

10101

PERSONAL

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

FILE NO.

10101

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: NAKAI, Kikuno (Mrs. Yasuichiro)

HOME ADDRESS: 362 Alexander St., Vancouver, B. C.

396 Powell

REGISTRATION NUMBER 06270

SEX Female

AGE 45

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: Self

MARRIED? Yes

NAME OF WIFE OR HUSBAND: Yasuichiro

ADDRESS OF WIFE OR HUSBAND: Same address

NAMES OF ANY LIVING CHILDREN: Kazuo (F) Hitomi (F) Atsuko (F)

Yoko (F)

ADDRESS OF CHILDREN: Kazuo & Hitomi at Minto, B. C.
Atsuko & Yoko at 362 Alexander St., Vancouver, B. C.

AGE OF CHILDREN 17, 16, 13, 9 years.

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

1. LOCATION AND DESCRIPTION:

None

No

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:

562 Alexander St., Vancouver, B. C. 7 room brick dwelling house.

2. LANDLORD'S NAME AND ADDRESS:

The Yorkshire Saving & Loan Co., Vancouver, B. C.

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

Monthly rental \$50.00 per month, paid to May 31, 1942.

4. STATE WHEREABOUTS OF LEASE. None

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

None

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

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:

See list attached. 396 Jones St. Vancouver B.C. - Japan O. Caraka

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

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: The Royal Bank, Main & Hastings Sts. Approx. \$400.00, No. unknown. None

9. LIFE INSURANCE: _____

10. INTEREST IN ANY ESTATES OR TRUSTS None

11. SAFETY DEPOSIT BOX: None

LIABILITIES: None

1. PERSONAL DEBTS: _____

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 27th day of May 1942.

[Signature]
Witness

(Signature) K. Nakai

FOR DEPARTMENTAL USE

The following ARTICLES are stored in basement of 396 Powell Street, Vancouver, B. C. and are the property of NAKAI Kikuno (Mrs. Uasuichiro) Reg. No. 06270 of 362 Alexander Street, Vancouver, B. C.

300	pcs.	of Japanese Tea Cups	\$150.00
150	"	" Rice Bowls	75.00
300	"	" Fish Dishes	250.00
300	"	" Frying Dish (Porcelain)	270.00
500	"	" Plates	205.00
300	"	" Soup Bowls	300.00
300	"	" Dining Trays	600.00
60	"	" Dining Trays (small)	60.00
500	"	" Plates (Medium)	200.00
100	"	" Plates	100.00
50	"	" Plates (Large)	500.00
250	"	" Relish Bowls	220.00
150	"	" "Sake" Warner	175.00
1200	"	" "Sake" Cups (small)	50.00
50,000	"	" Wooden Chopsticks	275.00
100	"	" Cups	35.00
200	"	" Drinking Glasses	50.00
36	"	" Cocktail Glasses	60.00
5	"	" Cut Glass Vases	70.00
6	"	" Cut Glass Cake Plates	60.00
12	"	" Glass Fruit Plates	25.00
1	"	" Chrome Vase	60.00
7	"	" Copper Boilers	45.00
6	"	" Copper Frying Pans	120.00
10	"	" Sukiyaki Pan	40.00
4	"	" Sukiyaki Stove	20.00
9	"	" Cupboards	72.00
20	"	" Dining Tables	200.00

4287.00

I hereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy.

May 17, 1948.

[Signature]

INFORMATION FROM R.C.M.P.

Our File No. 10101 Husband's file #1205 DATE Apr. 1/43

Full Name NAKAT, Kikuno (Mrs. Yasuichiro)
(Surname in Block Letters)

Registration No. 06270 Husband's Reg. #06269 Male - Female Age Feb. 12, 1897
(Check)

Former Address 362 Alexander St., City

Date Evacuated 28/5/42 Naturalized - Canadian-Born - National
(Check)

Present Address Bridge River, B. C.
Mount City, B.C. sent 7/46

Married - Single
(Check) Name of Wife _____

nee Name of Husband NAKAT
NODA, Yasuichiro #06269

Name of Mother (WAKIDA) Yone (Japan) Name of Father NISHI, Benzo (Dad'd)

Names of Children under 16 See husband's sheet.

Requested by J. Spratt Registered with Custodian no
(Yes or No)

Additional Information _____

IMMEDIATE RELEASE

File No. 10001

October 7, 1945.

Re: Edward G. Galt, Rep. No. 10-73

This file reveals no liabilities.

This Bureau is certified to be in
conformance with information on file.

G. M. Galt

October 7, 1945.

/s/

File No. 10101

PERSONAL PROPERTY SUMMARY

October 7, 1946.

Re: Kikano (Mrs. Yasuichiro) NAKAI,
Reg. No. 06270 (Also known as Noda)

This woman signed a declaration to the Custodian on May 27, 1942, the day before her evacuation.

In her declaration she reported a large quantity of goods (apparently the equipment of the restaurant which she had operated under the name "Yoshino" at 362 Alexander). These goods, on which she placed a total value of \$4,287.00, were reported to be in the basement of 396 Powell Street. From 392 Powell Street, which apparently is part of the same building as 396 Powell, there were removed 2 boxes marked "I. Nakai" and ~~2~~ ³ containers of various kinds, as well as counters, shelves and chopping boards all marked "Yoshino". As there is nothing on the file to indicate that any of these goods remain on hand, it would appear that all the saleable items were sold at auction. The net proceeds from the sale of these goods amounted to \$254.85, which has been credited to the account of Mrs. NAKAI. It is not possible to check the individual items on the auction lists with the list of goods reported by Mrs. NAKAI. In general, the goods sold were of the same type as those declared. However, there is no record of the 20 dining tables declared by Mrs. NAKAI having been found with her other chattels. Of the 9 cupboards declared, only 3 were sold. In regard to the fishing rope, rope and fish hooks found in the boxes and sold, it is noted that the husband of Mrs. NAKAI was a fisherman.

A Sparten radio was reported by the RCMP as having been surrendered on behalf of K. Noda, Reg. No. 06270. As Mrs. NAKAI was also known as Mrs. NODA and the registration number is hers, the net proceeds from the sale of this radio has been credited to her account, in the amount of \$34.91.

File 9571, Canada Nio Company Ltd., shows that Kikuno NODA (believed to be the same as Mrs. Kikano NAKAI (or NODA)) is the owner of 110 shares in that company. Liquidation of this company has not yet been completed. It is possible that funds may be credited to the account of Mrs. NAKAI when the assets of this company are distributed.

Mrs. NAKAI reported a bank account of \$400.00 in the Royal Bank, Main & Hastings. This did not come under the control of this office.

This file reveals no other property of any kind whatsoever.

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

J. Matheson
October 7, 1946.

/TM

MEMORANDUM TO FILE 10101

May 4, 1944

Re: Kikuno NODA (Mrs. Yasuichiro) Reg. 06270

<u>ARTICLE</u>	<u>DESCRIPTION</u>	<u>VALUATION</u>
Radio	Sparton, Model #118, Serial #1180353 RCMP #137	\$29.50

Gm

Sale Price: \$41.00 - Expenses: \$6.09 - Net Credit: \$34.91

Sold 10/5/46 - Vancouver 20

W. Matheson
October 7, 1946.

CHATTEL SCHEDULE

File No. 10101

October 4, 1946.

Re: Etsuko SAKAI, Reg. No. C6270

Declared
Mar 27/42

Disposition

300 pc.	Jap. Tea Cups	\$150.00
150 "	" Rice Bowls	\$75.00
300 "	" Fish Dishes	\$250.00
300 "	" Porcelain Frying Dishes	\$270.00
500 "	" Plates	\$205.00
300 "	" Soup Bowls	\$300.00
300 "	" Dining Trays	\$600.00
60 "	" " small	\$60.00
300 "	" Plates medium	\$200.00
100 "	" Plates	\$100.00
50 "	" " large	\$300.00
250 "	" Salish Bowls	\$220.00
150 "	" Sake Warmer	\$175.00
1200 "	" Sake Cups small	\$50.00
50 "	" Wooden Chopsticks	\$275.00
100 "	" Cups	\$35.00
200 "	" Drinking Glasses	\$50.00
36 "	" Cocktail Glasses	\$60.00
5 "	" Outglass Vases	\$70.00
6 "	" Outglass Sake Plates	\$60.00
12 "	" Glass Fruit Plates	\$25.00
1 "	" Chrome Vase	\$60.00
7 "	" Copper Boilers	\$15.00
6 "	" Copper Frying Pans	\$120.00
10 "	" Sakiyaki Pan	\$40.00
4 "	" Sakiyaki Stove	\$20.00
9 "	" Cupboards	\$72.00
20 "	" Dining Tables	\$200.00

Goods sold at Auctions Vancouver Nos. 77, 56, 52, 51, 50, 49, were the contents of two boxes marked "Y. Sakai" found at 392 Powell Street, and the contents of several boxes, cartons, etc. found marked "Yoshino" at 392 Powell St. Mrs. Sakai had operated a restaurant under the name "Yoshino" and had reported her goods as being stored in the building from which the goods were removed.

The net proceeds from the sale of goods (which varied the same general nature as those declared although the individual articles can not in many cases be reconciled with the list declared) amounted to \$259.83, which was credited to her account.

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

G. M. Harrison
October 4, 1946.

NAME NAKAI, Kikuo (Mrs. Yasuhiro) also known as NIDA

REGISTRATION NO. 06270

FILE NO. 10101

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

Brought Forward:	\$79.60
5 Trays	2.00
Box Crockery	1.00
12 Trays	2.00
12 Trays	2.25
Box Crockery	2.25
4 Tea Pots	1.50
3 Tea Pots	1.50
Carton Japanese china	2.25
Box Fish Hooks	1.25
Carton china	2.50
Carton china	5.50
Carton china	2.75
2 small cartons china	3.50
Box crockery	5.00
Box crockery	2.25
Box crockery	1.50
Box crockery	7.25
Lacqueware	4.50
Box crockery	4.00
2 Copper Pans	5.50
6 Platters	2.00
Large Plate	4.50
Large Plate	4.50
Large Plate	4.25
Large Plate	5.00
Large Plate	5.50
Large Plate	4.00
Total to be carried forward:	<u>\$ 159.60</u>

NAME KAKAI, Kihano (Mrs. Yasuichiro) also known as NIDA

REGISTRATION NO. 06270

FILE NO. 10101

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

	Brought Forwards:	\$169.50
2 enamel Trays		1.50
Japanese Crockery		3.50
Carton lacquerware		2.50
Carton Crockery		5.00
Trey & Crockery		3.75
Carton Crockery		1.50
Box Soap		6.00
Fishing Nets		2.00
Copper Trays		1.00
3 Chopping Boards		3.50
2 Wooden Cabinets		21.00

TOTAL		\$224.85
Less Expenses:	(Auctioneer's Fee: \$22.49	
	(Advertising: " 6.29	
	(Moving: 28.43	57.21
Net Proceeds Credit:		\$167.64

Members of Custodian Staff Present: Mr. Wills.

Extracted from Auctioneering List No. Vancouver 49.

I hereby certify that the foregoing wards are a true copy of the original
whereof they purport to be a copy.

May 17, 1948.

L. McLaughlin

NAME NAKAI, Kikuo (Mrs. Yamashiro)

REGISTRATION NO. 06270

FILE NO. 10101

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

Turtle	\$6.25
Dishes	2.25
Dishes	2.75
Dishes	3.00
Dishes	4.00

Total		<u>\$18.25</u>
Less Expenses:	(Auctioneer's Fee) \$1.53	
	(Advertising) 1.23	
	(Moving) <u>2.57</u>	<u>5.33</u>
		<u>\$12.62</u>

Members of Custodian Staff Present: Mr. Willis

Extracted from Auctioneering List No. Vancouver 50.

I hereby certify that the foregoing words are a true copy of the original
whereof they purport to be a copy.

May 17, 1948.

W. L. McLaughlin

NAME: NAKAI, Kikuo (Mrs. Yasuhiro) Also Mrs. NIDA

REGISTRATION NO. 06270

FILE NO. 10101

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

3 Cups, saucers and plates	\$0.60
Japanese Rice Bowls	1.50
2 doz. Cups and Saucers	3.50
2 Doz. Cups & Saucers	3.00
19 Cups and 4 saucers	2.00
Basket Japanese rice bowls	2.00
Carton Japanese Rice Bowls	5.50
2 Trays Glasses	1.25
Carton Japanese Rice Bowls	4.50
Carton Japanese Rice Bowls	4.50
Box Japanese Rice Bowls	4.00
Box Japanese Rice Bowls	5.25
Carton Japanese Rice Bowls	3.50
7 Trays	0.60
7 Trays	0.65
7 Trays	0.80
8 Trays	0.85
2 Sample Cases	1.50
Box Crockery	2.00
5 Trays	2.25
Carton Rice Bowls	4.00
Carton Crockery	3.00
Box Japanese Bowls	4.00
Carton Japanese Bowls	4.00
Carton Japanese Crockery	1.00
3 Glass Trays	2.00
Shell and lacquerware	1.50
16 Trays	0.75
(Auctioneer's Fee: \$7.00	
Less Expenses: (Advertising: 4.45	\$ 70.00
(Moving: 11.27	22.72
Net Proceeds Credited:	<u>\$47.23</u>

Members of Custodian Staff Present: Mr. Wills

Extracted from Auctioneering List No. Vancouver 51.

I hereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy.

May 17, 1948.

L. McHugh

NAME: NAKAI, Kikuo (Mrs. Yamaichiro)

REGISTRATION NO. 06270

FILE NO. 10101

The following chattels were sold by public auction at 992 Powell Street, Vancouver, B. C. on September 19, 1945.

Jap Broiler	\$2.50
2 Cartons Tea Pots (6)	3.75
" " " " "	3.75
" " " " "	3.75
" " " " "	3.75
" " " " "	3.75
" " " " "	3.75
" " " " "	3.75
" " " " "	3.75

Total		\$32.50
Less Expenses:	(Auctioneer's Fee: \$3.25	
	(Advertising: 1.25	
	(Moving: 4.47	
		<u>8.97</u>
Net Proceeds Credited		<u>\$23.53</u>

Members of Custodian Staff Presents: Mr. Wills

Extracted from Auctioneering Lis No. Vancouver 52.

I hereby certify that the foregoing words are a true copy of the original whereof they purport to be a copy.

May 17, 1948.

[Signature]

NAME: NAKAI, Kihara (Mrs. Yasuichiro)

REGISTRATION NO. 96270

FILE NO. 10101

The following chattels were sold by public auction at Vancouver, B. C.
on December 7, 1945.

Cushions	\$2.50
----------	--------

Total	(Auctioneer's Fee	\$.25	\$2.50
Less Expenses:	(Advertising	.09	
	(Moving	.13	
			<u>.67</u>
			<u>\$1.83</u>

Members of Custodian Staff Present: Mr. Wills

Extracted from Auctioneering List No. Vancouver 56

I hereby certify that the foregoing words are a true copy of the original
whereof they purport to be a copy.

May 17, 1948.

W. C. McHugh

NAME: NAKAI, Eikuro (Mrs. Yasuhiro)

REGISTRATION NO. 06270

FILE NO. 10101

The following chattels were sold by public auction at Vancouver, B. C.
on December 14, 1945.

Assorted box boots, etc.

\$2.50

Total

(Auctioneer's Fee \$.25
Less Expenses: Advertising .12
 (Moving .18

\$2.50

.55

Net Proceeds Credited:

\$2.35

Members of Custodian Staff Present: Mr. Wills

Extracted from Auctioneering List No. Vancouver 57

I hereby certify that the foregoing words are a true copy of the
original whereof they purport to be a copy.

May 17, 1948.

[Signature]
C. McLaughlin

NAME NAKAI, Kikano (Mrs. Taniuchi)

REGISTRATION NO. 06270

FILE NO. 10101

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

Spurion Cansel

\$ 41.00

Total	(Auctioneer's Fee: \$ 4.10	
	(Advertising: 0.70	
Less Expenses:	(Moving: 0.29	
	(Storage: 1.00	

\$	41.00
\$	6.09
\$	34.91

Net Proceeds Credited:

Members of Custodian Staff Present.

Mr. Wills

Extracted from Auctioneering list No.

Vancouver 20.

Remarks.

10101 and 8285

October 19, 1942

Frederick Field & Co.
675 West Hastings Street
Vancouver, B. C.

Dear Sirs:

Re: NAKAI, Kikuno (Mrs. Yamashiro)
362 Alexander Street
KOHDO, Easa (Mrs. Asanuma)
231 Powell Street

The above mentioned Japanese declared personal property stored in the basement or warehouse attached to the Japan Canada Trust & Savings Co. of which you are the administrators.

If convenient, we should like these goods to remain there for the present provided there are no storage charges.

Please advise if this arrangement is satisfactory to you.

Yours truly,

H. F. Green
Protection Department

GBS:ED

ESTABLISHED 1858

CABLE ADDRESS PHILROSS

P. S. ROSS & SONS

CHARTERED ACCOUNTANTS

MONTREAL TORONTO WINNIPEG
CALGARY VANCOUVER

MAJ. GEN. J. G. ROSS, C.M.G.
J. W. ROSS, LL.D.
S. H. CAMPBELL
J. A. GRANT
W. L. GATEHOUSE
S. W. HAWTHORN
J. A. ROSS
W. I. ROSS
G. M. SMITH
G. E. HOULT
S. B. PECKHAM
W. G. JEPHCOTT
H. S. HAWTHORNE
F. E. H. GATES
J. A. ROSS
F. A. COFFEY
G. G. HARRIS

ROYAL BANK BUILDING

400 DOWLING STREET

MONTREAL, QUE.

Vancouver, B.C.,

21st October, 1942.

Our file 295-146.

OFFICE OF THE CUSTODIAN
JAPANESE SECTION

RECEIVED
OCT 23 1942

Office of the Custodian,
506 Royal Bank Building,
Vancouver, B.C..

Attention Mr. H. F. Green.

Dear Sir: re: NAKAI, Kikuno (Mrs. Yasuichiro
362 Alexander Street (10101)

and KONDO, Wasa (Mrs. Asanosuke)
231 Powell Street (8285)

and T. TAMURA, P. S. Ross & Sons 295-146

We acknowledge receipt of yours of the 19th instant re the above persons, dealing with personal property said to be stored in the basement of the Tamura Building.

We are investigating as to whether there are any effects stored there and will advise you further. We would point out in the mean time that this building has been sold and the matter of further storage of any assets will rest with the new owner.

Yours faithfully,

P. S. Ross & Sons

10101

EVACUATION SECTION	
Date	FEB 23 1943
No.	10101
Rel.	Spain

November 24th, 1942.

Mrs. Kikuno NAKAI,
Registration No. 06270,
BRIDGE RIVER, B. C.

Dear Madam:

In your registration with the Custodian you declared goods stored in the basement of the Japan Canada Trust and Savings Company, the full list of which was placed in our possession. Apart from the said list, we have discovered two boxes in your name at the World Hotel.

This hotel has been sold and we have, therefore, removed these two boxes to the Custodian Safe Warehouse. We have no doubt you will be pleased to know we have been able to care for these cases.

Please signify your approval of this action by signing and returning attached copy of this letter for our records.

Your prompt attention to this will be appreciated.

Yours truly,

G. B. Spain,
Protection Department.

GNS/WH
Encl.

Kikuno Nakai

EXTRACT

File 10101

December 14, 1943

CANADA MIO CO. LTD.

The Japanese noted below holds 110 shares in the above company. NODA, Kikuno - registration # 06270.

EXHIBIT REPORT

HEADQUARTERS File No.

SUB-DIV'N and File No. Vancouver

DIVISION and File No.

DETACHMENT and File No.

(J.R. No. 06270)

DATE April 24th 1944

Re:

K. WIDA 362 Alexander St., Vancouver, B.C.

On

Mar. 10th 1944

1

P. R. Jefferson Cst.

(Date)

(Member's Name)

Came into possession of the following described goods by

Handed over by Shintaro YAMASHITA - 205 Gore Ave. Vancouver, B. C.

(State Authority from whom seized and place of seizure)

No. OF EXHIBIT	No. OF PACKAGES	CAPACITY OR SIZE	DESCRIPTION OF EXHIBITS
	1		Sparton radio, Serial No. 1180553 Model 118.

REMARKS: Handed over to the Custodian of Alien Property

DATE APR 25 1944

(State briefly disposition)

Les D'Amor for Custodian

(Signature of Custodian or Witness)

CERTIFIED TRUE COPY
P. R. Jefferson Insp. # 10559 Cst.

(Signature of Member)

1205
10101

June 12th, 1944.

Mr. Yasuichiro NODA,
Reg. No. 06269,
Minto Mine, B. C.

Dear Sir:-

Thank you for yours of June 5th asking about your belongings. It is not quite accurate to say that you declared "forty cases and loose furnitures stored in the basement of Tamura Building at 396 Powell Street," as your registration of April 3rd, 1942, merely declared your fishing boat and then said that you had "No other possessions". Your wife did, however, declare a considerable number of what would appear to be restaurant equipment.

Two boxes were moved from 392 Powell Street being the front portion of the World Hotel and your wife was so advised on November 24th, 1942. We were under the impression that this comprised all her belongings but later moved a considerable number of unidentified articles from the rear of the World Hotel being 396 Powell Street. These are stored in the Honpa Buddhist Temple but are at present inaccessible due to the crowded condition of these premises. If at any time you make arrangements to have these sent to you (in which connection we enclose copy of the B. C. Security Commission's form letter G/534, from which you will see that you would have to make your own arrangements with friends) please be sure to mention all the markings these cases bear.

Yours truly,

H. F. Green
Protection Department

Enc.
HFG:IF

No.

F. 112

Royal Canadian Mounted Police

\$ 09397

VANCOUVER, B.C. Nov. 10, 1942

Received from YAMASHITA SHINTARO IN

205 Gore Ave Van B.C. on behalf
of K. ~~Yamashita~~ Noda) one radio.

Spartan Serial No. 1180353

Model No. 118 Dollars,

100

Signature

Jeff McIsaac

12

93

13.

L)

10101

October 7, 1946.

Mrs. Kikuno NARAI,
Reg. No. 06270,
HONTO CITY, B. C.

Dear Madam:

This is to inform you that your account with the Custodian shows a credit balance of \$289.76.

Of the funds standing to your credit \$34.91 represent the net proceeds from the sale of a radio believed to be your property. If you will send us the receipt given at the time the radio was surrendered we will be able to release these funds to you.

The remaining \$254.85 in your account are the net proceeds from the sale of chattels identified as your property and sold at auction by this office. These funds are available to you.

If you will send us the radio receipt, we will remit all the funds to you.

Yours truly,

F. Matheson,
Protection Department.

/FM

7-10101
Minto Mine, B.C.
October 26 1946

Mr. F. Matheson,
Office of Custodian,
506 Royal Bank Bldg.,
VANCOUVER, B.C.

EVACUATION SECTION	
Rec'd	NOV 1 1946
File #	10101
Ans.	
Refers	<i>Marked</i>

Dear Sir:-

I received your letter of October 7 in which you informed me that my account with the Custodian shows a credit balance of 289.76 and of this fund \$34.91 represent the net proceed from the sale of my radio and remaining \$254.85 are the net proceeds from the sale of my chattels.

As you are well aware, I have never gave you my consent to sell my radio nor my chattels, however, I will receive the above mentioned \$289.76 under protest. Kindly send me its full amount in your early convenience.

Radio receipt #9397 is hereby enclosed. If this receipt is not for the one sold as mentioned above, kindly return the same to me.

Yours truly

Mrs. Kikuno Nakai
.....
Mrs. Kikuno Nakai (Noda) *(Noda)*
J.R. No. 06270

Encl-1

10101

October 31, 1946.

Mrs. Kipuna NAKAI,
Reg. No. 06270,
MILTO KINE, B. C.

Dear Madam:

Attached is Custodian cheque for the sum of \$289.76, representing all funds standing to your credit with this office.

These funds are the net proceeds from the sale of the radio surrendered by you and of the other chattels identified as your property.

As no property identified as yours remains under the control of the Custodian, your file and account with this office are being closed.

Yours truly,

F. Matheson,
Office of the Custodian.

/YH
Enclosure

10101

27th November, 1950.

Mrs. Kikano NAKAI,
Regn. No. 06270,
164 Cambridge Ave.,
Toronto, Ontario.

Dear Madam:

On the 20th November, we wrote to you regarding your 110 shares in the Canada Mio Company Limited, and in today's mail we received an envelope containing a certificate covering your 110 shares, together with 5 certificates covering 66 shares in the name of Masakichi HASHIMOTO.

The envelope was post marked Toronto but gave no information as to who had sent it, but we are presuming you forwarded these certificates. However, unless we know how the further 66 shares came into your possession, we cannot forward to you any funds for these shares.

Please advise us by return mail.

Yours truly,

Office of the Custodian.

HA

EVACUATION SECTION	
Rec'd	NOV 30 1950
File No.	
Ans.	
Referred	

104 Cambridge Ave.,
Toronto, Ont.,
Nov. 28/50

Canadian's Ope.,
Vancouver, B.C.

Dear Sir:-

In reply to your letter of Nov. 27,
regarding shares in the Canada Milk Company
Ltd., I wish to inform you that Masakichi
Hashimoto, my uncle, sold me his share
on account of short funds.

I trust this will explain as to how
the shares came into my possession.

Thank you.

Yours very truly,

Kikuo No. Nakai.

10301

January 8th, 1951

Mrs. Kikune NAKAI,
164 Cambridge Ave.,
Toronto, Ontario.

Dear Madam:

Replying to your letter of the 6th instant your certificates covering the shares of the Canada Nio Company have been received. Distribution cannot be made of this Company's assets until the return of Mr. Sakai and he is not expected back for several weeks. A cheque will be mailed to you soon after his return.

Yours truly,


C. H. Reed
Office of the Custodian

CHR:BX

MEMORANDUM

January 23rd, 1950.

TO: Mr. D.T. Braidwood

FROM: Mr. J. Cuning

Re: Case 46 - KIKUO NAKAI
(NODA)

For your information please the writer visited Mr. Harvey and Mr. Vaughan of the Canadian Immigration Department, Vancouver, B.C. on January 21st, 1950, and after they searched their records was advised by them that YASUICHIRO NAKAI (or NODA) had never returned to Japan at anytime and that Mrs. NAKAI went to Japan on November 11th, 1928, returning on May 18th, 1929, Empress of Canada, in both directions. Since that date neither Mr. or Mrs. NAKAI have left Canada.

Your attention is directed please to the Transcript of Evidence, Case 46, and in particular to P.8, L.6.

JC/jm

[Signature]
Spoke to PTM on Jan 23/50
he to advise
[Signature]

Read to Commissioner Jan 31 1950 & filed
— award not to be disturbed.
Campbell, Brazier, Fisher, McMaster & Johnson
Barristers and Solicitors

TELEPHONE PACIFIC 5164
CABLE ADDRESS: "CAMBRA"

A. T. R. CAMPBELL
C. W. BRAZIER
A. W. FISHER
R. J. McMASTER
A. J. P. JOHNSON

THE ROYAL BANK BUILDING
675 WEST HASTINGS STREET
VANCOUVER, B.C.

OUR FILE NO.

January 31, 1950

Gerald Braidwood, Esquire
Crown Counsel
Japanese Claims Commission
675 W. Hastings Street
Vancouver, B. C.

Dear Sir:

Re: Case Number 46

As we advised you by telephone last night after receipt of your recent memorandum with respect to this case we have caused enquiries to be made in Toronto where the claimant is now residing.

We have received a report from Mr. Andrew Brewin that he interviewed Mr. Nakai and his daughter on the 28th instant. Mr. Nakai confirms the evidence given by his wife on the proceedings that he visited Japan for some three or four months beginning roughly in November, 1939 and that he returned on or about the 7th of February, 1940. He further advised Mr. Brewin that during his visit to Japan he purchased in Tokio and Osaka the various articles referred to in the claim and that he brought them back with him to 362 Alexander Street, Vancouver, where his wife was conducting a restaurant business. He stated that to the best of his recollection he travelled by a Japanese vessel known either as the "Hien Miru" or the "Hikawa".

The only documentary proof that Mr. Nakai has immediately available is his Certificate of Naturalization which Mr. Brewin has forwarded to the writer. This Certificate is dated the 18th day of January, 1940 and contained attached to it a picture of Mr. Nakai. The Certificate and picture are stamped with a rubber stamp showing Canadian Immigration, February 7, 1940, Vancouver, B.C. and signed "F. Henry." We are instructed that Mr. Nakai was naturalized on the 9th day of March, 1915, as appears on the Certificate and that when he made the trip to Japan he was told by Mr. Henry or by someone else that it would be

Gerald Braidwood, Esquire

- 2 -

January 31, 1950

advisable to secure a new Certificate. It would appear that the Certificate must have been mailed to him.

Mr. Brewin also advises that Mr. Nakai's daughter speaks good English and that she states that she knows of her own knowledge that her father had gone to Japan at the time indicated above and brought back the goods aforesaid. If necessary we can obtain Statutory Declarations from both Mr. Nakai and the daughter.

As you are aware from the Custodian's file Mr. Nakai is also sometimes known as Mr. Noda. I am informed that Nakai is his proper name but that Noda was the former name of Mrs. Nakai before her marriage and that by Japanese custom the husband sometimes takes the wife's surname when she is the eldest of her family. It is possible that some confusion has arisen by reason of this circumstance.

Having regard to the information above set forth if you require further evidence to corroborate the evidence of Mrs. Nakai given on the hearing of her claim kindly advise and we will endeavour to obtain the same without delay.

Yours truly,

CAMPBELL BRAZIER FISHER McMASTER & JOHNSON

Per

RJM:WD

10101

18th July, 1951.

Mrs. Kikune NAKAI,
Regn. No. 06270,
164 Cambridge Ave.,
Toronto, Ontario.

Dear Madam:

Final distribution to shareholders of the
Canada Mico Company is now being made at \$.508708 per
share. Your share in this distribution is \$89.54, and
a cheque for this amount is enclosed.

Please acknowledge receipt.

Yours truly,

Office of the Custodian.

HA
Encl.

IN THE MATTER OF THE "INQUIRIES ACT"
PART I. REVISED STATUTES OF CANADA 1927. CHAPTER 22.

NATIVE PROPERTY CLAIMS COMMISSION

REPORT

(THE HONOURABLE MR. JUSTICE H.L. BIRD, COMMISSIONER)

Ottawa, O.C.,
January 19th, 1948.

IN THE MATTER OF THE CLAIM OF
(MRS.) KIMBA KAKAI.

PROCEEDINGS AT HEARING.

APPEARANCES:

J.W.C. HUNTER, Esq., appearing for the
Dominion Government.

R.J. McLESTER, Esq., appearing for the
Claimant.

A. WATSON, Esq., Secretary.
D.J. HANCOCK, Esq., Official Interpreter.
T.P. HERRON, Esq., Official Reporter.

Discussion.

MR. McMASTER: My lord, I would like to take the case of Mrs. Nakai next. I will require the Interpreter in this case, please.

My lord, in this case I regret that I am required to apply for leave to amend the claim. The claimant has made her claim based upon the operation of her business and has included certain items which your Lordship has indicated you do not consider to be within the terms of reference.

10 I would like to say this for the record, if I might be permitted, my lord, that this woman operated a restaurant business for some thirty years in the City of Vancouver, specialising in Japanese foods. She was advised that she was required to evacuate and as a result of that she stored her equipment in a manner which will be brought forward in the evidence. So that from a technical point of view, her business, I suppose, at the time of her evacuation, had been closed and was not a going concern. It had been a fairly
20 lucrative business having produced an income of approximately \$4000.00 in 1941, net. She operated the business in rented premises, my lord, not in premises which she owned. There are certain fixtures which she had included in her original claim which I ascertained, on interviewing her, she sold herself and obviously are outside of the terms of reference and there are certain items contained in her original claim which the Custodian doesn't admit having received and which weren't shown on the inventories
3

that she filed, and rather than press any claim with respect to those, she is abandoning those claims as well as claims for certain second-hand clothing, and so on, which she agrees had very little re-sale value. I am sorry, my lord, I haven't had the amended claim sworn as yet. I would like to file it now and have it sworn if the witness would be good enough to sign it.

10 THE COMMISSIONER: You wish to substitute an amended claim?

MR. McMASTER: Yes. I wish to draw attention to the fact that the amended claim is entirely a chattel claim. There are two lists attached to the amended claim with the values placed thereon, and also it sets forth a claim for three items which we are advised the Custodian received and he shows them on his claim analysis as "disposition unknown", I think, or "not disposed of", which she is including in her claim. She is making no claim with respect to the sale of her radio.

THE COMMISSIONER: Were these articles found to be unsaleable by the Custodian?

MR. McMASTER: That I don't know.

THE COMMISSIONER: What is the situation, Mr. Hunter?

MR. HUNTER: I can't say definitely, my lord. All I know is I see it says here, "The following were found but not shown to be sold." Our policy was to sell everything we could and

K. Nakai,
In Chief.

whether these were unavailable will have to be determined, my lord.

THE COMMISSIONER: Very well. You better file the claim that she filed originally and I will accept the amended claim, subject to it being sworn to later. Yes, proceed, Mr. McMaster.

MR. McMASTER: Will you swear the witness, please?

[MR. J. KENNEDY NAKAI, the claimant herein, being first duly sworn, testified through the interpreter as follows:

DIRECT EXAMINATION BY MR. McMASTER:

Q Mrs. Nakai, prior to your evacuation, you operated a restaurant business in the City of Vancouver, is that correct? A: Yes.

Q And with respect to that business you had a large quantity of goods and chattels which you used in that business?

A Yes. She had the business for thirty years.

Q Are the goods and chattels listed in your amended claim your property, or were they your property?

A Yes.

Q And were the majority of those goods and chattels used in connection with your business?

A Yes.

Q Now did you ask Mr. Leckie to prepare this statement for you with respect to your claim?

A Yes.

Q Will you just sign it, please? Are the statements contained there true to the best of your knowledge and recollection?

A: Yes.

2
E. Nakai,
In Chief.

MR. McMASTER: This statement, my lord, with regard
to personal chattels, I will file as Exhibit 1.

(STATEMENT MARKED EXHIBIT NO. 1)

THE COMMISSIONER: It might be just as well to have
the claimant sign this statement and she can
swear it before me, Mr. Secretary.

MR. McMASTER: Very well, my lord. Would you explain
to her, please, Mr. Interpreter, that this is her
amended claim form and would she be good enough to
sign it?

THE COMMISSIONER: Q: Now, Mrs. Nakai, you have read
the document which is placed before you and which
you have just signed?

MR. McMASTER: My lord, it would have been interpreted
to her.

THE COMMISSIONER: Q: Yes. Put it the other way.
The document which you just signed has been inter-
preted and you fully understand it?

A: Yes.

Q: And you solemnly declare that the contents of the
document are true? A: Yes.

THE COMMISSIONER: All right.

MR. McMASTER: Might I have the amended claim form for
a few minutes? Can I have your file, please,
Mr. Secretary?

Q: Witness, there are two lists of chattels attached
to your claim form? A: Yes.

Q: From where did you get those lists?

A: They were written up from her book.

MR. McMASTER: My lord, I would ask leave subsequently

E. Sakai,
In Chief.

to file the book from which these lists were copied. It is written in Japanese, and the claimant didn't bring it down with her; that is, if your Lordship wishes it filed.

THE COMMISSIONER: Does Government counsel desire it?

MR. HUNTER: I don't think so, unless my friend wants it.

THE COMMISSIONER: You may wish to use it for the purpose of cross-examination but I cannot appreciate how it will be of any more value to us than the summary that is now filed.

MR. McMASTER: Very well, my lord.

THE COMMISSIONER: However, it is for you to say, Mr. Hunter. If you wish, it will be filed.

MR. HUNTER: Oh, I don't think so, my lord. It is a question of value really.

MR. McMASTER: Q This book from which you copied these two lists, what book is that?

A It is a book in which he copied a list of all her equipment.

20 Q Yes, and is that the book which she had at the time of her evacuation? As Yes.

Q And are these lists true extracts from that book?

A Yes.

Q Now, did you give to the Custodian, or to the Custodian's representative, a copy or copies of these lists or the information that is contained in them? As Yes, she handed them to the Custodian.

Q Now, I produce to her a form of declaration of
30 property dated May 27th, 1942. Is that her

signature on that document?

A Yes.

MR. McMASTER: I think I should file that, my lord.

THE COMMISSIONER: Is this the J.P. form?

MR. McMASTER: It is the J.P. form.

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

Q Now, witness, can you explain why it is that the inventory that is with that document includes only the items on list 1, which you filed with your claim?

A Yes, there was just the one.

Q I am sorry, I am drawing her attention to the fact that the inventory that is with that document only includes the items that show on her list one.

A: The first list concerns only such equipment as she originally brought from Japan.

Q I see, yes.

A: On the other list were the items of equipment that she used in her own household.

THE COMMISSIONER: Now, just let me understand this. The first list, No. 1, are articles which this witness brought from Japan.

MR. McMASTER: I am not sure she has the question right, my lord.

THE COMMISSIONER: Better put it again because if that be so, presumably they were brought from Japan 30 years ago.

MR. McMASTER: Q Would you refresh her memory as to what some of these items are, and the quantity

E. Sakai,
in chief.

of them?

A: This list

No. 1?

Q Yes.

A: Yes, she recalls all the

items that are on list 1.

Q Now, are those articles which she brought from Japan?

A: These are

the materials she brought from Japan the previous year.

Q Was she in Japan the previous year?

10 A No, her husband bought them and was in Japan and brought them back.

Q Was that the year before evacuation?

A Yes.

Q Now, witness, when you signed that J.P. form, the declaration which I showed to you a few minutes ago, did you write it out yourself or was it typed out for you?

A She wrote it herself.

Q In what language?

A: In Japanese.

20 Q And whereabouts did she sign that declaration?

A In the Fuji Chop Suey.

Q On the occasion of her signing that declaration, did she give to the person who took the list from her the complete list of all her chattels?

A She spread the items out to the person who was taking the particulars.

Q And was she at the office once or more than once?

A: She attended

twice.

30 Q Now, what was the purpose of her attending the

E. Nakai,
In Chief.

second time?

A: There

wasn't sufficient time to complete the information on the first day, so she had to return the second day.

MR. McMASTER: I would ask my learned friend if he can produce another inventory that was taken at the time the J.P. form was taken.

MR. MYERS: No, my lord, we can't.

THE COMMISSIONER: You might establish what the values are. Are those the cost to this witness in Japan when the goods were brought out, or what are they?

A:

MR. McMASTER: Q: With regard to these goods which your husband had brought back from Japan the year before your evacuation, you have set forth certain values; what do those values represent?

A: These were the cost of goods in Japan plus excise and customs charges.

Q: And did she allow for any depreciation in the year in which they were used?

A: Yes, they were written down at depreciated values for the year's use.

Q: In her opinion, would those represent a fair market value of those goods if she had decided to sell them at the time of her evacuation?

A: Yes, she thinks these would be fair prices at the time of her evacuation.

Q: With regard to the second list of goods and the values she set opposite those, would those represent the fair market value at the time of her

E. Nakai,
In Chief.

Cross-Exam.

examination?

At Yes, they

are written down considerably cheaper.

MR. McMASTER: Your witness, Mr. Hunter.

THE COMMISSIONER: Just before you sit down, Mr.

McMaster, I would like an explanation of what
she meant by the fact that she left another list
with the Custodian's office which she says was
not entered in the J.P. form. Now that name
she left the list of the articles sold on a
subsequent list that you propose to put in, or
what was it?

MR. McMASTER: I thought she had given the explanation
of it, my lord. She was there the afternoon of
one day and gave part of the list and was required
to return the following day and give the balance.

THE COMMISSIONER: That is the contents of Exhibit 1,
is it?

MR. McMASTER: No. Her submission is Exhibit 1 con-
tained the list she gave the first day and
that apparently the information that she gave
wasn't sufficient and that which she gave
the second day on her return is not contained
in the J.P. form.

THE COMMISSIONER: Now how much of Exhibit 1? You see
there is no detail. No, I follow it now. It is
everything that is on list 2 that is not included
in the J.P. form which she says she furnished to
the Custodian.

MR. McMASTER: That is correct, my lord.

30 CROSS-EXAMINATION BY MR. HUNTER:

Q Mrs. Nakai, how many cartons or containers did

K. Nakai,
Cross-Exam.

you leave approximately on your premises contain-
ing chattels, that is?

A About 240 packages, Pardon me, forty boxes.

Q Yes. Now let's just look at some of these lists
of yours, Mrs. Nakai. Take list 1. I see 30
soup bowls there at \$300.00, that is a dollar a
bowl. What kind of bowls were those?

A They were like a new bowl.

Q And they were used in her restaurant?

10 A Yes.

Q What was the average price per meal in her restau-
rant?

A: It varied
considerably but the average would be about \$2.50.

Q A meal? A: (Meal,

Q I see. Now I see 50 large plates at \$500.00,
that is \$10.00 a plate. What kind of a plate would
that be?

A: 50 plates at

\$500.00.

Q That is right. 50 large plates.

20 A They were special porcelain, very expensive.
Japanese Satsuma porcelain.

Q Were these used in the restaurant?

A Yes, these were also used in her business.

THE COMMISSIONER: Q: Now then, what is the name of
the porcelain?

A: Satsuma,
and other varieties of expensive porcelain.

MR. HUYER: Q: I see 200 drinking glasses at \$50.00,
that is 25 cents a glass. What kind of drinking
glasses were those?

30 A Those were a comparatively cheap purchase she made

in Canada.

Q I see. They are on list No. 1 though.

A She bought those in Canada.

Q And how much did they cost?

A Various prices, about 15 cents, 25 cents and 50 cents, but they averaged about twenty-five cents.

Q Then she has not taken any depreciation off those glasses?

At No. 1, she has

10 entered the normal price.

Q What about these six frying pans here, Mrs. Sakai, at \$120.00? That is \$20.00 a frying pan. What kind of frying pans were those?

A What was the total cost of those again?

Q At \$120.00, that is \$20.00 a frying pan.

A She says shouldn't that be sixty instead of six.

Q I don't know.

MR. McMASTER: Have you the J.P. form? It just says six.

20 MR. HUNTER: Q: You don't remember that?

THE COMMISSIONER: Show the witness the entry in the J.P. form. They must be rather unusual frying pans.

MR. HUNTER: I don't know whether it would mean anything. She doesn't read English, my lord.

THE COMMISSIONER: No, but I would like the Interpreter to read it to her.

THE INTERPRETER: Some special type of cooking equipment.

30 THE COMMISSIONER: Q: It must be pretty special.

E. Sakai,
Cross-Exam.

A These were made specially to order and were made of heavy copper and very deep pans for frying fish and things.

MR. HUNTER: Q: What did they cost?

A This is the price she paid, the cost price.

Q There is no depreciation allowed there, Mrs. Sakai.

A They are entered at slightly lower than the original cost.

Q They cost more than \$20.00 each, did they?

10 A They cost \$25.00 each to purchase.

Q \$25.00 each, eh? Now, let's take these cut glass plates, or better still, let's take the 12 glass fruit plates at \$25.00, that is approximately \$2.00 apiece. What kind of glass fruit plates were those?

A The type of cut glass fruit dish that is usually used for a party.

Q These are not shown as cut glass, they are shown as glass fruit plates on the list I have.

20 THE COMMISSIONER: There are cut glass plates higher up at \$10.00 a piece.

A These six pieces are an expensive type. 12 pieces are also cut glass but not such an expensive make.

MR. HUNTER: Q: Who were your customers? Were they mostly Japanese-Canadians or Japanese or were they mostly white people?

A Almost exclusively Japanese. Occasionally a few white customers would come.

30 MR. HUNTER: The claim analysis which we have, my lord,

K. Sakai,
Cross-Exam.

A These were made specially to order and were made of heavy copper and very deep pans for frying fish and things.

MR. HENDER: Q: What did they cost?

A This is the price she paid, the cost price.

Q There is no depreciation shown there, Mrs. Sakai.

A They are entered at slightly lower than the original cost.

Q They cost more than \$20.00 each, didn't they?

10 A They cost \$25.00 each to purchase.

Q \$25.00 each, eh? Now, let's take these cut glass plates, or better still, let's take the 12 glass fruit plates at \$25.00, that is approximately \$2.00 apiece. What kind of glass fruit plates were these?

A The type of cut glass fruit dish that is usually used for a party.

Q These are not shown as cut glass, they are shown as glass fruit plates on the list I have.

20 THE CROSS-EXAMINER: There are cut glass plates higher up at \$30.00 a piece.

A These six pieces are an expensive type. 12 pieces are also cut glass but not such an expensive a make.

MR. HENDER: Q: Who were your customers? Were they mostly Japanese-Canadians or Japanese or were they mostly white people?

A Almost exclusively Japanese. Occasionally a few white customers would come.

30 MR. HENDER: The claim analysis which we have, my Lord,

24
K. Rahni,
Gross-Sum,
Re-Direct Exam.

is rather out-dated since the claim has been changed. Possibly it would be better to have a new analysis made and put it in later.

THE COMMISSIONER: I think it would. You will hand a copy to Mr. McMaster at the time it is filed -- of the new one.

MR. HUNTER: Oh yes, my lord. They just show the auction prices received for a large number of items but not apparently as large a number of items as she has put in. That is all, my lord.

MR. McMASTER: My lord, I neglected this but I would like to ask the Custodian to file the auction sheets. Perhaps he would be prepared to admit or probably would sooner wait until he gets his claim analysis, but a large number of the items that appear on List No. 2 appear in the auction sheets.

MR. HUNTER: No, I do not agree to that.

MR. McMASTER: O.K., that is fine. It will be a matter of observation at a later date, my lord. I will file the auction sheets, however, my lord.

(AUCTION SHEETS MARKED EXHIBIT NO. 3).

RE-DIRECT EXAMINATION BY MR. McMASTER:

Q Witness, this business of yours was operated at what address?

A 362 Alexander Street.

Q And was there a club in the same premises?

A Yes.

Q What was the name of the club?

30 A Hippen Club.

E. H. H. H.
H. H. H. H.

Q And what type of Japanese was belonged to that staff?

A Yes, such persons as the Japanese Consul and his staff and Japanese business men.

Q They were the important people in the Japanese community was belonged to it?

A Yes, they were all important or prominent people.

Q And did the people the main use of the Nippon Club and at your restaurant frequently?

10 A Yes, frequently.

Q And did you make to wedding at your restaurant?

A Yes, wedding and funeral parties and such.

Q And what would be the economic class of person who would hold wedding receptions at your restaurant?

A As well the wealthier class of Japanese.

Q Yes, that is all, thank you, witness.

THE COURT: All right, thank you, Mrs. H. H. H.

(Witness exits)

(PROSECUTIONS ARGUED CASE XIX)

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

J. P. H. H.
"J. P. H. H."
Official Reporter.

Exhibit,
June 1949.
1949/6

*See also
General Enquiries
June 1949
(Mr. Stewart's office)*

Discussion.

16

Vancouver, B. C.,

June 7th, 1949.

(PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

THE COMMISSIONER: We will go on with the Nakai case now. You might state the position of this, will you, Mr. Braidwood?

MR. BRAIDWOOD: My lord, it is simply a matter of discussion of settlement, as I understand it, and my friend asked that Mr. Upton be produced to give evidence to your Lordship.

After the evidence is given, my learned friend and I might reconsider the position, and possibly come to an agreement on settlement.

I am producing Mr. Upton now, for my friend to question, and since Mr. Upton is employed by the Commission I do not propose to call any evidence in chief from him, but it is merely a matter of giving your Lordship information in this instance.

20 THE COMMISSIONER: I understand, then, he is being called by Mr. McMaster as his witness.

MR. BRAIDWOOD: I am offering him to Mr. McMaster, as his witness.

MR. McMASTER: I understand that he is being called by the Crown as their witness, but I don't think it matters very much.

THE COMMISSIONER: What it comes down to is this; there was evidence introduced at Lytton on January 19th by the claimant, wherein she sought to establish

30

Discussion.

G.N.R. Upton,
In Chief.

that certain of her goods were sold at a price very much lower than the fair market value, her contention being that her crockery and certain utensils which were used in the restaurant operated by her were of an unusual character and of very substantial value.

GORDON NELSON RODERICK UPTON, being first duly sworn, testified as follows:

EXAMINED BY MR. McMASTER:

- 10 Q Mr. Upton, you knew the claimant in this case, did you?
- A I did.
- Q And you knew the premises that she operated in the City of Vancouver, where she operated a restaurant?
- A Yes.
- Q These premises were situated underneath the Hippen Club?
- 20 A Correct.
- Q Would you describe to the Commissioner the type of club that that was, and also the type of restaurant that she operated?
- A The club was a club which was for the high class Japanese business men, and would be the equivalent, say, of the Vancouver Club here, with the type of people who frequented it. It was well maintained and well furnished, and the appointments were very good.
- 30 Q Now, with respect to the restaurant which this woman

G.H.R. Upton,
In Chief.

operated underneath it, what type of a restaurant was it?

A Well, there were private rooms in which one could have private parties, as well as a main dining hall. It was used for the purposes of special entertainment, and Japanese don't usually entertain at their houses, and when they entertain they usually take you to the club, or some place like that.

10 Q And in that high class type of a restaurant, is the entertainment usually of a lavish nature?

A It is elaborate, from the point of view of the etiquette. There is a great deal of etiquette to Japanese dinners. The dishes are many and varied, and as a consequence the woman would have to keep a large number of utensils, to cater with.

Q You have had an opportunity, Mr. Upton, to examine the statement filed by the claimant in this case, setting forth her goods and chattels relating to her restaurant business, have you?

10 A Yes.

Q And you have visited these premises actually when they were in operation by the claimant?

A Yes.

Q From your examination of the list which she has filed, are you able to verify or otherwise that it is likely she would have the quantity and quality of goods and chattels relating to her business, with respect to which she is claiming?

30 A I should say so.

G.H.R. Upton,
In Chief, Cross-Exam.

Q And with respect to the values that she has shown concerning these goods, do you have any knowledge of the value of the type of chinaware and that type of thing for which she is claiming?

A An overall knowledge of an individual living for a number of years in Japan, but I am not an expert. To be an expert would take years of specialized study.

10 Q From the knowledge you have, on an examination of her claim values, what would you say with respect to the reasonableness or otherwise of the values she has put in for the articles claimed?

A I should say, taking into consideration that they have to pay duty and charges, that on the whole her claim is reasonable.

MR. McMASTER: That is all.

CROSS-EXAMINATION BY MR. BRAIDWOOD:

20 Q Mr. Upton, in mentioning the class of club with which this claim is associated, you referred to it as comparable to the Vancouver Club? Would you say that the persons who visited the club were on a similar monetary standing as members of say the Vancouver Club in Vancouver?

A Well, they comprised the business men of the Japanese community, the Consular staff, and the general high strata of the Japanese population of Vancouver.

25 Q I want to get this quite clear, that when you

G.H.B. Upton,
Cross-Exam.

make a comparison to the Vancouver Club, you are indicating, are you not, that the Vancouver Club represents the highest strata of business men among the white population?

A That is right.

Q And this club was the club of the higher strata of the Japanese population?

A It filled a similar role with regard to the Japanese.

19

Q But you are not comparing, say, the amount of wealth of the higher strata of the white population with the higher strata of the Japanese population?

A Oh no.

Q Generally speaking, isn't it true that the Japanese of the higher strata were in a much lower income group than the higher strata of the white population?

A Generally speaking, yes.

20

Q You have visited this club a number of times, have you, Mr. Upton?

A Yes, I used to have to go there quite frequently.

Q What condition were these chattels kept in, to your knowledge?

A From what I saw of them, they were good.

THE COMMISSIONER: Q: How long before the evacuation had you visited these premises, Mr. Upton?

A I had to go there quite frequently, my lord, about two or three times a month to visit people, and I went in the whole time until I joined the Navy. That was in 1942.

30

G.H.R. Upton,
Cross-Exam.

MR. McMASTER: Q: Was there any membership fee to the club that you knew of?

A: Oh yes. What it was, I don't know.

Q: What about the price of meals at the club?

A: About a couple of dollars. That was for ordinary meals. If it was a banquet, then of course it would be much more than that.

THE COMMISSIONER: Q: You have no personal knowledge of values of the china or crockery or other equipment?

10

A: I have an overall knowledge, my lord.

Q: For instance, the claimant referred to certain pieces of Satsuma.

A: Satsuma.

Q: --Satsuma china. Can you give me some idea of the nature of that china? For instance, she is claiming for 50 large plates, at \$10.00 a plate?

A: That wouldn't be out of the way, my lord, if it was good quality Satsuma.

20

I have seen some of these plates, and they were quite large plates.

Satsuma is the more or less expensive type of Japanese porcelain that comes from the Province of Satsuma. That is why it is called Satsuma.

THE COMMISSIONER: Do either counsel wish to examine further, in view of the questions I have put to Mr. Upton?

MR. McMASTER: I don't think so, my lord.

30 MR. BRAIDWOOD: No, my lord.

THE COMMISSIONER: Thank you, Mr. Upton.

(Witness aside)

THE COMMISSIONER: Have you any other evidence, Mr. McMaster, of the value of these chattels?

MR. McMSTER: No, my lord, I haven't at this time, in any event.

THE COMMISSIONER: What is the situation then? Do you feel it is not possible for you to obtain any other evidence than that?

10 MR. McMSTER: My lord, I haven't so far been able to, except the evidence of Mr. Upton who was able to give us what he could, and I had thought perhaps after Mr. Upton's evidence that my learned friend and I might have some discussions concerning the matter. If you feel further evidence should be called, I will try and find it.

20 THE COMMISSIONER: I fancy it is rather difficult to find any witness who would be helpful. What is your proposal now, that this evidence having been introduced, that counsel should discuss the claim between themselves, before making any submissions to me?

MR. McMSTER: Yes, I would suggest that. We might possibly be able to make some sort of a recommendation.

30 MR. BRAIDWOOD: Yes. This case, according to my instructions, brings up a point that will have to be argued before your Lordship, and I am giving my friend due warning about it now, in this case the claimant declared about \$4000.00 of goods and

Discussion.

chattels, and is now claiming for some \$8000.00.

THE COMMISSIONER: That is to say in her J.P. form she declared only \$4000.00 of value?

MR. BRAIDWOOD: Yes. There are two or three cases of this nature, and my friend knows I am going to present at least one of them to your Lordship.

MR. McMASTER: I haven't heard that in this case before.

10 MR. BRAIDWOOD: I have just been instructed so this morning in this case. There is another case already on the special list, is there not, Mr. McMaster?

THE COMMISSIONER: Was there a J.P. Form put in in this case? Yes, it is here. The J.P. form claims for quite a full list of articles dealt with with a value shown to be \$4087.00.

We will leave it at that, and counsel can speak to this claim later.

(Proceedings adjourned sine die)

20

I hereby certify the foregoing to
be a true and accurate report of
the proceedings
Dated this 11th day of January 1911
Deputy Official Stenographer

DEFENCE BRIEF

LYTTON
19 Jan. 48

(Mrs.) Kikuma NAKAI

File No. 10101

Case No. 46

PERSONAL PROPERTY CLAIM

(Claim shown is Gross)

1. Amended Claim

Sale Price

\$8007. Sold for

\$325.85.

Certain fixtures which claimant included in her original claim, she admitted to Mr. McMaster she had sold.

Claimant operated a restaurant business which was closed on her evacuation. She also carried on the Nippon Club in the same premises.

Claimant stated that her goods were left in the basement at 396 Powell Street and goods to the value of \$4287. only were declared on her J.P. Form.

Certain goods which were also sold by auction were not included in claim.

(a) Goods value \$2893.00 Sold by auction for \$325.85.

(b) " " 1648.00 Declared not found.

(c) " " 3421.00 } No record at any time.

(d) " " 45.00 } Lost (Chart)

(see attached note)
Recorded now missing

Summary of Defence
Witnesses

Where Required

Thompson & Co.

1 (a)

Auctioneers

Mr. Wills

1 (a)

Staff.

NOTE

Copy of Analysis to be handed to Judge.

Copy of Analysis has been sent to Mr. McMaster.

BMP/aw

Name of Claimant

NARAI, Mrs Elsie

Case

48

Custodian File

10103

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			
TOTAL RECOMMENDATION										5000.00 ✓

10101

October 24th, 1950.

Mrs. Kikune NAKAI,
144 Cambridge Ave.,
Toronto, Ontario.

Dear ~~MISS~~ Madam:

Re: Japanese Property Claims Commission

Case No. 46

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 ... \$5,000.00.

Cheque in your favour is enclosed for \$4,634.28 and we have paid the Co-Operative Committee .. \$ 365.72 for legal fees as authorized by you.

Yours truly,

F.G. Shears
Director

FOS/js
1 encl.

CLAIM NO. 46 - Mrs. Kikuma NAKAI

This claim relates to a large quantity of chattel property comprising Japanese china, glass and restaurant cooking equipment, much of which is alleged to have been of exceptional value. Claim is made to recover the sum of \$8007.00 in respect of goods, the greater part of which are shown to have been lost. Sales at auction amounted to only \$325.85.

I have had the benefit of the evidence of Gordon Upton, a long time resident of Japan, who was familiar with property of the type for which claim is made. He has substantially confirmed the evidence of the claimant in regard to the worth of the more valuable articles for which claim is made. Furthermore, Upton had frequently visited the restaurant operated by the claimant in Vancouver prior to her evacuation. He recalls that the equipment of the restaurant included articles of the type for which claim is made. This restaurant was operated by the claimant as a better-class cafe and club, patronized by the more wealthy class of Japanese residents of Vancouver.

In view of the fact that so small a part of the claimant's goods were recovered by the Custodian and sold at auction, and the difficulty of identifying the goods sold in terms of the goods listed in the J.P. form made by the claimant upon her evacuation or the goods listed in her claim form, it is not possible to determine with reasonable accuracy what proportion the proceeds of auction sales bears to the claim in respect of the goods sold.

After a thorough examination of available records, Counsel have agreed upon an estimated realization on sale of 66.59% of the aggregate sum claimed for the goods sold. In the circumstances, I consider that the estimate so made must be accepted for the purpose of determining the value of the lost goods.

In the result, Counsel propose payment to the claimant of the sum of \$5106.79, which is calculated by application of the estimated percentage to the aggregate claim for lost goods, in addition to which has been added the over-all percentage applied on sale of goods at auction.

In the circumstances I am satisfied that the goods for which claim is made were of exceptional value, and have no doubt that had the Custodian's staff appreciated the exceptional nature of the goods, the same would not have been sold at public auction as they were.

I accept the basis of the proposal made by Counsel, and RECOMMEND payment to the claimant of the sum of \$5000.00, the best estimate which can now be made of the fair market value of the claimant's property.

H. I. BIRD

Commissioner.

March 2nd 1950.