

CLAIM OF SHIGE FUJISHIMA

[No. 146-35-4863. Decided September 7, 1951]

FINDINGS OF FACT

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Claim is also made for loss through pilferage of a raincoat and a pair of knee-length rubber boots. The record discloses that approximately 5 days before her evacuation claimant, expecting to take the raincoat and boots with her to the relocation center, washed and cleaned the items and then put them in their customary place in the "boy house," the building where the hired men lived and where claimant and the men kept their clothes. Entering the building the next day, claimant discovered that the items were gone. In explanation of their disappearance and of her claim for their loss, claimant testified: "* * * they were taken away by some of the Japanese employees working on the farm, who thought that those things would be very handy when they were evacuated. For that reason I am claiming loss due to evacuation." In this state of the record, no causal connection between the disappearance of the items and claimant's evacuation is shown.

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 REASONS FOR DECISION

* * * With respect to the loss from the disappearance of the raincoat and boots, as appears from claimant's testimony, *supra*, the basis of claim is the fact that the thief may have been motivated by considerations connected with *his* evacuation. Section 1 of the Statute specifically provides, however, that to be statutorily cognizable a claim must be for property damage or loss that is

a reasonable and natural consequence of the claimant's own evacuation or exclusion and not the evacuation or exclusion of others. Cf. *Rikitaro Ushio, ante*, p. 281. This being the case, and no causal connection between the disappearance of the items and claimant's evacuation being shown, it necessarily follows that the loss is not compensable.