mrs. Hisao) -Reg. No. 00935.

The above signed a declaration to the Custodian on May 26th, 1942 and was evacuated on August 7, 1942.

CHATELS: She declared Beauty Parlor Equipment at 684 East Hastings, where she was doing business under the name of "Frieda's Beauty Shop". Harold D. Campbell investigated her affairs and reported that all the chattels had been either sold to Mrs. Erickson for cash or shipped to Mrs. Kutsukake at Kaslo.

On August 4, 1942, Mrs. Kutsukake stated in writing " I confirm that I have no property of any kind left in the restricted area of British Columbia.

LIFE

INSURANCE: She declared a policy in the amount of \$1,000 in her name and one in the name of her daughter, Naomi, for \$500.00. Both policies were with the Prudential Life Insurance Co. and were in her possession. These were not brought under the control of the Custodian.

This file reveals no other property of any kind.

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

CG

P. Quind
February 14, 1947.

Feb. 20/47

Mr. Shuzo SUZUKI, File 299, has stated that goods left at 22 Cordova belonged to himself and his daughter, that these goods were mostly unlabelled. The goods found at 22 Cordova without identification have been credited to the account of Kanekichi Kosaka, File Int. 1007, and the proceeds have been sent to Mrs. Kosaka at her husband's request. Auction sheets of these goods have been sent to Mr. Kosaka and Mr. Suzuki in order that they may determine ownership of the items sold.

Mrs. Kimiyo Kutsukake is a daughter of Mr. Shuzo SUZUKI.

COPY

Int. 1007
299

February 20, 1947.

Mr. Kanekichi KOSAKA,
Reg. No. 01551,
C/o Farnham Hostel,
Montreal, P.Q.

Dear Sir:

In April 1944 a quantity of chattels were removed from 22 West Cordova Street to storage. A few of the items were marked Shuzo SUZUKI and a trunk was found marked with your name. The items marked were shipped to Mr. Suzuki and the trunk to your wife at Kaslo. The bulk remaining was moved to storage in your name and as such sold by auction as per auction sheets attached, the proceeds being included in remittances made periodically to your wife at your request.

Mr. Shuzo SUZUKI has advised us that, though the goods were not marked, they all belonged to himself and his daughter. We note that neither you nor your wife declared any chattels, and we hope, that with the auction sheets which are enclosed, Mr. SUZUKI and yourself will be able to arrive at a satisfactory settlement.

Yours truly,

F. Matheson,
Office of the Custodian.

CG

Enclosure (2)

(KUTSUKAKE, Kimiyo is the daughter of Mr. Shuzo SUZUKI)

File No. 1007

April 4th, 1944

MEMORANDUM

TO: MR. E. E. WRIGHT

FROM: MR. G. B. SPAIN

RE: Kensichi KOSAKA
22 Dundas Street - Colma, Cal.

I understand the building at the above address has been sold and it has been pointed out to us that there is a locked cupboard under the stairway said to contain articles left by the KOSAKAS.

I am arranging to have the lock removed, contents examined, and failing any other identification, will move the articles to Custodian Warehouse for further examination.

If this arrangement is satisfactory, please approve on the attached copy.

GDS/JF
Attach.

GEO. B. SPAIN

DEC 18 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.

10005

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

- (1) NAME KUTSUKAKE KUNITO (RCMP) Reg. No. 00935
(Print) Surname Given Name
- (2) Pre-Evacuation Address 22 WEST CORDOVA STREET VANCOUVER, B. C.
- (3) Present Address Box 569 GREENWOOD, B. C.
- (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
22 West Cordova Street, Vancouver, B.C.
- (b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)
"Crown Hotel" left in one room
Packed in carton boxes and trunk, wooden boxes
- (c) How stored or packed at time of evacuation _____

(over)

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

In no one's care

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

1	Estimated Value \$	
2	Estimated Value \$	
3	Estimated Value \$	
4	Estimated Value \$	
5	Total estimated value	
6	Custodian's selling price	
7	Estimated Value \$	119.85
8	Estimated Value \$	
9	Estimated Value \$	
10	Estimated Value \$	
TOTAL CLAIM FOR PROPERTY LOSS \$		476.70

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))

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

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

DOMINION OF CANADA

Province of B. C.

TO WIT:

Kimlyo Kutsukake

Greenwood

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 Greenwood

in the Province of B. C.

this 27th day of November

A.D. 1947.

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.

Notary Public in & for the Province of
British Columbia, Canada.

NAME KOBARA, Kanekichi

REGISTRATION NO. 01551

FILE NO. Int. 1007

P/N A 262

The following chattels were sold by public
auction at 932 Powell Street, Vancouver on May 19th, 1944.

Trays & pans	\$ 40 + 16 -
Settle, built contents	1.00 + 7 -
Stove & burner	1.25 + 8 -
Saucepan & contents	1.50 + 9 -
Dish pan & saucepan	1.30 + 10 -
Laquer box & tray	2.00 + 17 -
Miscellaneous Kitchen ware	1.75 + 18 -
Tray & contents	✓ 1.50 -
Carton Miscellaneous	✓ 1.10 -

Total	(Auctioneer's Fee) \$1.22	\$ 12.20
Less Expenses:	(Advertising) 0.21	8.95
	(Moving) 1.52	
Net Proceeds Credited:		\$ 7.25

Members of Custodian Staff Present.

Mr. Wills

Extracted from Auctioneering list No.

Vancouver 20.

Remarks.

in box 20

NAME KOSAKA, Kanakichi

REGISTRATION NO. Q1551

FILE NO. Int. 1907

The following chattels were sold by public
auction at 932 Powell, Vancouver, B.C. on April 18, 1944.

Brought Forward	
Clock & paper punch	\$ 53.25
Carved cane	1.00 + 45 -
Curtains & drapes	1.25 + 46 -
Vibratory machine	6.50 + 47 -
Japanese tea set	4.25 + 48 -
Part dinner set	0.50 + 49 -
Witchamere	18.00 + 50 -
Revolving balls	0.50 + 51 -
Carton of toys & miscellaneous	1.00 + 52 -
Shades & brackets	1.00 + 53 -
Tools	7.00 + 54 -
Dishes	2.25 + 55 -
Glassware	0.75 + 56 -
Tray & dishes	0.75 + 57 -
Carton of dishes	0.90 + 58 -
Picture frames	1.10 + 59 -
Reactor	0.65 + 60 -
Lamp	0.90 + 61 -
Desk lamp	2.25 + 62 -
Walnut Jardiniere stand	7.00 + 63 -

Total:		\$ 112.00
Less Expenses:	(Auctioneer's Fee: \$11.20)	\$ 24.86
	(Advertising: 1.49)	
	(Moving: 12.37)	
Net Proceeds Credited:		\$ 57.34

Members of Custodian Staff Present. Mr. Wills

Extracted from Auctioneering list No. Vancouver 17

Remarks. In Box

Name of Claimant **KUTSUKAKZ, Kintye**Case **278**Custodian File **10003**

<u>REAL PROPERTY</u>										Total
Greater Vancouver		Rural (except V.L.A.)		V.L.A. (except Mission Village)		V.L.A. Mission Village		Total Award		
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of Amount Total	Sale Price		Total Award 125% of all Sale Prices % of Amount Total	
<u>PERSONAL PROPERTY</u>										
Motor Vehicles		Boats and Boat Gear								
Sale Price	25% thereof	Sale Price	Nelson Bros. 23.5% of Sale Price	Other Sales 28.5% of Sale Price	Equipment charges paid to purchasers in error. Repay to owners	Amount of Claims for Boat Gear Declared & Not Found & Recorded Now Missing	45% of amount in next preceding column			
<u>NETS</u>										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing		Percentage Total Award to Total Claim		Claim for Nets Sold Declared Not Found, & Recorded Now Missing		Apply % ratio to Claim	Deduct Custodian Sale Price	
<u>MISCELLANEOUS CHATTELS</u>										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
448.75	124.00	37.26	27.64	154.00	42.60		79.86			
TOTAL RECOMMENDATION										79.86

10005

April 18th, 1951

Mrs. Kimiyo KITSUKAKE,
Grand Forks, B. C.

Dear Sir:

~~XXXX~~ Madam:

Re: Japanese Property Claims Commission

Case No.

278

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 ...

\$ 79.86.

Cheque in your favour is enclosed for

\$ 75.24

and we have paid the Co-Operative Committee ..

\$ 4.62

for legal fees as authorized by you.

Yours truly,

F.G. Shears
Director

FGS:HK
Encl.

DEFENCE BRIEF

(Mrs.) KIMIO KITSUKAKE

File No. 10005

Case No. 278

Chattels
Grand Forks, B.C.
27 May 1948

PERSONAL PROPERTY CLAIM

Chattel Claim

\$596.75

(a) Goods valued at ^{544.75} ~~\$596.75~~ sold by auction for ^{119.85} ~~124.20~~.
Witness: Wm. Wills - attended auction.

The claimant advises that the Custodian forwarded the proceeds from the sales at auction to her uncle, Kanekichi KOSAKA, the Custodian being under the impression that the goods belonged to her uncle. The goods, she asserts, were wedding presents which she received in September 1937. They were crated and left in one room at 22 West Cordova St., Vancouver, the uncle's premises. The uncle apparently paid over the money to the claimant.

NOTE: Claimant is to file a letter received from her uncle establishing that the goods in question belonged to the claimant. (See p.5).

Appears to be a question of fair value only.

NOTE: Government Counsel (Mr. McInnes) submission that goods claimed never came within control or custody of the Custodian, and they are, therefore, not within the terms of reference. Alternatively, if these goods that were sold, were in fact her property, the same were sold for their fair market value.

NOTE: Claimant's submission that if Custodian sold goods, they must have come within his control.

It is submitted that claimant's submission is correct in view of the fact that the goods were in fact sold and the money paid out.

(b) Goods valued at \$82.00 ✓

There is no evidence as to ~~whether~~ these items:-
~~These items are:-~~

Carpet sweeper	\$ 7.00
Silver flower stand	15.00
Silver 3 piece set	20.00
Silver bon bon dishes	5.00
1 trunk Jap Kimono	30.00
1 powder set	5.00
TOTAL	\$82.00

more and anything
Appended.

Mrs. Kimiyo KITSUKAKE
Case No. 278

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There was a question raised as to whether these chattels were listed - NO RECORD. If this were the case, there may be a possibility for agency to be submitted since claimant on 4th August 1942 wrote Custodian that she had the chattels in restricted area. However, Government counsel admits that these items should be listed as abandoned and this implies that the Custodian acknowledged receipt of them.

Summary of Defence Witnesses

Where Required

Mr. Wills

1 (a)

JLG/ww

IN THE MATTER OF THE VINCING ACT
PART 1. REVISED STATUTES OF CANADA 1927. CHAPTER 92
JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E
(HIS HONOUR, JUDGE ERIC F. RANSON, SUB-COMMISSIONER)

10

Grand Forks, B.C.

May 27, 1948

IN THE MATTER OF THE CLAIM OF
KIMIO KUTSUHARA

PROCEEDINGS AT HEARING

20 APPEARANCES:

HAROLD W. McINNIS, Esq.,

appearing for the
Dominion Government.

A.E. COBUS, Esq.,

appearing for the
Claimant.

L.A. BODD, Esq.,

Secretary to Grand
Forks Sub-Commission

MRS. I.C. SMITH,

Official Interpreter

G. HANBLETON, Esq.,

Official Reporter

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MR. COBUS: The claim, your honour, of Katsukake, No. 36 on the Secretary's list, becomes Case No. 278, I take it, Mr. Secretary?

THE SECRETARY: 278, yes.

THE COMMISSIONER: All right.

(MR.) KATSUKAKE, the Claimant herein, being first duly sworn, testified as follows:

10 MR. COBUS: This is a claim for personal property only, your honour. I would ask leave to amend the amounts respecting the credit to the Custodian. The total estimated value remains at \$598.75, but the credit to the Custodian should be \$119.85.

THE COMMISSIONER: \$119.85.

MR. COBUS: Leaving a net claim of \$478.90.

20 The claim form, your honour, was accompanied by a list of the items for which claim is being made. That list is repeated on the Analysis of Personal Property Claim, and I might explain the difference between the credit we show on the claim form to the Custodian and the amount the Custodian shows on the Analysis of Personal Property Claim, which I shall be filing. Three items are shown at the bottom of the third column headed "Details of Claim." This is on the Analysis of Personal Property Claim.

THE COMMISSIONER: I had better get that.

MR. COBUS: Yes, your honour. I would ask to file

30 on behalf of the Crown the Analysis of Personal

Property Claim, your honour.

(ANALYSIS MARKED EXHIBIT NO. 1)

THE COMMISSIONER: Yes, Mr. Cobus.

MR. COBUS: There are three items at the bottom of the third column headed "Details of Claim" on the Analysis of Personal Property Claim which is Exhibit No. 1 including miscellaneous kitchenware, tray and contents, and a carton of miscellaneous goods. No claim is being made with respect to these items. The result is that the Custodian sold \$124.20 worth of goods at auction, and, since we are not claiming for the three items which I have mentioned, it leaves a net credit to the Custodian of \$124.20 less \$4.35 covering these three items.

THE COMMISSIONER: Covering these three items.

MR. COBUS: That is correct, your honour.

DIRECT EXAMINATION BY MR. COBUS:

Q: Witness, I produce to you a statement concerning the articles for which you are claiming. Did you instruct Mr. Leckie to prepare this statement for you and is that your signature? A: That is right.

Q: Are the statements contained in this document true to the best of your knowledge and recollection? A: Yes.

MR. COBUS: I would ask to file the statement concerning personal chattels as the next exhibit, your honour.

(STATEMENT MARKED EXHIBIT NO. 2)

10 MR. COUSE: Referring to the statement, your honour, the claimant says that all articles claimed for with estimated values are set out on the Custodian's Analysis of Personal Property Claim which has been filed as Exhibit No. 1 and also on the list attached to the claim form which has already been referred to. The total estimated value is shown to be \$586.75. As to the storage of the goods, the claimant says that the above goods were all left at 22 West Cordova Street, Crown Hotel, Vancouver, B.C., and were all sold by the Custodian with the exception of some six articles which she is now advised he reports as having been abandoned.

20 Her comments are that the Custodian forwarded to her uncle, one Kanekichi Kosaka, the proceeds from the sales at auction of these goods. The Custodian was under the impression that the goods belonged to her uncle. She says, however, this was not so as they were all wedding presents which she received in September, 1957. These presents were opened, displayed, and then put back again in their boxes and never used. They were crated and left in one room at 22 West Cordova Street in Vancouver. In estimating the values she has checked catalogue prices for the articles. Her uncle, she says, paid over to her the monies received from the Custodian.

Q: Now, witness, I understand that you were to write

your uncle for a letter bearing out your claim that you were, in fact, the owner of those goods and that he in fact turned over the monies received from the Custodian to you, is that so?

A: Yes.

Q: Have you received this letter, yet?

A: No, I haven't yet, but as soon as I have, which I expect to get any time, I will turn it in.

MR. COBUS: I would ask leave to file that, your honour.

THE COMMISSIONER: Leave to file that when it is received. That would be leave to file a letter establishing that the goods in question belonged to the claimant and that the monies received from the Custodian by the uncle have been turned over to her.

MR. COBUS: Q: Witness, I produce to you a list of goods attached to a copy of your claim. From your statement I gather that all of these articles were wedding gifts, is that correct?

A: Well, I should say most of them except for one or two.

Q: Which article is not a wedding gift?

A: The first one wouldn't be.

Q: That is "Tools and Box (Assorted Tools)". No, that probably wouldn't be a gift.

A: Yes. Well, I am sure the rest of them all are.

Q: The remainder of them appear to be all wedding gifts.

A: All wedding gifts, yes.

MR. COBUS: That is all, your honour.

THE COMMISSIONER: Very well.

MR. McINNES: It will be submitted, your honour, that the goods claimed for never came within the control or custody of the Custodian and they are, therefore, not within the Terms of Reference. Alternatively, if these goods that were sold were, in fact, her property, the same were sold for their fair market value.

10 CROSS EXAMINATION BY MR. McINNES:

Q: Mrs. Katsukake, you filed a J.P. form and that is your signature? A: I did so.

Q: That is a J.P. form dated 25 of May, 1948 -- here's the date here; is that correct?

A: Yes.

Q: Yes. Now at that time you were living at 22 West Cordova Street in Vancouver? A: Yes.

Q: With a Mr. and Mrs. Kosaka. A: Yes.

Q: Who were your aunt and uncle, is that right?

20 A: Yes.

Q: You were also operating a beauty parlour?

A: Yes.

Q: And that was being operated at 646 East Hastings Street? A: Yes.

Q: Now, in your J.P. form you made claim in this respect -- or I should say, you disclosed the items in connection with your beauty shop.

A: Yes.

Q: And made no reference in the J.P. form to these goods you now claim for. A: No.

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Q: You were merely rooming and boarding at the home
of your uncle? A: Yes.

Q: Now later on you received a letter, did you not,
from Mr. Shears or one of his deputies -- the
Custodian, that is? A: Yes.

Q: A letter dated June 26, 1942. A: Yes.

Q: Addressed to Mrs. Kimiyo Kutsukake at Kaslo, B.C.
A: Yes.

10 Q: I'll read the letter to you: "Dear Madam: We
are notified by our agent that the equipment of
your beauty parlour declared to the Custodian
has, for the most part, been shipped to you at
Kaslo and all the remaining equipment has been
sold to a Mrs. Erickson for the sum of \$200.00
which was paid to you in cash. So that we may
complete our file, we would be glad to receive
a reply to this letter stating that the arrange-
ments as set out in the preceding paragraph are
correct. Should the above be incorrect, please
advise at once giving full information as to
the discrepancies. Yours very truly, R.P.

Alexander, Assistant Manager." A: Yes.

Q: Now you received that letter? A: Yes, I
did.

Q: And later on you answered it? A: I think
so.

Q: Now, I am producing to you a memorandum, written,
I suggest, in answer to the letter of June 26,
1942. A: Yes.

20 Q: The letter which I have just read into the

Record.

A: Yes.

Q: Is that your signature? A: It is.

Q: This memorandum is dated August 4, 1942, signed by the claimant, that is yourself, and reads as follows: "In reply to a letter from Mr. Shears received about a month ago, I confirm that I have no property of any kind left in the restricted area of British Columbia."

A: Yes.

10 Q: Now, these goods that you claim for now were in the home of your uncle, Kosaka? A: Yes.

Q: And they were sold subsequent to the date of that note of August 4, 1942, which you sent in to Mr. Shears?

A: Yes.

Q: This is dated August 4, 1942. A: Yes.

Q: You stated at that time you had no goods left.

A: No.

Q: These goods that were found at 22 West Cordova were later sold?

A: Yes.

Q: And your uncle got the money? A: Yes.

20 Q: Did you get it back from him? A: Yes.

MR. McINNES: That is all, thank you.

MR. COBUS: May I have exhibit No. 1, please?

(Handed to Mr. Cobus)

MR. COBUS: I would simply like to point out, your honour, that under "sales" all of the articles from 1 to 53 are shown on the Analysis to have been sold with the exception of those items 20 to 25 inclusive which are listed under the heading, "No record."

30 MR. McINNES: It should be "abandoned," shouldn't it,

Mr. Cobus?

MR. COBUS: There appears to be a slip on the one on file, your honour. Those six items are listed under "No record at any time." On the carbon copy in my possession, like the one in the file of the Custodian, those items are listed under "abandoned." In other words, the Custodian obviously had all of the goods because he sold everything except six, and six, I suggest, should be under "abandoned" rather than under "No record at any time."

THE COMMISSIONER: In other words, your point is that these did come into the possession of the Custodian and were disposed of by him.

MR. COBUS: I am sure they must have been otherwise the Custodian wouldn't have been able to sell them and wouldn't have been able to have passed on the proceeds to the uncle of the present claimant.

THE COMMISSIONER: It looks as though the carbon copy has figures under "abandoned" which have been put in afterwards because they are in original typing and the other is in carbon.

MR. COBUS: That is correct, your honour. I think that would explain it.

THE COMMISSIONER: That may be the reason for it; it has just been added on and put in the wrong column.

MR. COBUS: Would my learned friend admit that the copy he has on his file lists those six items

under "abandoned" as they are listed on the form
in my file?

MR. McINNES: Yes, they do, \$22.00 worth.

MR. COBURN: That is correct, your honour.

I have nothing more.

THE COMMISSIONER: Well, then, in your file, these
items are listed under the column "abandoned,"
are they?

MR. McINNES: Yes, and this is the original copy that
I have.

THE COMMISSIONER: Yes, very well.

(Witness aside)

(PROCEEDINGS ADJOURNED NINE SIX)

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 trans-
cript purports to be an accurate record of
the evidence adduced before me.

E.P. Dawson,
Sub-Commissioner.