

15065

P.O.
15065
August 21/43
Date July 22, 1943.
INFORMATION FROM R.C.M.P.

Our File No. 15065
15065

Full Name KONDO Yoshio
(Surname in Block Letters)

Registration No. 02206

Male - Female
(check)

Age July 12, 1915

Former Address 215 Stanley Ave. City

Date Evacuated _____

Naturalized - Canadian-Born - National
(check)

Present Address Entered May 29, 1942
212 Riverside St, London, Ontario

Married - Single
(check)

Name of Wife _____

Name of Husband _____

Name of Mother (TSUTS) Iwa

Name of Father Deceased

Names of Children under 16 _____

Requested by I.

Registered with Custodian

(Yes or No)

Additional Information Fisherman - Goshawk #3755

EXHIBIT 431-2
DATE June 24/45
FILED BY Crown

JOHN GOULD
Marine Surveyor and Appraiser
VANCOUVER, B. C.

CABLES:
"GOULD" VANCOUVER, B. C.
TELEPHONE:
PACIFIC 9046

No. 24. N.
"Fumie K".
Survey Report

To whom it may concern:

Name.	"Fumie K".
Official No.	Van 3755.
Owner.	Yoshio Kondo.
Dimensions.	L. 32 ft. B. 7 ft. D. 3.6 ft.
Engines.	Gasoline.
Name & H.P.	Easthope 8 H.P.
Fuel.	Gasoline.
Tank Capacity.	1 Tank 30 Gals.
Pumps.	1 on Deck.
Lighting.	Electric. Generator run off Engine.
Anchors.	None.
Chain.	None. Rope. None.
Compass.	None.
Stoves.	1 coal Stove.
Fire Extinguishers.	None.
Valuation.	Four Hundred(\$400.00)dollars.
Remarks.	Shrimp Cooker with gas tank on deck.

February 1943.
Vancouver, B. C.

John Gould
Marine Surveyor.

JAPANESE FISHING VESSELS DISPOSAL COMMITTEE

CLAIM SETTLEMENT STATEMENT

FISHING VESSEL:

"Fumi K"

CLAIM NO.:

279-T

REG. OR LIC. NO.:

VAN 3755

OWNED BY: ~~THE JAPANESE GOVERNMENT~~

NAVAL NO.:

V.011-D

PRESENT OWNER:

CLAIM PAYABLE TO:

Nelson Bros. Fisheries Ltd.

QUANTITY	DESCRIPTION	VALUE ORIGINALLY CLAIMED	ALLOWANCE BY SURVEYORS
1 only	Anchor Line	5.00	5.00
1	Battery	6.50	6.50
1	Compass	11.25	11.25
1	Coil	2.38	2.38
		<u>25.13</u>	<u>25.13</u>

EXHIBIT NO. 431-3
DATE June 24/48
FILED BY [Signature]

This vessel is one of fifty-two boats turned over to Nelson Bros. Fisheries Limited by the Committee on July 31, 1948, under a care and maintenance agreement. One of the conditions of this agreement was that missing equipment (as shown on report of surveyors) if supplied by Nelson Bros. Fisheries, Limited, would be allowed as a claim against Naval Service. This claim has been verified by surveyors and recommended for payment accordingly.

Neither the original owner nor any subsequent purchaser has any interest in this claim.

APPROVED:

[Signature]
VICE COMMANDER

RECOMMENDED:

[Signature]
SURVEYOR FOR J.P.V.C.

COUNTERSIGNED:

(Sgd) W. J. R. DEECH

COMMANDING OFFICER,
PACIFIC COAST.

[Signature]
SURVEYOR FOR NAVAL SERVICE.

I HEREBY CERTIFY THAT THE WORK HAS BEEN PERFORMED, THE GOODS HAVE BEEN RECEIVED, AND THE PRICES ARE FAIR AND JUST.

[Signature]
EXECUTIVE ASSISTANT.

VANCOUVER, B. C.

DATE:

NOV 27 1948

15065

REGISTERED

January 14, 1946.

Mr. Yoshio KOWDO,
Registration No. 02206,
212 1/2 Piccadilly Street,
LONDON, Ontario.

Dear Sir:

As requested by you, we are enclosing herewith Custodian cheque in the amount of \$310.24, representing all the funds standing to your credit with this office. These funds were derived from the following sources.

The sum of seventy cents was received from the Bank of Montreal; this being the credit balance in your bank account.

The vessel "Fusile K" was sold for the total sum of \$360.00. Expenses incurred by this office in regard to insurance, watchmen's wages and the cost of having the vessels appraised for value were charged against the money received from the sale of the vessels. In connection with your vessel the expense charge was \$50.46. The balance of \$309.54 was credited to your account.

It would appear that we have accounted for all the property of every kind left by you in the protected area which vested in the Custodian and, in order that you may confirm this and acknowledge the cheque, we are enclosing a stamped, addressed envelope for your convenience in replying.

Yours truly,

F. Matheson,
Protection Department.

Enclosures (2)

SUMMARY TAKEN FROM VESSELS RECORDS

Date: November 2, 1944

Name: Yoshio KONDO

Reg. No. 02206

File: 15065

Boat File No.: Custodian 15065

Name of Vessel: "Fumie K" 32' x 7' x 3'6" (1936) Easthope 8 HP (1936)

Lic. or Reg. No.: Vancouver 3755

Naval No.: None

Owner's Valuation: \$1,800.00

JFVDC Valuation: 834.00 Survey #275 NW

Custodian Valuation: 400.00

Date of Sale: February 13, 1943

Purchaser: Nelson Bros. Fisheries Ltd.

Signature on Sales Papers: Custodian

Selling Price: 360.00 (\$400.00-10%)

Paid to ~~JFVDC~~ Custodian: 360.00

Supervision Costs: ~~45.06~~ 50.46 *fm*

Balance due Owner: ~~314.94~~ 309.54 *fm*

Paid to: Cr. account of Yoshio KONDO

Location of Boat at Sale: Nelson's Wharf (ex New Westminster)

Claims Against Canadian Govt.:

Claim #279 - Nelson Bros. Fisheries Ltd. - (\$23.10 (Paid))

*Settlement 50% of
claim \$11.55*

Additional Information:

*Reviewed
J. M. Watson Jan 19/46
fm*

15065

27th March, 1951.

Mr. Yoshio KONDA
Regn. No. 02206
101 Grange Ave.,
Toronto, Ontario.

Dear Sir:

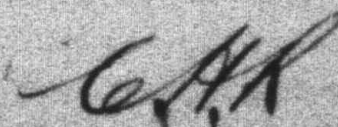
Distribution is now being made from the assets
of the River Fish Company at the rate of \$33.98 per share.
You were the holder of 10 shares and payment to you is as
follows:

10 shares	\$339.78
Less previously advanced	<u>125.00</u>
	\$214.78

Custodian cheque for this amount is attached
hereto.

Please acknowledge receipt.

Yours truly,



C.H. Reed,
Office of the Custodian.

CHR:RA
Encl.

NOTICE OF RELEASE

Internee's No. J.81 Name KONDO, Yoshio

Camp ANGLER, Ontario

Residence:

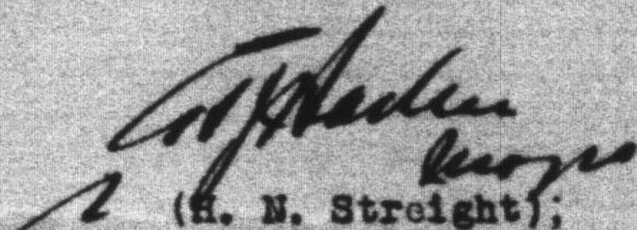
At time of internment: 318 Heatley Avenue, Vancouver, B.C.

To which proceeding on release: LONDON, Ontario.

Date Released from Internment 28th July, 1943.

Authority R.C.M.P. File No. C.11-19-B-13, dated 23rd June, 1943.

Conditions Released conditionally upon his accepting employment offered him by Mr. Graham Pipher, Ontario representative of the B.C. Security Commission, and further that he comply with whatever regulations the B.C. Security Commission may issue affecting him.


(H. N. Streight);
Colonel,
Director, Prisoners of War.

Ottawa, 2nd August, 1943.

Copy:

R.C.M.P.
Custodian
Dependents' Section
Chief Postal Censor
Fyle

File No. 15065

STATEMENT OF ACCOUNT
Yoshio KONDO - Regn. No. 02206

14th April, 1948.

<u>Date</u>	<u>Particulars</u>	<u>Debit</u>	<u>Credit</u>	<u>Balance</u>
1942				
July 10	Balance from Bank of Montreal		.70	
1943				
Apr. 8	Net proceeds sale of fishing boat		\$309.54	
1946				
Jan. 14	Cheque to Yoshio KONDO, Bal. of account	\$310.24		
		<u>\$310.24</u>	<u>\$310.24</u>	

PERSONAL PROPERTY SUMMARY

February 14, 1946

Re: Mr. Yoshio KONDO - #02206

In his undated declaration to the Custodian this former internee declared no property of any kind whatsoever. His file, however, shows the following assets:

On September 16, 1942, the Custodian received from the Bank of Montreal the sum of 70 cents, being the credit balance in his bank account. This was placed to his credit in this office.

On June 23, 1943 this man inquired about his fishing vessel FUMIE K, Vancouver licence 3755. This is the vessel described in the Vessel Summary. She was sold by the Custodian for the total sum of \$360.00, from which was deducted \$50.46 to cover boat expenses. The balance of \$309.54 was credited to the account of Yoshio KONDO.

This file reveals no other property of any kind.

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

J. Matheson

February 14, 1946.

Name of Claimant **KUMHO, Yoshie**Case **431**Custodian File **15963**

<u>REAL PROPERTY</u>										Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)		V.L.A. Mission Village		Total	
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices % of 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			
		300.			23.20 23.10	10.00	4.50			
			22.50							
<u>NETS</u>										
Total award for Nets plus Sale Price		Total Claim for Nets Sold, Declared Not Found and Recorded Now Missing			Percentage Total Award to Total Claim		Claim for Nets Sold Declared Not Found, & Recorded Now Missing		Apply % ratio to Claim	Deduct Custodian Sale Price
<u>MISCELLANEOUS CHATELS</u>										
Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Applica- tion of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price			
TOTAL RECOMMENDATION										116.20

15065

November 3rd, 1950.

Mr. Yoshio KONDO,
New Denver, B. C.

Dear Sir:

Re: Japanese Property Claims Commission

Case No. 431

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 ... \$116.20.

Cheque in your favour is enclosed for \$ 93.53
and we have paid the Co-Operative Committee .. \$ 22.67
for legal fees as authorized by you.

Yours truly,

F.G. Shears
Director

FGS/jc
1 encl.

File No.
15065

Yoshio KONDO,
Reg. No. 02206

New Denver, B.C.
June 24/48
Case #431

Case 431
File Notes

Claim as revised
by Transcript
June 24, 1948

Personal Property - Gross amount

Original Claim - 4 e IV - \$1800.00
- Fishing Boat --

Revised Claim -
Transcript p.2. line 7

\$1500.00

Original Claim 5 e \$145.00
- Nets and Ropes -
etc.

Revised Claim - Exhibit 1.
Transcript p.3, line 30 and p.4,
lines 1-8 inc.

142.50

Total Gross Claim as revised

\$ 1642.50

BRD/DD

Oct. 29, 1948.

DEFENSE BRIEF

Yoshio KONDO,

File #15065

Case #431

New Denver, B.C.
June 24, 1948
Case #431

*Case 431
File 15065*

PERSONAL PROPERTY CLAIM

(All claims shown are Gross)

1.	<u>Claim - revised</u> <u>Fishing Boat - Gross amount</u>	<u>Appraised at</u>	<u>Sold for</u>
	\$1500.00 as revised claim	\$400.00	\$360.00

Witnesses: 1. John Gould, Appraiser,
Exhibit #2.

2. F.G. Shears, as to appraisal-
Exhibit #2

2.	<u>Claim revised</u> <u>Nets, rope etc., Gross amount</u> <u>Exhibit #1</u>
----	---

Total \$142.50 as revised Claim -

(a) \$122.50 Exhibit #1

No record at
any time.

(b) \$20.00 " #1-

\$ 142.50 Exhibit #1

Tender Included in Boat sale.

Submissions: - A revised Analysis of Chattels - to be filed.

BRD/DD

October 29, 1948

Case No. 431 - KONDO, Yoshio, Reg. No. 02206, File 15065

Claim: "Fumie K", Vancouver 3755 32' x 7' x 3 1/2'
New, 1939 - Hull & 8 HP Easthope Engine - \$2,000.00
Equipment - \$142.50

Gross Claim: Boat - \$1,500.00
Equipment 142.50

Sale: Date: February 13, 1943
Location: Nelson's Wharf
Purchaser: Nelson Bros. Fisheries Ltd.
Sale Price: \$360.00 (\$400.00 - 10%)
Expenses: 45.06 (Proportionate share)
Net Credit: 314.94

Valuation: Phillipson: \$725.00 (JFVDC price: \$834.00 15% above appraisal)
Gould: 400.00

Age: JFVDC "catalogue sheet": 1936
Claim: 1939

Damage: Phillipson reports light damage. This apparently repaired before August 3, 1942, when vessel surveyed for damage & loss. No record of shipyard bill, but minor damage was repaired by Naval personnel and no record of such repair is in our files.

Equipment: No record of what equipment was on boat at time of surrender to Naval Service.
List of essential equipment missing at time boat turned over to Nelson Bros. Fisheries Ltd. made August 3, 1942.
Claim for replacement of items missing filed by Nelson Bros.-
Payment to Nelson Bros. \$23.10, but after sale settlement was made with Nelson Bros. whereby their equipment claims on boats sold to them February 13/43 were settled on basis of 50% of claim.

The stove & shrimp cooker claimed at \$20.00 were on the boat at time of sale.

Expenses: It is possible that the only expense incurred in connection with this boat was John Gould's appraisal.
Nelson Bros. responsible for care of the boats in company's custody.

The boats in Nelson Bros. care were selected by that company in July, 1942. It seems likely that the boats in Nelson Bros. care were, in general, more attractive boats than those that were turned over to the Custodian at the Fraser River moorings on August 5, 1942.

/FM

IN THE MATTER OF THE WINDUWIES ACT.
PART 1. REVISED STATUTES OF CANADA 1927. CHAPTER 92

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

(HIS HONOUR, JUDGE H.W. COLGAN, SUB-COMMISSIONER)

10

New Denver, B.C.

June 24, 1948

IN THE MATTER OF THE CLAIM OF
YOSHIO KONDO

PROCEEDINGS AT HEARING

20 APPEARANCES:

DONALD MACDONALD, Esq.,

appearing for the
Dominion Government

A.E. CONUS, Esq.,

appearing for the
Claimant.

W.J. STURGEON, Esq.,

Secretary to New
Denver Sub-Commission

MRS. I.C. SMITH,

Official Interpreter

G. HAMBLETON, Esq.,

Official Reporter

30

Y. Kondo
In Chief

MR. COBUS: The claim, your honour, of Yoshio Kondo,
which is No. 27 on the Secretary's list.

YOSHIO KONDO, the claimant herein, being
first duly sworn, testified
as follows:

MR. COBUS: Your honour, this is a claim for a fishing
vessel and was shown --

10 THE COMMISSIONER: You are not making any amendments
in this at all, are you?

MR. COBUS: Yes, your honour. I wanted to point out
that the original claim form showed the fishing
boat at \$1800.00 under (4)(e)(iv) incorrectly.
The boat should be shown under (5)(e), that is,
personal property, and if your honour would show
a boat and an estimated value of \$1500.00 as
amended -- I am asking leave to amend to \$1500.00 --
and a credit for the boat of \$360.00, that will
leave the vessel claim at \$1150.00 -- or rather,
20 \$1140.00. Then with respect to the six items
listed under 5 (e) properly, that represents boat
gear. The only amendment there is in item 4 or-
iginally claimed at \$12.50, and is now being
claimed for at \$10.00. The total claim for gear,
therefore, is \$142.50 which, added to the vessel
net claim, makes a total claim of \$1282.50.

DIRECT EXAMINATION BY MR. COBUS:

30 Q: Witness, I produce to you a statement concerning
the vessel and gear for which you have submitted

a claim. Did you instruct Mr. Lockie to prepare this statement for you and is that your signature?

A: Yes.

Q: Is the information contained therein true to the best of your knowledge and recollection?

A: Yes.

MR. COBUS: I would ask leave to file the statement.

THE COMMISSIONER: That will be Exhibit 1.

(STATEMENT MARKED EXHIBIT NO. 1)

10 MR. COBUS: Dealing first with the vessel as stated in Exhibit 1, the boat was known as the "Fumie K" and it was a 32 footer, registered number, Vancouver 3755. It was a shrimp type vessel, purchased by the claimant in 1939 new at a cost of \$2000.00. It was equipped with an 8 horsepower Easthope gas engine, which was new in the same year, 1939. The usual maintenance work done consisted of scraping and painting was done in this case every three months. Its condition is described as good when turned over to the Navy. The claimant estimates the value of the vessel at \$1500.00. He has given an addition note with respect to the vessel to the effect that he is advised that the Custodian has describes his vessel as built in 1936, and the engine as a 1936 Easthope, and he says in these words: "This is absolutely wrong. The engine was a 1939 model, bought new, and the vessel was built in 1939."

20 With respect to the gear on the boat, he has listed four items consisting of three navy anchors,

Y. Kondo
In Chief

certain tools, a searchlight, a compass, a cabin stove and a shrimp boiling stove. The total value of this gear he has itemized and totals \$77.50. At the top of the statement he lists a shrimp net with complete details, which he values at evacuation at \$40.00, and a rope, 200 fathoms of five eighths rope, which he values at \$25.00, a total for those two items of \$65.00.

10 With respect to storage, the claimant says that the above gear and the net and rope were left on the vessel when he turned it over to the Navy in Vancouver in December, 1941. He adds that the gear and net and rope claimed were purchased by him in 1940 and 1941 after he bought the vessel, and that he is claiming for these items entirely apart from and in addition to his claim for the vessel. He considers the appraisal of the vessel at \$400.00 and the sale at \$360.00 to be very much below a fair value. He believes the
20 boat would be worth at least \$1500.00 when sold in February, 1943.

Would my friend produce the appraisal on the vessel?

(Handed to Mr. Cobus)

MR. COBUS: I have had produced the survey report on the subject vessel by John Gould, Vancouver, dated February, 1943, which shows a valuation of \$400.00. That is filed on behalf of the Crown.

(SURVEY REPORT MARKED EXHIBIT NO. 2)

30 THE COMMISSIONER: Q: How long was it that you used

this boat before you were evacuated?

A: I built that in 1939 -- to 1941. Three years.

Q: Yes, and did you use it right up till the time you left? A: Yes.

Q: Was there anything wrong with it?

A: No.

10 THE COMMISSIONER: It seems funny to me. I don't know how they reach these appraisals. The information he puts in here is very likely right, but how he could buy a \$2000.00 boat and put an engine in it and it would sell for \$360.00 -- it seems ridiculous to me. Do you know anything about the basis on which they appraise these things?

MR. COBUS: No, your honour. The thing is a complete mystery to me. We can only hope, I suppose, to bring that out when Mr. John Gould becomes available for cross-examination.

THE COMMISSIONER: Yes. He may say that is the salvage value or something like that, I don't know.

20 MR. COBUS: Would my friend, from his file, admit that the boat was sold by the Custodian?

MR. MACDONALD: Yes, it was sold for its marked selling price at \$360.00, \$400.00 less 10%. It was sold for \$400.00 to Nelson Brothers.

MR. COBUS: Yes, I wanted that as well.

MR. MACDONALD: Yes, Nelson Brothers Fisheries Limited. That was evidently one of the 52 that were turned over to them.

30 MR. COBUS: Who were shown to be the purchasers of large numbers of these fishing vessels, your

Y. Kondo
In Chief
Cross exam

honour. Would my friend advise the date of the sale of the vessel?

MR. MACDONALD: February 13, 1943, your honour, according to this memorandum.

10 MR. COBUS: My friend has produced a Claim Settlement Statement, your honour, on the Stationery of the Japanese Fishing Vessels Disposal Committee respecting the subject vessel, and it would appear to show that when the Navy turned the boat over, the vessel was sold to Nelson Brothers. The Navy or the Committee agreed to replace certain gear that had originally been on the vessel in part and was at that time missing. I haven't seen very many of these forms. I think it should be filed for the information of the Commissioner.

(DOCUMENT MARKED EXHIBIT NO. 3)

MR. COBUS: Your witness.

20 MR. MACDONALD: I submit that the boat in this case was sold for its fair market value and any personal property that was sold was sold at its fair market value, and that the articles claimed for are claimed at an exorbitant value.

CROSS EXAMINATION BY MR. MACDONALD:

Q: Witness, did you file a J.P. form here?

A: You mean these -- ? Yes.

Q: And you set out that you had no property at all.

A: Well, you see, before, you know, I was in camp here, you know.

30 Q: I beg your pardon?

A: Before, I was in a camp, you see.

Q: Where? A: In Ontario.

Q: An internment camp? A: Yes.

Q: Where was that? A: In Ontario.

Q: Were you taken down to an internment camp from here? A: From the coast.

Q: From the coast.

10 A: Yes. And I was going to put the property in with the Custodian, you see, and they were saying "It is in the Navy," you see, so they told me to put it in the Navy, you see, so I didn't put it in the Custodian, you see.

MR. COBUS: I think the witness, your honour, misunderstood the question. I think there is no doubt about the fact that this man did not file a J.P. form.

THE COMMISSIONER: Well, that is all Mr. MacDonald wants.

20 MR. COBUS: Yes, your honour, but I don't see that it is in issue. There is one item being claimed for and it has been admitted it was sold by the Custodian and that is all there is too it.

THE COMMISSIONER: Except that what Mr. MacDonald is probably maintaining is, if this fellow had a boat why didn't he put it in his original claim, which he evidently didn't do.

MR. MACDONALD: Q: Is this your signature?

A: Yes, it is.

30 Q: Just read that over. Was that sent to you, to Ontario? A: Yes, I remember that.

Q: That is from the Department of the Secretary of State at Ottawa. There doesn't appear to be a date on it. Do you remember when that came to you to be signed?

A: I think this was when I was in the internment camp.

Q: It reads as follows: "In order to assist this office in the administration of your property, kindly submit a complete statement covering the following with full particulars in each case; should you have nothing to report, insert the word, "NIL," sign your name, and please return this letter at once." And you have signed "Nil," all down to the bottom, haven't you?

A: Yes, I have.

Q: Now why did you say that you didn't have anything if you did have something?

A: Oh, I thought it was different, you see; that -- I thought that was for the property, for the land and house and things like that, you see.

Q: It says here "Bank account -- Nil". Well, did you have a bank account at all?

A: No, I hadn't.

Q: And "Securities: 1. Description and quantity -- Nil." Did you have any securities, that is, any bonds or stock or anything like that?

A: No. Well, I had a boat, but I didn't put it down.

Q: "Real Estate -- Nil." You didn't have any real estate?

A: No.

Q: You put "Nil" there. Did you have any insurance?

A: No.

Q: "Claims," "Debts." Now, you didn't set out at any time that you owned any boat or that you owned any chattels or goods of any kind.

A: No.

MR. MACDONALD: I will file this, your honour.
(DOCUMENT MARKED EXHIBIT NO. 4)

THE COMMISSIONER: Q: When was the first time you told them you had a boat?

10 A: I didn't tell anything, you know, but they sent out a notice to say they sold my boat when I was in internment camp. They said, "Do you want any money?"

MR. MACDONALD: Q: Where was your boat when you were interned?

A: In B.C.

Q: Where in B.C.?

A: Down at Westminster, New Westminster.

Q: Did you take it to New Westminster yourself?

A: You see, I took it to a fellow at Deep Cove, you know.

20 Q: When were you interned? Did they come and take you away? Did the police officer or anybody come and take you and intern you?

A: No, they didn't take me. I went to report, you see, and I should be going to the read camp, you see.

Q: Yes.

A: But I told them I didn't want to go to read camp.

30 Q: I see, and that is the reason you were interned, was it?

A: Yes.

Q: And where were you living when you were asked
to report? A: I was living in Vancouver.

Q: In Vancouver? A: Yes.

Q: And where was your boat at the time, was it at
New Westminster? A: You mean while
I was living at Vancouver?

Q: Yes, where was your boat? A: It was in
New Westminster. They took it to New Westminster.

Q: Who took it to New Westminster?

10 A: The government did.

Q: Was it taken before you left, before you were
interned? A: Sure, yes.

Q: When were you interned? A: I was interned --
I think it was in June.

Q: And when did you report --

MR. COBUS: What year?

MR. MACDONALD: Q: What year? A: 1942, June, 1942.

Q: And when did you report first when you were called
upon to report to the Custodian or to the Govern-
ment? A: I don't catch on.

20 Q: When did any government official first contact
you about leaving Vancouver?

A: I think it was in May or April.

Q: And when did you first notify them -- or did you
at all notify them about your boat and about
this equipment that you owned, that you are
claiming for now? A: No.

Q: You never notified them about it at all?

A: No.

30 Q: Now, the net: where did you leave that net that

you are claiming for?

A: That was on the boat. You see, work stopped on December 7th, and on December 10th they phone me to go to the fish dock, you see.

Q: I beg your pardon? A: On the 10th.

Q: Tenth of what? A: Tenth of December.

Q: 1941? A: Yes, 1941. That is 1941, isn't it, when the war started?

10 Q: Yes. It didn't start then, but it started as far as you people were concerned.

A: In 1941 on December 10th, about three o'clock in the afternoon, they phoned my house to go down to the fish dock, you see, and that is where I used to have my boat. That was the Navy. They told me to take my boat to Deep Cove, you see. I just took it over to Deep Cove and I came home.

Q: And was the shrimp net on the boat then?

A: Yes. We hadn't had time to take them off.

20 Q: I beg your pardon? A: I didn't have time to take them off, you see.

THE COMMISSIONER: When you went away, who did you leave your boat with? A: Oh, the Navy took care of it after that. You see, they took my boat, you know.

Q: What date did the Navy take your boat?

A: On December 10th.

Q: They took charge of your boat; they told you to take your boat over to Deep Cove?

A: Yes.

30 Q: And you took it over. Did you see it afterwards?

Y. Kondo
Cross exam
Re-Direct exam

A A: Yes, I went down. After that I got a permit from the Navy and I went down to New Westminster to get my tools, you know. The time I was there there wasn't any tools left.

Q: The tools were all gone? A: All gone.

10 MR. COBUS: Your honour, perhaps a word of explanation with respect to the vessel might be in order here. In December of 1941 all Japanese Fishing vessels were ordered surrendered to the Navy and in most cases, in out of the way places, the Navy actually escorted these fishing vessels to the point -- usually at Vancouver or somewhere near Westminster -- where they were kept.

RE-DIRECT EXAMINATION BY MR. COBUS:

Q: Did you deliver your boat, witness, to Deep Cove alone or were you escorted there?

A: Oh, in a way we were escorted. There was a patrol there.

20 Q: There was a patrol about? A: Yes.

MR. COBUS: Then, your honour, the government appointed what is now known as the Smith Committee, or the Japanese Fishing Vessels Disposal Committee, and on August 1st, 1942, the work of the committee having been done to the point where there was no use continuing it, the whole effort of the disposal committee was turned over to the Custodian, and your honour will note that we are submitting claims for boats which were sold by the Custodian. As I said before, whether there was a declaration

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of property or not, I don't see that that issue arises; the Custodian obviously had the boat and sold it.

MR. MACDONALD: There is no question about the boat, your honour, because the records show that the boat was sold.

10 THE COMMISSIONER: The boat was taken by the Navy and it was eventually sold by the Custodian, and you have established that this was the same boat that belonged to this man.

MR. MACDONALD: Yes, there is no question about the boat.

THE COMMISSIONER: Except that the Crown would like to know why he didn't declare it when he put his claim in; if he had a boat, why didn't he put it in?

MR. COBUS: Well, your honour, I think that is clear. A lot of these people, particularly this man, turned their boats over to the Navy and assumed that was that. He was interned, of course. Great numbers of these cases occurred where the fisherman did not declare their boats on their J.P. forms because they felt the Custodian had nothing to do with it, and I think rightly so.

20 MR. MACDONALD: I don't think there is any issue there anyway, your honour.

THE COMMISSIONER: The possibility is that these people all figured, when their boats were seized, that they were being confiscated; that is probably the answer to the whole thing. When the Navy took

his best he probably thought, well, that is that,
and good-bye.

MR. COBUS: I think that is it.

MR. MACDONALD: The only thing, your honour, that seems
to be in issue is this, that he never did declare
any of the personal chattels that he is claiming,
and the only thing we have that I can see is that
there is no record, the Custodian had no record
and there was no way he could find out, because it
wasn't declared.

THE COMMISSIONER: That is all, thank you.

(Witness aside)

(PROCEEDINGS ADJOURNED SINE DIE)

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

G. 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.

H.W. Colgan
Sub-Commissioner.