Name of Claimant YAMASAKI, Noburo Case 1034

Custodian File 8717

REAL PROPERTY

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 Total	Amount	Sale Price	Total Award 125% of all Sale Prices: % of Total	Amount	
		8860.				579.					8297.00 463.20

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 CHATTELS

Claim for goods Sold By Auction	Sale Price of Goods Sold By Auction	Rebates of charges 30% of Sale Price	Ratio in % of Sale Price to Claim	Claim for goods Declared Not Found, Recorded Now Missing, & Sold Not Paid	Application of % ratio to amount in next preceding column	Sale Price of goods Sold by Tender	12% of Sale Price	
			46%	2353.00	1082.38	142.00	17.04	1099.42

TOTAL RECOMMENDATION	9859.62

CASE NO: 1034

JAPANESE PROPERTY CLAIMS COMMISSION

Toronto, Ontario,

May 12, 1948.

IN THE MATTER OF THE CLAIM OF

NOBORU YAMASAKI

PROCEEDINGS AT HEARING.

Original

CASE NO: 1034

IN THE MATTER OF THE "INQUIRIES ACT"

PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99.

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

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

Toronto, Ontario,

May 12, 1948.

IN THE MATTER OF THE CLAIM OF

NOBORU YAMASAKI

PROCEEDINGS AT HEARING

APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
F.A. BREWIN, Esq.,	appearing for the Claimant.

A. WATSON, Esq.,	Secretary.
D.J. HANDFORD, Esq.,	Official Interpreter.
A.G. VEITCH, Esq., C.S.R.,	Official Reporter.

TAKAAKI YAMASAKI, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. BREWIN:

Q. Mr. Yamasaki, it is your father who is the owner of this property?

A. That is right.

Q. Is he here now. A. Yes, but he is home; he is sick.

Q. He is sick. He is not able to come down and to give evidence, himself?

A. He has had a heart attack. The doctor does not advise him to come down.

MR. BREWIN: My lord, I think Mr. Best spoke to you about this case.

THE COMMISSIONER: Yes. I think under the circumstances it is desirable that you should later file a letter signed by the father asking that the son be allowed to speak for him. That can be done later.

MR. BREWIN: Yes, my lord, I am sure it can be.

Q. You have heard what his lordship has said. You can get a letter from your father and will you let me have it, so that we can file it with your case? A. Yes.

Q. Saying that you have authority to speak for him? A. All right.

Q. Your claim is in respect to first of all some real property and it is divided into two parts, which might be dealt with separately; one is Lot 33 and 34 in the west half of Section 20 of the municipality of Maple Ridge. Is that

correct? A. Yes.

Q. And have you prepared a separate form of real estate farm land in respect to that?

A. Yes.

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

MR. BREWIN: May that, then, be put in as Exhibit No.1?

THE COMMISSIONER: All right.

(PARTICULARS OF REAL ESTATE, FARM LAND, MARKED EXHIBIT NO. 1)

MR. BREWIN: Now, there were no buildings on that property?

A. No, there are no buildings.

Q. But it was cleared? A. Yes.

Q. Do you know of your own knowledge whether the information set out in this form is correct?

A. Yes. My father and I decided it and they are accurate, I think.

MR. BREWIN: Then, perhaps my friend would file in respect to that property the report of the Soldiers Settlement Board. Do you intend to do that?

MR. HUNTER: I tender the Soldiers Settlement Board appraisal as Exhibit No. 2.

THE COMMISSIONER: Very well.

(SOLDIERS SETTLEMENT BOARD APPRAISAL, MARKED EXHIBIT NO. 2)

MR. BREWIN: Q. I do not suppose beyond what is on the form as to its having been cleared and the cost price there is very much more you can tell us about it in regard to that property?

A. Yes. I think that is all.

Q. You have given us the assessed value and said

what you estimate the cost of clearing and so on to be. That is about all which can be said about it? A. Yes.

Q. You have told us that some was in raspberries, in strawberries, and some in orchards. There is nothing else - is there?

A. No.

THE COMMISSIONER: Q. Where is the property, near Haney?

A. Yes; Maple Ridge in Haney.

Q. Right in the village?

A. Well, it is more or less, just about half a mile outside, I think.

THE COMMISSIONER: I see. Thank you.

MR. HUNTER: It shows it as a mile away in the appraisal, my lord.

THE COMMISSIONER: Yes.

MR. BREWIN: Q. In respect of the second item, which is rather a larger matter, it comprises Lots 10 and 11 in the west half of Section 20 in the municipality of Maple Ridge. That would be in Haney, too?

A. Yes.

Q. I am showing you in respect of that a form, real estate farm land. Is that your signature?

A. Yes.

Q. And the information contained on that form, from where did you get it?

A. Well, we compiled it together.

Q. You and your father together? A. Yes.

Q. And to the best of your knowledge is it correct?

A. Yes.

MR. BREWIN: May that be filed as Exhibit No. 3, my lord?

THE COMMISSIONER: Yes.

(PARTICULARS OF REAL ESTATE, FARM LAND, MARKED EXHIBIT NO. 3)

MR. BREWIN: Now, in respect to this property, first of all, perhaps I might ask, there is no question of title? We have some certificates of title here. You are not interested in that?

MR. HUNTER: Not as far as 10 and 11 go.

MR. BREWIN: In the original claim form it refers to subdivisions 10, 11 and 12 of the quarter west half section of Lot 20. At the present time your form only claims for lot 10 and 11.

Are you making any claim in respect of Lot 12?

A. Lot 12 belongs to my four brothers and myself.

Q. And this claim we are making now has nothing to do with Lot 12? A. No.

Q. If it was put in the original claim form was that by mistake --- A. Yes.

Q. --- or, how? A. By mistake.

Q. And the information contained in Exhibit No. 3, which is the last form we put in, does not refer to Lot 12 at all? A. No.

THE COMMISSIONER: I think perhaps you had better amend the claim form by striking out "and 12".

MR. BREWIN: Yes. Thank you, my lord.

Q. Then I have here some pictures which perhaps you

can identify for us. Is that the picture of the house which was built on the property?

A. Yes.

Q. There are two different views of the same house?

A. Yes.

Q. And here are some more views. Are they also pictures of the house?

A. Yes, pictures.

Q. These all seem to be pictures of the house?

A. This was in 1942, just a few days before we evacuated.

Q. The very small snapshot, the smallest one here, was taken just before you evacuated?

A. Yes.

Q. And I notice there also seem to be - and perhaps we can put them all in as one exhibit - pictures of a number of greenhouses. How many greenhouses were there on the land?

A. We had eight complete greenhouses on the land when we left.

Q. You had eight complete greenhouses on the land when you left; and do those snapshots show them?

A. This was in 1938.

Q. You have marked on here the dates when the pictures were taken? A. Yes.

Q. Is that right? A. Yes.

Q. And were they not all built in 1938?

A. No. The last ones were built in 1941, completed in 1941.

Q. Here is a 1941 snapshot which shows the green-

houses? A. Yes.

MR. BREWIN: May they be filed as Exhibit No. 4, my lord?

THE COMMISSIONER: Yes.

MR. HUNTER: May I see those?

MR. BREWIN: I do not know whether they look anything like yours.

MR. HUNTER: Pardon?

MR. BREWIN: I do not know whether they look anything like yours.

MR. HUNTER: Do those dates refer to the dates when the photographs were taken?

THE WITNESS: Yes; no, when the greenhouses were built.

MR. HUNTER: The dates refer to the date of erection?

THE WITNESS: Yes.

MR. HUNTER: I wonder if we could find out when the photographs were taken.

MR. BREWIN: Do you know when the photographs were taken? I am showing you a picture of the greenhouse with "1941" written underneath. What does "1941" mean?

A. The three houses on the far side were completed in 1941.

Q. When was the photograph?

A. Six months later. A friend of mine in Haney took it.

Q. The one which is marked "1938"?

A. I took that, myself. That was about two years before evacuation, in 1939 or 1940.

Q. And on the other pictures you have dates written

in "1940"?

A. The home was completed in 1940. We started in 1939 and finished in 1940.

Q. And what does the "1940" mean - when it was completed? A. Yes.

Q. When was the photograph taken?

A. The same time as the other one. It would be about June of 1942.

Q. June of 1942? A. Yes.

Q. And there is one marked "1939". What is that? One of the greenhouses? A. Yes.

Q. When was that taken?

A. About the same time as this one here. It would be about 1939, too, I guess; the same year.

Q. And there is a picture of a house in 1938. Is that right?

A. That should read "1939". That is when we started, you see.

Q. Yes.

(PHOTOGRAPHS, MARKED EXHIBIT NO. 4)

I do not know whether my friends to put in the assessed value of this land.

According to the information I have the land in 1942 was assessed at $1,000 and the improvements $10,500.

MR. HUNTER: That is correct, my lord.

MR. BREWIN: Q. With respect to this house, it says in the form here that it was built in 1939, a two storey house. Is that correct?

A. Yes. We started it in 1939 and it was finished

just before evacuation.

Q. And I see you have put the dates that the various greenhouses were built. Apparently, according to this, eight of them were built in 1941 with a cement foundation. Is that correct?

A. No. The three were built in 1941 and the rest were built in 1936 and onward.

Q. So, the statement is not quite correct in regard to that; three were completed in 1941. Is that right? A. Yes.

Q. So that it is possible ---

THE COMMISSIONER: What was the date of erection of the other five?

A. 1936 onward.

Q. From 1936 to when? A. 1939.

MR. BREWIN: Q. I notice that you have written down here on this form, information supplied, an offer of $24,000 was made before evacuation. Can you give us any of the particulars of that?

A. This man from West Vancouver spoke to my dad about buying this farm.

Q. Were you there when he spoke to him?

A. No.

Q. You were not? A. No.

Q. You are only giving us ---

A. What my dad says.

Q. Who was the man? A. He does not know.

Q. Does he know anything about him?

A. No. He just came in one day from Vancouver. I

think it was on a Sunday.

Q. Can you tell us anything more about it? Perhaps it is not very important if you cannot give us any more details. Perhaps you can. Do you know anything more about the conversation?

A. No. There is a letter from the Soldiers Settlement Board filed.

Q. In respect to that?

A. Yes. I gave it to Mr. Gilbert.

Q. From the Soldiers Settlement Board about an offer of $24,000?

A. No; about the offer.

Q. Is that this offer for $24,000? Is that to what you are referring? I do not think there is anything in the file.

A. That is the paper there.

Q. Which; this one? A. No; the one under your hand.

Q. I see. You are referring to a letter written by Mr. Barnet, of the Soldiers Settlement Board of Canada, dated November 17, 1942, which says:

"We understand that prior to your leaving "the area you tried to dispose of your "greenhouse property at Haney. We now have "an inquiry as to the price and terms that "would be acceptable to you.

"A self-addressed envelope is enclosed "for your reply."

Written in red pencil on it is"$25,000 asked" and "$24,000" is also written in red pencil.

Did your father answer that letter?

A. No. That was after the evacuation. He did not want to sell it because he had the idea of going back to the farm when the war ended. He just left it.

Q. Do you know what those figures mean or how they got in there?

A. Well, he must have written those, himself.

Q. You say your father must have written them, himself? A. He does not know who the man is, himself, it is so long ago and he has no proof that he offered $24,000 but that is what he says.

Q. I see.

Apparently there seems to be the fact that he seems to have told Mr. Barnet about it, at any rate.

I do not know that it is very helpful, referring to this letter, but it has been referred to, my lord. Shall we put it in?

THE COMMISSIONER: You may put it in. You may be able to substantiate it later.

(LETTER, I.T. BARNET TO CLAIMANT, NOVEMBER 17, 1942, MARKED EXHIBIT NO. 5)

MR. BREWIN: I wonder if my friend intends to file the report of the Soldiers Settlement Board appraisal on that property.

MR. HUNTER: I have no appraisal on that property by the Soldiers Settlement Board.

MR. BREWIN: No; I beg your pardon. That is Mr. Ansell's report.

MR. HUNTER: Do you wish that filed?

MR. BREWIN: You will probably file it later?

MR. HUNTER: Yes.

MR. BREWIN: Are you putting in Mr. Ansell's report?

MR. HUNTER: Yes.

MR. BREWIN: Q. Did you yourself work on these buildings? You were at home I suppose then?

A. Yes.

Q. I see very substantial sums were spent on the cost of material and so on. How did you work those out; how did your father work them out?

A. The cost of material for greenhouses, this glass, 2 by 3 inch rafters and in the three new greenhouses the rafters were hand-planed and three coats of white paint. There was piping inside the greenhouses, heating equipment.

Q. Then, perhaps apart from what you have put in the form here, is there any other information which you think you can give us which would help on the valuation of the property?

A. No, it was in a good location.

Q. I see you have stated that in the form here?

A. And the home is solid construction. Inside the home is all copper piping. All the plumbing is copper. In the roof there are three layers of shingles, with stucco finish. It was just finished a year before we evacuated. Inside the house was all California stucco finish, on the main floor and upstairs was not stuccoed.

MR. BREWIN: The report says, referring to Mr. Ansell's

report:

"Three of the greenhouses are good but "sills show sign of decay. The other five "are in very poor condition, being racked "badly with snow."

He makes his report in April, 1944.

Q. What was the condition of the greenhouses when you left? I suppose you left in 1942?

A. Yes.

Q. What was the condition of them then?

A. They were in fair condition. Greenhouses deteriorate very quickly and unless they are looked after. That is why every year we rebuilt new houses. The old houses were rebuilt.

Q. Yes. Now then he says:

"The house looks very nice outside but "really two rooms only are finished out of "nine rooms and the bath."

That is Mr. Ansell's statement. What do you say about that?

A. The dining-den was all finished. The dining-room and living-room were all finished, too. The hallway unfinished.

Q. What about the rooms upstairs? Were they finished? A. No.

Q. And he says, "There is no hot water connection of any kind and water supply is uncertain."

A. There is no hot water system.

Q. "And there is no furnace and the house must be heated by a stove." Is that right?

A. Yes.

Q. I think that is all the information you can give us, probably, about that property.

We can now go on to the claim for personal property.

THE COMMISSIONER: Just before you tackle the personal property claim let me understand what is being claimed here.

Your figures of estimated value on Exhibit No. 3 read $24,390. The mathematics are not very good; it is $26,000. I take it those figures do not include the $2,000 estimated value of the land?

MR. BREWIN: No, my lord; that is correct.

THE COMMISSIONER: So that will be $28,000.

There is also a valuation of $1,000 on the other piece of real estate and the claim form on which he claims indicates only $17,900.

MR. BREWIN: Yes. We are content to claim the amount on the claim form.

THE COMMISSIONER: I see.

MR. BREWIN: That is what they say they put into it but after all the market value may be somewhat less ---

THE COMMISSIONER: I see. I just wanted to get that cleared up.

MR. BREWIN: --- and we will be quite satisfied if we get the total amount claimed, my lord.

THE COMMISSIONER: Yes; I see.

MR. BREWIN: Q. Now, in respect to personal chattels,

I notice that your claim form has not very much detail.

It claims $3,500 for miscellaneous chattels, personal articles, implements and farm machinery. Is that correct? A. Yes.

Q. I think since then you have had a list prepared - it does not seem to be signed as yet - of all the matters or chattels which you are claiming within that general claim form. Is that correct?

A. Yes.

Q. This consists of a list sent to you I believe by one of the members of the Custodian's office?

A. Yes.

Q. Or sent to your father? A. Yes.

Q. Is that correct? A. Yes.

Q. Plus, on the outside, the valuation made by yourself and your father. Is that correct?

A. Yes.

MR. BREWIN: Perhaps we had better have that marked as Exhibit No. 6. Is that the number?

MR. HUNTER: Yes.

(PARTICULARS OF PERSONAL CHATTELS, MARKED EXHIBIT NO. 6)

MR. BREWIN: Q. It is not signed but I do not think the original list was signed? A. No.

Q. I notice the first articles on this list consist of an electric pump, motor and three boilers, totalling $1,800. I notice there is the note:

"The claimant has included the above inven-
"tory in his claim for personal chattels.
"The question that arises is whether the

"above were sold as fixtures with the land?
"A_lso, the question arises whether the
"appraiser included the above fixtures in
"his appraisal of the property."

In respect to those boilers, where were they?

A. They were set in the ground just outside the greenhouses.

Q. They were actually affixed to the ground?

A. Yes.

Q. So that I think we might assume from that that although they were listed in the original list supplied of chattels they were probably fixtures. Is that right? A. Yes.

Q. And therefore that if any claim can be made in respect to them I take it perhaps it should be added to the value of the land?

A. Yes.

Q. If they have not been taken into account when the appraisal was otherwise made? A. Yes.

Q. And in respect to some of the major items did you prepare or have prepared for you a list of the history of what was paid and the condition of some of the major items of personal chattels which you are claiming?

A. Yes.

Q. I see that includes item No. 5, which is three boilers? A. Yes.

Q. And the electric pump and motor? A. Yes.

Q. Is that your signature? A. Yes.

Q. And are the facts set out there correct?

A. Yes.

Q. Perhaps there should have been added to this, for completion, the statement that the other chattels not contained on this list of personal chattels are all contained in the exhibit which we have filed.

THE COMMISSIONER: So that Exhibit 6 contains everything, including that which is in Exhibit No. 7?

MR. BREWIN: Yes, my lord.

THE COMMISSIONER: Very well.

MR. BREWIN: It is supplemental, giving some details. It will be Exhibit No. 7?

THE COMMISSIONER: Yes.

(PARTICULARS OF PERSONAL CHATTELS, MARKED EXHIBIT NO. 7)

Q. In regard to these chattels, what happened to them or what was the situation in respect of them when you left the property?

A. Well, they were stored in buildings and in the basement in the home. We tried to lock them up as best we could. Time was short and we could not get help so a lot of the things were left unlocked.

Q. Did you leave anybody in charge of them?

A. No.

Q. Now, was there any tenant of the property when you left? A. No.

Q. I notice on some information supplied me by the Custodian's office the statement that certain chattels were included in a lease by Yamasaki dated September 1st, 1942. Was that lease made

by your father? A. No. My dad went into Hastings Park Manning Pool on the 31st of August. On the 1st of September the Custodian got the keys.

Q. Did your father arrange the lease before he left?

A. No. He did not arrange any lease.

Q. He did not have anybody there? A. No.

Q. Perhaps we will get fuller information on that from the Custodian.

Now, perhaps my friend will be able to bring this information out. Was the Custodian informed of the fact that these goods were on the property?

A. Well, I do not know.

Q. Perhaps you do not know? A. No.

Q. It is difficult perhaps for you to answer. Do you know anything about that?

MR. HUNTER: That is the Custodian's inventory you filed. He was informed about that.

MR. BREWIN: I wondered if the witness knew when he was informed about it.

THE WITNESS: It was after he entered Hastings Park, about the first week in September, 1942.

Q. Looking over this list there is one claim which strikes me as a layman in these matters as rather peculiar. It is on page 5 of the inventory of chattels. It says:

"Sawdust, 280 units, $400."

MR. HUNTER: A sawdust burner for the greenhouses.

MR. BREWIN: Q. Is that a fair valuation for those

sawdust units? A. It is fuel for the greenhouses.

THE COMMISSIONER: Q. What was the going price for a unit of sawdust at that time laid down at that place? A. It was our practice to haul our own.

Q. What did you pay at the mill?

A. It was bought by the month. We used to have our own trucks and haul our own.

Q. Did you pay anything for it at the mill?

A. Yes.

Q. They did not pay you for taking it away?

A. No.

Q. How much did you pay them?

A. $60 a month, I think it was.

Q. For as much as you cared to haul? A. Yes.

Q. How far did you have to haul it?

A. It would be approximately 20 miles to the round trip.

Q. From what mill did you get it?

A. P. Bain, in Whonnock, British Columbia.

MR. BREWIN: Q. You do not know what you would pay if you bought one of these units locally and got somebody else to bring it to you?

A. It retails for about $3 a unit.

MR. HUNTER: What is a unit, a load?

THE COMMISSIONER: I do not know just how they calculate it ---

THE WITNESSE Fifty sacks.

THE COMMISSIONER: --- but that is the way sawdust

is sold.

Q. That is, so many sacks?

A. Yes; fifty sacks.

MR. BREWIN: The total comes to $4,718.75.

THE COMMISSIONER: That is the total of the chattels.

MR. BREWIN: That is the total of the chattels, yes, sir. It is not put in here but there is no doubt I think that the Custodian sold some of these articles by auction and tender and there should be a credit of $157.75, and we are quite content to reduce our claim to the amount shown. In any event, as I pointed out, it is probable that these pumps and boilers should go into the real estate.

THE COMMISSIONER: Yes.

MR. BREWIN: Your lordship will see we put them in the summary separately. Written at the bottom is $1,800. That is what might be considered fixtures. The $2,918 is for the other items.

THE COMMISSIONER: I see.

Q. Witness, is it not a fact that sawdust deteriorates very rapidly?

A. Yes, my lord.

Q. So that if this 280 units which you had stored in your storage place were left there a matter of a few months it would have little value?

A. No. We stored ours all the year around, you see. The following season I think the tenant burned all that sawdust.

Q. Did he? A. Yes.

Q. Of course it would have to be used on the premises, because it would not be economical to move that large quantity elsewhere?

A. Yes, my lord.

MR. BREWIN: Q. Do you know if your father received credit if the tenant burned it? Did he pay your father anything?

A. No. I think all the transaction was with the Custodian.

Q. You think all the transaction was with the Custodian.

That is all, thank you.

MR. HUNTER: It is submitted, my lord, that this real property was sold for its fair market value.

It is submitted that the personal property sold by the Custodian was sold for its fair market value.

It is submitted that claims made for personal property not sold by the Custodian are exhorbitant.

CROSS-EXAMINATION BY MR. HUNTER:

Q. I show you three photographs. Would you tell us what those photographs are?

A. That is the home.

Q. Describe them in order that we may have it on the record. The top photograph is what?

A. A picture of my home.

Q. What is the bottom left photograph?

A. That is one of the sawdust bunkers.

Q. And the other? A. That is the other sawdust bunker.

MR. HUNTER: I tender this sheet with three photographs as Exhibit No. 8.

THE COMMISSIONER: Very well.

(SHEET WITH THREE PHOTOGRAPHS, MARKED EXHIBIT NO. 8)

MR. HUNTER: Now, Mr. Yamasaki, in this exhibit, Exhibit No. 3, you have shown your house as a two storey house, built in 1939, the cost of material $5,000. You paid for labour $1,000, you value your own labour at $4,000. How old are you, by the way?

A. I will be 28.

Q. So that you were about 22 at the time you were evacuated? A. Yes.

Q. You knew what was going on around that place at that age? A. Yes.

Q. You know something about building costs, I presume? A. Yes.

Q. You have built a nice looking house but there is no heating, there is no hot water of any kind, the upstairs is not finished, only part of the downstairs is finished. Do you not think you are being a bit extravagant in this claim for cost of material and labour?

A. No, I do not think so, because that home was built solid and we built it for permanence. There is a ten-inch concrete base; there is two

by fourteen inch rafters; on top of that there is two inch planking, on top of that rafter and the floor; there is copper piping.

Q. Yes, but you know for $9,500 in 1939 you could build a smashing good house with central heating and everything else.

A. Ours is a very big home.

Q. It is only a two storey house. I mean, it would strike me offhand that you have claimed for a larger amount than should have been paid for a house that size. I am wondering whether you will not agree to that?

A. I think that that is a fair valuation.

Q. I see. If you had gone out to buy a house for $9,500 in 1939 do you not think you could have got a house just as big and complete, and everything?

A. Not of as solid construction as that one we had.

Q. You only live 75 years. You do not care whether it goes on for a couple of hundred.

A. No, but we always have relatives.

Q. You were building for posterity? A. Yes.

THE COMMISSIONER: I do not think you can convince the witness, Mr. Hunter.

MR. HUNTER: No. They are building it from a different viewpoint, I think.

THE COMMISSIONER: Yes.

MR. HUNTER: The appraisal of William H. Ansell, dated April 14, 1944, says:

"Eight greenhouses, value $3,500;

"Equipment, $500;

"House, $4,000;

"Land (10 acres), $1,000.

"Total Value $9,000.

"Lot 10 and 11, west half of section 20

"T.P. 12, No. 586.

"Three of the greenhouses are good but "sills show sign of decay. The other five "are in very poor condition, being racked "badly with snow. Boiler house and saw- "dust shed are temporary as the original "was destroyed by fire. The house looks "very nice outside but only two rooms are "really finished out of nine rooms and "bath. There is no hot water connections "of any kind and the water supply is "uncertain. The upstairs containing five "rooms is not finished. There is no "furnace and the house must be heated by "stoves. House is of wood and frame "construction.

"William H. Ansell, appraiser."

I would tender that as Exhibit No. 9.

THE COMMISSIONER: Very well.

(APPRAISAL, WILLIAM H. ANSELL, APRIL 14, 1944, MARKED EXHIBIT NO. 9)

MR. HUNTER:

Q. I presume these greenhouses were not built for posterity? A. No; but they were built very permanently for a permanent purpose. All three of them were painted.

Q. They were of wooden construction?

A. Yes; but inside there were steel braces.

Q. Yes. The frames holding the glass would be wood?

A. Yes.

Q. The sills would be made of wood - or, of concrete?

A. Of concrete.

Q. Of concrete? A. Of concrete. In some places the concrete was 12 feet deep, the lower part, built on a hill.

MR. HUNTER: So far as the chattels are concerned, this statement was delivered to me yesterday and I have not had a chance to analyze it, but I would like to point out that very little of these things, or very few of them, were ever sold. Most of them were used by the tenant. Most of them were abandoned.

I think, if your lordship could just refer to Exhibit No. 7, which is the personal property statement and inventory and values, you can see that aside from the top ones which are fixtures there are a number of the things contained in the bottom list which might also be considered fixtures.

THE COMMISSIONER: Well now, Exhibit No. 7 is the personal chattels statement. Exhibit No. 6 is the list.

MR. HUNTER: I thought the inventory had been filed. It will be Exhibit No. 6 then.

THE COMMISSIONER: Yes.

MR. HUNTER: In the house downstairs, the first part it will be seen that, about 10 or 15 items down,

there is a porcelain sink in kitchen.

THE COMMISSIONER: Yes, I had noticed that.

MR. HUNTER: And if we go down further we will probably find some other things, like a toilet, on the same page down below.

THE COMMISSIONER: Yes; the hall sink.

MR. HUNTER: And things of that kind.

On top of it it will be noted that pretty well throughout this, at the time in 1942 the inventory was made, there are a large number of these things shown as home-made and a large number shown as no value. In many cases the claimant in claiming for those has shown "no value". In a number of cases he has. In a number of cases he has claimed for things which are described as poor.

On the second page it will be seen that there is a twenty foot extension cord, poor, fifty cents. One can buy a new one for about a dollar even to-day.

THE COMMISSIONER: Tell me when this inventory was made. Was it soon after the claimant left the premises?

MR. HUNTER: It was made November 17, 1942.

THE COMMISSIONER: When was your father evacuated?

THE WITNESS: August 31.

MR. HUNTER: That is the date shown on this.

Actually I find on the original inventory it was November 12, my lord.

THE COMMISSIONER: Yes.

Were any of these articles sold? Does your analysis help us as to what was sold?

MR. HUNTER: Apparently there were chattels sold to the tune of $157.75.

THE COMMISSIONER: Are the individual prices realized shown on your analysis?

MR. HUNTER: No; only five shown there.

THE COMMISSIONER: Would you prefer to keep this chattel feature of the claim until Wednesday next and perhaps you could then just file some additional analysis so that I might get a better picture of the situation?

MR. HUNTER: Yes.

THE COMMISSIONER: I do not think it will be necessary to have the claimant or his son come again.

MR. HUNTER: No, my lord; it would be merely something which would be informative for your lordship, because as I say most of these things were abandoned or lost. It is a question of giving you something which would give you some basis of comparison.

THE COMMISSIONER: I would like to have it for my own use.

I am quite sure counsel for the claimant would like to have it, in view of the Government defence when it is put in.

MR. HUNTER: I think possibly that would be better because it has been difficult to get anything out of this in the short time available.

Perhaps I had better proceed with the real

property claim.

THE COMMISSIONER: Yes; if you will.

MR. HUNTER: This property, my lord, only had one tender in response to the advertisement.

THE COMMISSIONER: When was it advertised?

MR. HUNTER: In 1944; in August, 1944, I think it was. I do not seem to have a memorandum of the actual date here.

T The offer was rather muddled actually because the offer was made for $10,250 but it included Lot 12 and after some negotiations the tenderer agreed to reduce the offer or to continue his offer on the reduced basis of Lots 10 and 11 for the sum of $8,850, I think.

MR. BREWIN: $8,860, I think it was.

MR. HUNTER: Yes; that is right, $8,860.

He also agreed to buy a number of the chattels for $140 which are specified and which I will include in my analysis.

I think possibly your lordship will get some idea of what happened if I read a notation from this real property summary. It says:

"This property was leased by the Custodian "to Wilfred J. Lovoie for the term of one "year from November 11, 1942, to November 10, "1943, the consideration being $700 payable "$200 on the 31st May, 1943, and $500 on "July 31, 1943. This, however, was reduced "to $500 because of damage to the green-"houses by snow storm by which the tenant

"lost considerable crop and expenditure "made to keep the houses from collapsing.

"This lease was renewed by the "Custodian for a further period of one year "from November 11, 1943, to November 10, "1944, the consideration being $400 of "which only $450 (sic) of this was collected "in cash. The balance was allowed by this "office as a saw-off against a loss caused "by destruction by fire of sawdust bunker "which was rebuilt by the tenant at his own "expense."

Your lordship will realize that there is a distinct difference in the appearance and productive capacity of the greenhouses at the time of sale from the time of evacuation.

THE COMMISSIONER: Yes.

MR. HUNTER: I do not think there is any further information, unless your lordship has something in mind.

THE COMMISSIONER: What was done about the offer?

MR. HUNTER: It was accepted, my lord.

THE COMMISSIONER: It was accepted?

MR. HUNTER: Yes. It was sold to Mrs. Esther Edna Blaeser under an agreement for sale.

THE COMMISSIONER: I suppose subsequently I will be faced with the prospect as to whether in this instance the Custodian is an insurer. Here is a fire which takes place during the period when the Custodian has the property vested in him and

also the damage done to the greenhouse during the same period. Is that a loss for the claimant, for the account of the claimant or should the Custodian bear it?

MR. HUNTER: I do not see how it is in the terms of reference at all. It is a question of whether this property was sold for its fair market value at the date of sale. That would be surely the subject of a separate action if the claimant wishes to contend the Custodian has been negligent in the management of the property and can show negligence as a basis of the cause of action.

THE COMMISSIONER: I thought the Government hoped the result of this inquiry will bring some finality to this whole situation.

MR. HUNTER: That is true, my lord, but the claimant carried no snow insurance, had no fire insurance on the bunker, otherwise it would have been continued.

THE WITNESS: We had fire insurance.

MR. HUNTER: Q. On the bunker? A. Yes.

Q. I do not think so. A. Where does it say in the correspondence?

MR. BREWIN: Does it say in the correspondence?

Of course, my lord, perhaps my friend should put in one or two more letters. It would appear that before the sale was made these things were repaired.

THE COMMISSIONER: Which - the bunker was repaired?

MR. BREWIN: Yes, my lord. The rent was reduced.

Presumably the amount the claimant received in revenue from the property which the Custodian was collecting for his benefit was reduced on account of those things.

THE COMMISSIONER: Of course, it is not for me to dictate to you or Government counsel with respect to the material you have put in, as long as you have your information through examination of the file.

MR. BREWIN: Yes.

THE COMMISSIONER: I am not going to reach any conclusions now, naturally.

Any re-examination?

MR. BREWIN: Yes, my lord. Perhaps this throws a little light on the matter.

RE-EXAMINATION BY MR. BREWIN:

Q. Did your father receive a letter from Mr. Richardson, from the office of the Custodian, describing some of the events which had occurred in respect of your father's property?

A. Yes.

Q. That is a letter dated September 29, 1943?

A. Yes.

MR. BREWIN: And apparently this letter tells us your father was writing and asking for money.

"Our original leasing arrangement on your "property was $700 of which we have received $200 on account. Last spring during an "extremely heavy snow and wind storm the

"old greenhouses on your property nearly "caved in and leaned badly, causing heavy "loss of plants, which when replanted only "yielded a partial crop. The ramp into "the northerly sawdust bunker broke from "rotten timbers and had to be rebuilt.

"Because of the above damage an adjust-"ment in rent was allowed of $200, reducing "it to $500, and we expect to receive the "balance of $300 shortly.

"We already have made arrangements "for the coming season at the rate of $400, "which partially covers the balance of "repairing the sawdust bunker and "straightening and reinforcing the old "greenhouses. The writer personally "inspected this property and the work "being done a few days ago, and a good job "was being done. However, it is running "the tenant to much greater expense than "was reckoned on, which is the reason why "the balance of the rent has not been paid "as yet."

May that be put in as an exhibit?

THE COMMISSIONER: You can put it in under the same ruling.

MR. BREWIN: Thank you.

(LETTER, R.D. RICHARDSON, TO THE CLAIMANT, SEPTEMBER 29, 1943, MARKED EXHIBIT NO. 10)

MR. BREWIN: I imagine the letter speaks for itself.

THE COMMISSIONER: Yes.

Is there anything else, Mr. Brewin?

MR. BREWIN: No, my lord; that is all.

THE COMMISSIONER: Mr. Yamasaki, can you tell me what was the going price at the time of evacuation on farm land under cultivation in the vicinity of Haney. I appreciate it will vary between one property and another but could you tell me, could you just give me an indication? Was it $100 an acre more or less?

A. More than that, my lord.

Q. How much more? A. It depends on the position of the property. I would say around $200 an acre.

Q. You think that was a fair average for land under cultivation which was well cultivated?

A. Yes.

THE COMMISSIONER: I see; all right.

MR. HUNTER: May I ask a question, my lord?

THE COMMISSIONER: Yes.

RE-CROSS-EXAMINATION BY MR. HUNTER:

Q. With respect to this land of yours, was it under cultivation?

A. Yes. It was planted. Some of it was pasture land, some of it was vegetable and raspberries, orchards.

Q. May I have Exhibit No. 4, please, the photograph? I show you a photograph; is that under cultivation?

A. That is just a small strip in between the greenhouses.

Q. You only had 10 acres? A. 20 acres.

Q. On Lots 10 and 11? A. Ten acres on Lots 10 and 11.

MR. BREWIN: There is some confusion. You will remember there was another 33.

MR. HUNTER: But it is not the subject of the claim here.

MR. BREWIN: Yes, it is; there are Lots 10 and 11 in one parcel and Lots 33 and 34.

MR. HUNTER: But they are separate claims filed together here. They were sold separately and we are dealing with them separately.

MR. BREWIN: Yes.

MR. HUNTER: Q. You are saying you think cultivated land is worth $200 an acre. All these greenhouses were on these ten acres?

A. Just on one section of the ten acres.

Q. But, they were on these ten acres and not on the other? A. Yes.

Q. How long are they? A. 180 feet.

Q. And how wide? A. 20 feet.

Q. And in addition to that you have the sawdust bunker and the boiler house on these ten acres?

A. Yes.

Q. And you have your main house and the garden in front of it? A. Yes.

Q. And between the greenhouses the land is not cultivated? A. In this photograph here the strawberries are cultivated.

Q. Yes. A. And all the land is good there.

Q. I show you a photograph showing a greenhouse with the sawdust burner appearing over the top of it. Is there any cultivated land there?

A. That is in 1939, sir.

Q. It was not cultivated in 1939? A. No, but we were busy building the greenhouses in 1940.

Q. How much of these ten acres was in cultivation?

A. Most of it. I would say 80%.

Q. I would say 80% of it was covered with greenhouses. How much of the land was actually in cultivation? You have your home, with the lawn around. You have all the greenhouses and the buildings, sawdust burner and so on, all on these ten acres, and yet you say most of the ten acres was under cultivation. You mean most of what was left was under cultivation?

A. Yes.

Q. That is right.

THE COMMISSIONER: The first property mentioned, I take it, was sold to the V.L.A.?

MR. HUNTER: Yes.

THE COMMISSIONER: And that would have been on the same basis, the valuation being $600 it would have been sold at somewhere around $560 or $570?

MR. HUNTER: I can give you the exact basis.

THE COMMISSIONER: That is all, thank you. Mr. Hunter is going to deal with your chattel claim Wednesday next, Mr. Yamasaki. There is no need for you to come in but understand you are free to come in if you wish to.

THE WITNESS: Thank you.

(PROCEEDINGS ADJOURNED UNTIL MAY 19, 1948)

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

A.G. Veitch.

"A.G. VEITCH"
Official Reporter.

CASE NO:

JAPANESE PROPERTY CLAIMS COMMISSION

Toronto, Ontario,

May 3, 1948.

IN THE MATTER OF THE CLAIM OF

NOBORU YANASAKI

PROCEEDINGS AT HEARING.

Original.

CASE NO:

IN THE MATTER OF THE "INQUIRIES ACT"

PART 1, REVISED STATUTES OF CANADA 1927, CHAPTER 99.

JAPANESE PROPERTY CLAIMS COMMISSION

B E F O R E

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

Toronto, Ontario,

May 3, 1948.

IN THE MATTER OF THE CLAIM OF

NOBORU YANASAKI

PROCEEDINGS AT HEARING

APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
R.A. BEST, Esq.,	appearing for the Claimant.

A. WATSON, Esq.,	Secretary.
D. J. HANDFORD, Esq.,	Official Interpreter.
A. G. VEITCH, C.S.R.,	Official Reporter.

MR. BEST: My lord, I would like to say to you that apparently Mr. Noboru Yanasaki is an old man who has developed a thrombosis recently and, while he is not confined to hospital, he is in bed.

His doctor says it will be a physical impossibility for him to attend not only a hearing now but in his opinion a hearing at any future time.

He has an adult son who informs me he is quite familiar with the claim. I have spoken to Mr. Hunter. I thought I would speak to your lordship with respect to whether you would be prepared to take his testimony.

THE COMMISSIONER: Yes. I have done so on previous occasions where the parent could not speak for himself.

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

A. G. Veitch.

"A. G. VEITCH"
Official Reporter

Case 1034 File 8717

NOV 24 1947

IN THE MATTER OF a Commission to Investigate Claims of Japanese Canadians for Property Losses.

TO: The Commissioner,
Office of the Custodian,
Royal Bank Bldg.,
Vancouver, B.C.

ACKNOWLEDGED

Toronto

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

(1) NAME YAMASAKI (Print) Surname NOBORU Given Name (RCMP) Reg. No. 13844

(2) Pre-Evacuation Address 150 8th Ave. Haney, B. C.

(3) Present Address 247 Albany Avenue, Toronto, Ontario.

(4) REAL ESTATE

(a) Street Address (if any) ..... City or Municipality, Province

Brewis

(b) Legal description (lot number, block number, section number, etc.) amends

(1) Sub. Division 10, 11 ~~and 12~~ Quarter W 1/2 Sec. Lot 20
(2) Sub. Division 33 and 34 Quarter W½ Sec. Lot 20
Municipality of Maple Ridge, B.C.

(c) Type of Real Property (cross out words which do not apply):

(i) Farm
(ii) ~~Residence~~
(iii) ~~Business~~
(iv) ~~Any other type of property (describe)~~

Type of business Hot House and Nursery and Fruits

(d) What was your interest in the property (e.g., sole owner, life tenant, joint tenant, owner of one half or one third interest, leasehold, etc.)

Sole owner

(e) Fair market value at date of sale (estimate this to the best of your ability):

(i) Land - - - - - - - - - - - - - - - - - $ 3000.00
(ii) Buildings - - - - - - - - - - - - - - - $ 13500.00
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - - - - - - - - - - - $ 1400.00
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - $ 17,900
(v) Amount at which Custodian sold property and credited your account - - $ 8,700
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 9,200

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation Left on farm and warehouse on said property

(b) Type of premises in which property left (e.g., house, warehouse, garage, shed, church basement, etc.)

House, garage and basement.

(c) How stored or packed at time of evacuation

(over)

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

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

1.	Miscellaneous chattels, personal articles	Estimated Value $
2.	and implements and farm machinery. Value	Estimated Value $ 3500.00
3.		Estimated Value $
4.	Complete list submitted to Custodian	Estimated Value $
5.	and on Custodian's file. Detailed val-	Estimated Value $
6.	uations will be submitted later.	Estimated Value $
7.		Estimated Value $
8.		Estimated Value $
9.		Estimated Value $
10.		Estimated Value $

TOTAL CLAIM FOR PROPERTY LOSS $ 3500.00

N.B.—If you cannot list all the items here prepare a separate list with values set out opposite each item and attach it to the form. The item "personal property" includes shares, bonds, mortgages, loans, notes and all other forms of property not included in real estate.

(f) Total claim including real and personal property (this figure can be arrived at by adding items 4(f) and 5(e) - $ $12,700.00

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

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

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

DOMINION OF CANADA)
of)
TO WIT:)

I, Yamasaki, Noburo of the City
of Toronto in the County of York

DO SOLEMNLY DECLARE THAT:

The information set out in the form above is true and correct to the best of my knowledge, information and belief and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of 'The Canada Evidence Act".

DECLARED before me at the City)
of Toronto)
in the County of York)
this 19th day of November)
A.D. 1947. F.A. Brewin) A Commissioner &c.

N. Yamasaki

N.B. — THIS FORM FULLY COMPLETED AND SWORN BEFORE A COMMISSIONER SHOULD BE MAILED BY REGISTERED MAIL TO THE COMMISSIONER, c/o THE OFFICE OF THE CUSTODIAN, ROYAL BANK BLDG., VANCOUVER, B.C., BEFORE NOVEMBER 30th, 1947. IF YOU CANNOT MAIL IT BEFORE THIS DATE SET OUT BELOW REASONS FOR THE DELAY.

YAMASAKI, N.
(Claimant's Name)

Lot 33 & 34

REAL ESTATE
(Farm Land)

13844
Reg. No.

LAND	Acres	Date of Purchase	From Whom	Cost Price	Cleared Uncleared or cultivated at date of Purchase	Improvements at date of Purchase	Estimated value at Date of Sale
/ Uncleared	4	1920 Lots 33 & 34	J. Inouye	$500.00	all uncleared		$1000.
Cultivated not planted							
Cultivated and not in crop							
List Crops							
Orchards(pears,apple trees,etc.	3						
Raspberries	1						
Strawberries	2						
Total							

IMPROVEMENTS SINCE PURCHASE OTHER THAN BUILDINGS (e.g. cultivation, plants, trees or special equipment)

Description	When Made	Cost
Cleared 6 acres	1920-1937	$350.00 per acre = $2100.00 (labour and material)

BUILDINGS

Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value

Comments re Appraiser's report not covered by above information:

Assessed Value 1942: Land $940.00
Improvements 300.00

Total $1240.00

EXHIBIT No. 1034-1
DATE 12 May 1948
FILED BY R. A. Brown

Signature

BC-206-P

S.S. Form No. 43
(Sheet 1)

Farm Appraisal Report

File No. JL-139

Land Description Lots 33 & 34 - W½ Sec.20, Plan 1161

Containing 9.46 Acres

Owner's Name N. YAMASAKI Post Office Address Haney, B.C.

Nearest Rail Point Haney, B.C. Distance 1 mile

Market Town New Westminster - local facilities - Distance 24 "

Church (give denomination) Haney - all denominations Distance 1 "

Nearest School Haney, B.C. Distance 1 "

State how property was identified: Map location - corner posts.

Roads: State whether property has access to main road, the kind of road and its condition.

Has direct access to 10th Avenue - good gravel road.

Is this district a good one? Quite good - co-operative marketing.

Employment opportunity Fairly good

Predominating Nationality and religion: Mixed - immediate neighbors-Japanese.

Describe Fencing and its condition: Wire fence on East boundary only Value $

Water supply: Well and electric pump with pressure tank. Value $
Electricity - power available for local distributing line.

8717

BUILDINGS ON FARM

BUILDINGS	DIMENSIONS	MATERIAL	HEIGHT	ROOF	AGE	Foundation	REPAIR	VALUATION
HOUSE	x							
	x							
	x							
BARN	x	(NO BUILDINGS)						
	x							
BARN	x							
	x							
GRANARY	x							
	x							
	x							
	x							
	x							

Total present day value $

Total Value Buildings add to farm nil $

Is dwelling habitable without repairs? If not what is your approximate estimate of cost to make it habitable?

$

Describe the basement and chimneys: nil

No. rooms downstairs? Upstairs? How finished

Are buildings painted? Condition of paint

Distance from nearst bush

EXHIBIT No. 1034-2
DATE 12 May 1948
FILED BY J. W. G. Hunter

Note: Particular care must be taken when examining and reporting on foundations, sills and roofs.

ACRES	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB-SOIL	KIND AND QUALITY OF CROP	VALUE PER ACRE	TOTAL
Lot 33 4.73	Gentle slope to North	Sandy loam 12"-18"	Clay	Sod, few odd fruit trees.	90.00	425.70
Lot 34 1.25	" "	" "	"	Sod only	90.00	112.50

Area which can be cultivated without cost other than for breaking.

LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB-SOIL		VALUE PER ACRE

Area which can be cultivated after a reasonable amount of clearing timber, stones, drainage, etc.

	LEVEL, UNDULATING, ROLLING OR HILLY	SOIL (State Depth)	SUB-SOIL	NATURE OF RECLAMATION NECESSARY	RECLAMATION COST PER ACRE	VALUE PER ACRE	
Lot 34. 3.48	Slight slope to North	Sandy loam 12"-14"	Clay	Bush - alder, etc., some cordwood.	175.00 to 200.00	15.00	52.20

Area Unsuitable for Cultivation.

CHARACTER OF LAND E. G. HILLY, SWAMPY, ROCKY.	NATURE OF TIMBER IF ANY AND WHETHER MARKETABLE	VALUE OF LAND PER ACRE

Total value of Land $ 590.40

Total added by buildings to value of farm $ -

Total fruit trees add to value of farm (for use in orchard districts only) $ -

Total value of farm $ 590.40

Describe condition of farm commenting on tillage, length of time unoccupied or partly occupied:

No crop - old sod.

State most suitable type of agriculture for farm bearing in mind the district's limitations, if any.

Small fruits and similar products.

Noxious weeds:

No serious weed situation.

Give approximate detail and amount of all annual taxes and names of Taxing Authorities:

Maple Ridge Municipality Assessment.

Assessment	Imp.	Land	
Lot 33 -	250.00	470.00)	1942 Taxes (Lot 33-$17.60
" 34 -	50.00	470.00)	(" 34-$15.40

Date:

Place: New Westminster, B.C.

I certify that the above report is based on a personal examination of the whole farm made on the 21st day of May 1942.

Inspector's Signature "D. DODDING"

Note: (Use Form 43 (Sheet 2) in connection with this form.)

JL 139 - N. YAMASAKI

Farm Appraisal Report

Remarks: This holding consists of Lots 33 & 34, Lot 33 being the height of land and all cleared. Lot 34, to the north, is a bush lot; it is heavy clearing but carries a fair amount of alder that could be taken out for firewood during the clearing process.

The property is well located and would lend itself well to the growing of small or tree fruits; also due to elevation and drainage on Lot 33, would be suitable for poultry raising.

There is indication of some float stone where the land passes off the ridge of Lot 33 to Lot 34, but judging from the lie of the land and adjacent properties, I do not think this condition is in serious proportions.

(FOR ORCHARD LANDS ONLY)

REMARKS: re general lie of land, fertility of soil, irrigation, drainage or dyking and reclamation.

nil

ANNUAL COST OF IRRIGATION, DYKING AND DRAINAGE.

nil

ORCHARDS, SMALL FRUITS, ETC. (Give number, age, variety and condition of all tree fruits, condition and area of each kind of small fruits.)

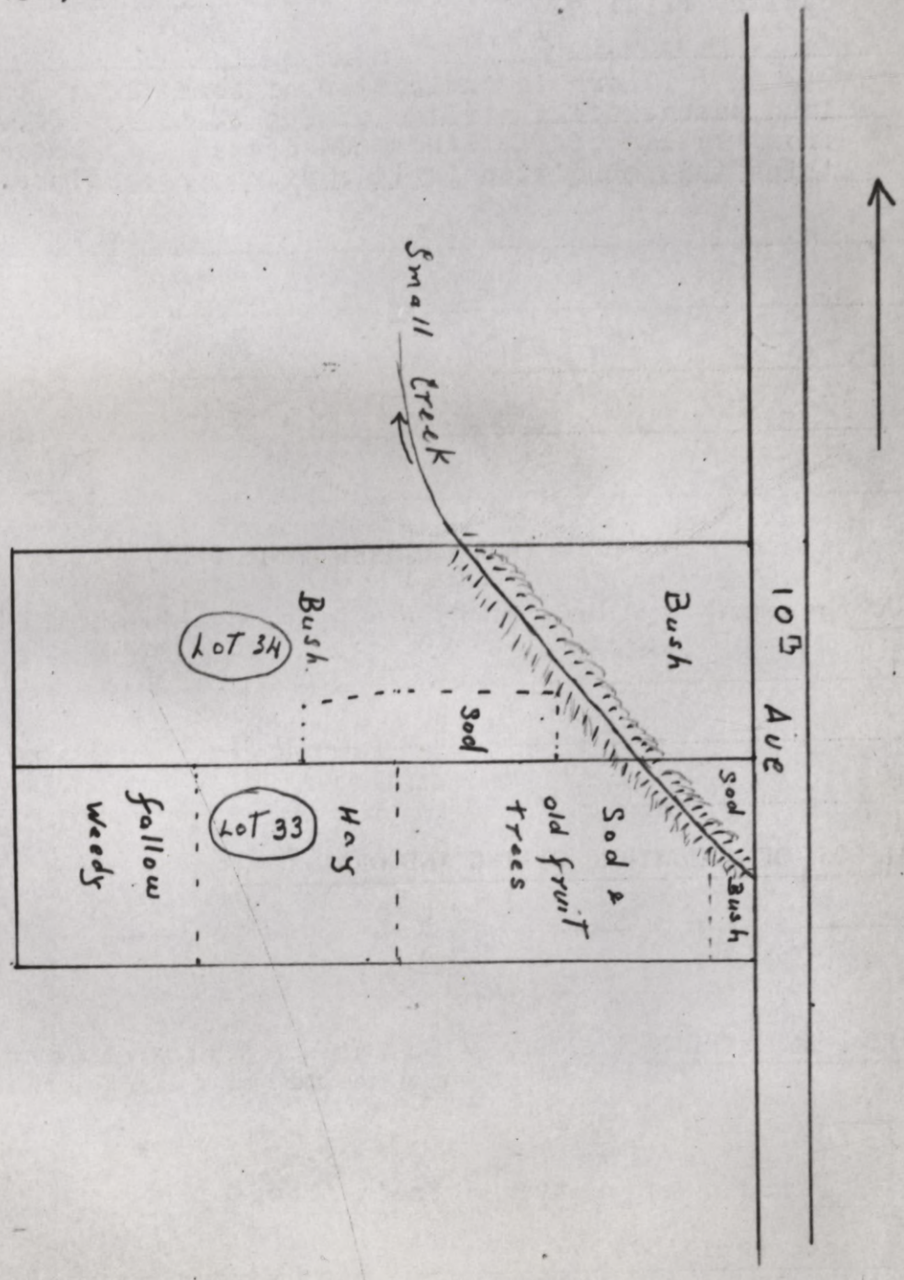
	Present Value
A number of scattered fruit trees of no	$
commercial value.	$
	$
	$
	$
	$
	$
	$
	$
Total	$

Amount fruit trees add to value of farm $

Diagram of Property

Pcl. 33 and 34 of W½ of DL. 20, Sketch - 1161 - 9.46 ac.
N. Yamasaki.

Scale - 200' To 1"



Following careful review of this appraisal report, it is my opinion that the present value is $ 600.00

Date 26th May 1942.

"I.T. BARNET"
District Superintendent.

REAL ESTATE
(Farm Land)

YAMASAKI, N. — 13844
(Claimant's Name) — Reg. No.

LAND	Acres	Date of Purchase	From Whom	Cost Price	Cleared Uncleared or cultivated at date of Purchase	Improvements at date of Purchase	Estimated value at Date of Sale
Uncleared	Lots 10 & 11	1919	T. Masuda	$2500.00			$2000.00
Cultivated not planted							
Cultivated and not in crop							
List Crops							
Greenhouses, buildings on land	10						
Total							

IMPROVEMENTS SINCE PURCHASE OTHER THAN BUILDINGS (e.g. cultivation, plants, trees or special equipment)

Description	When Made	Cost	
Cleared, cultivated, planted, property fenced.	1920 etc. to 1938	$3500.00	Labour and materials, hired 2 men, team of horses. (Property heavy with stumps cost $350. per acre to clear)

BUILDINGS

Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Value of Own Labour	Allowance for Depreciation	Estimated Value
House-2storey	40x48	Stucco	1939	$5000.00	$1000.00	$4000.00	$500.00	$9500.00
Garage(concrete base)	16x24	Frame	1934	200.00		50.00	150.00	100.00
Shed	10x12	"	1929	75.00			35.00	40.00
Packing House	16x24	"	1941	250.00		50.00	new	300.00
Root House	16x60	"	1925	350.00			150.00	200.00
Pump House	8x8	"	1939	50.00		25.00	25.00	50.00
Barn (shake hips roof)	35x40	partly concrete base	1940	500.00		400.00	none	900.00
Sawdust bunker	30x60		1937					
(2 storey) tin roof	44x50	"	1940	1800.00		900.00	500.00	2200.00
2 Boiler Rooms	20x40		1936	600.00	for labour and material			600.00
8 Greenhouses (cement foundation)	3-18x186 5-20x180	Frame & glass	1941 1936-1939.	4500.00 5000.00	approx. $1000.	$7000.00	5000.00	12500.00
								$ 26390.00

Comments re Appraiser's report not covered by above information:

Large sunken garden in front home 200' x 200'
Offer of $24,000 made before evacuation. Location of farm is excellent-close to town,school,etc.-had resevoir 20x20x20

Custodian rented property for $700.00 a year.
Assessment 1942: Land $1000.00
Improvements-10500.00

Total $11500.00

EXHIBIT No. 1034-3
DATE 12 may 1948.
FILED BY L.a. Brown

Signature

1941

1938

EXHIBIT No. 1034-4
DATE 12 May 1948
FILED BY J. A. B reeves

1941

40's smoke stack 1938

1940

1939

SOLDIER SETTLEMENT OF CANADA

YOUR FILE NUMBER.....

PLEASE QUOTE FILE JL-139

518 Rogers Building,
Vancouver, B.C.
November 17th, 1942.

Mr. Noboru Yamasaki,
#13844,
Slocan Extension, B.C.

Dear Sir: Re: Lots 10,11,12,33 & 34 of the W½ of Sec.20,Tp.12,Plan 1161.

We understand that prior to your leaving the area you tried to dispose of your greenhouse property at Haney. We now have an enquiry as to the price and terms that would be acceptable to you.

A self addressed envelope is enclosed for your reply.

28,000.00 - asked
$27,000.00

Yours truly,

I.T. Barnet,
DISTRICT SUPERINTENDENT.
Per- [signature]

EXHIBIT No. 1034-5
DATE 12 may 1948
FILED BY R. a. Brewin

GTM/W

S.S. 516

File No. 8717

November 17, 1942.

Name: Noburo YAMASAKI

Reg.No. 13844

Address: 150-8th Ave., Haney, B.C.

made Nov 17 '42

INVENTORY OF CHATTELS FOUND ON PROPERTY

		Estimated Value
1	Electric Pump & Motor (Leland)	150.00
1	Small Boiler (No Name)	400.00
1	Large " (The Williams Hamilton Manufacturing Co.)	600.00
1	Large " (No Name)	700.00
	Total -	$1,800.00

NOTE: The claimant has included the above inventory in his claim for personal chattels. The question that arises is whether the above were sold as fixtures with the land? Also, the question arises whether the appraiser included the above fixtures in his appraisal of the property.

In House (Downstairs)

2	Dining tables)	115.00
5	" chairs - Good hardwood)	
1	" arm chair)	
1	Wall clock	8.00
1	Heater	15.00
1	Sofa	10.00
2	Large Tables (HM)	8.00
3	Kitchen chairs (2 Poor)	3.00
2	Benches	1.00
1	Kitchen cabinet (cont. nothing of value)	3.00
1	Plant stand (HM)	1.00
2	Framed pictures	5.00
1	Small Holy Cross	
1	Bill holder (wood)	
1	Porcelain sink (in kitchen) — X	15.00
1	Lunch kit	1.00
1	Cream pitcher	1.00
1	Small ornamental elephant	
1	Tea leaf strainer (for sink)	
1	Mixing bowl	
1	Rolling pin	
1	Enamel pot lid	
1	Doz. Sake bottles	
1-1	qt. sealer	
1	Milk bottle	
1	Wicker basket cont.	
	child's bat.	
	1 soap holder	
	1 small tin bowl	
	1 cream whipper	
	2 vegetable graters	
1	Kitchen range (McClary) with sawdust burner	100.00
1	Broom (broken handle)	No value
1	Wall mirror	1.00
1	Toilet (good) —— X	30.00
1	Wall sink (good) — X	45.00
2	Medicine cabinets	3.00
1	Mop (dry))	
1	Towel rack (poor,HM))	
1	Monophone) No value	
1	Clothes cabinet (HM))	
1	Hat rack)	

(continued)

EXHIBIT No. 1034-6

DATE 12 may 1948

FILED BY J. A. Brewin

INVENTORY OF CHATTELS FOUND ON PROPERTY
OF
YAMASAKI, Noboru - #13844.
150-8th Ave., Haney, B.C.

In House (downstairs) cont.

1	Bed, spring & Mattress (mattress good,bed fair)	35.00
1	Desk cont.	20.00
	Ctn. of Jap. Cards	
	2 Jap. books	
	Personal papers	
1	Bedspring (good)	15.00
1	Dresser	35.00
1	Clothes brush holder	.50
2	Ctns. cont. old clothes)	
1	Box cont. old clothes) No value	
1	Record cabinet (no records)	
1	Wash stand	1.00
1	Small table (HM)	3.00
1	Ctn. cont. misc. Jap books	10.00
1	Sml. magazine rack with handle	1.00
1	Sml. gramaphone (NG, has been smashed)	
1	gal. tin cont. "Mistocede" (½ full)	3.00
1	Wall coat rack	2.00
2	Fire light fixtures.	5.00
1	Dining room light fixture (good)	15.00
1	Sml. pair drapes and rod.	12.00
3	prs. full window drapes with rods.	15.00
6	prs. curtains with rods	10.00
1	extension cord.	.50
20'	Hemp rope (laundry line)	.50
1	roasting pan.)	
1	large Lard pail)	1.00

In House (Upstairs)

5	Beds, springs, and 4 mattresses.	150.00
2	Tables (HM)	10.00
3	Dressers.	50.00
1	Window screen.	1.00
1	Extension cord.	.50
1	Coloured lamp chimney.	.50
1	school atlas (poor)	.50
2	Picture frames.	1.00
1	Radio (old, NG, in pieces) - No value	
1	Cream separator (NG)	2.00
20'	extension cord (poor)	.50
2	school suitcases (poor)	1.00
2	prs. curtains	5.00
8	window blinds	10.00
	small quantity misc. Magazines on HM shelf. (No value)	
8	curtain rods.	5.00
4	extension cords. (in use)	1.00
1	blanket (NG) - No value	
1	chair (short legs)	1.00

In Bath House

1	45 gal. oil drum.)	
1	Water pail.)	5.00
1	radio speaker (poor)	

In Garage

2	cords of stove wood.	5.00
1	Wheelbarrow	5.00
1	chopping block (No value)	
1	Blacksmith's forge	5.00
1	Metal mail box	2.50
18	Jam crates (No value)	
3	Water pails (poor)	1.00
	small quantity of old clothes (No value)	

(continued)

INVENTORY OF CHATTELS CONTINUED

In basement

1	Kitchen cabinet cont: 1-3 Section Jap. box 1 Round wooden brass bound tub 1 Iron pot.	25.00
1	Cooler (poor)	1.00
3	lanterns (poor, no glass)	1.00
4	Auto tires (poor)	25.00
1	Truck tire (poor)	50.00
1	Tire with metal cover (fair)	15.00
5	Barrels (poor)	10.00
1	Iron trap	.50
11	Jap. tubs	6.00
1	Shoe shelf (HM)	3.00
1	Table, with bins (NG)	.50
6	Shovels	8.00
1	Large scoop shovel (horse drawn)	15.00
3	DB axes (2 no handles)	3.00
2	Potato forks (1 broken handle)	3.00
1	Mattock	2.50
1-8'	Cross cut saw	10.00
1	Large sawdust shovel	3.00
1	Manure fork	2.00
1-6'	chain, with 2 hooks	4.00
1-3	gal. stone crock	
2	Plows	50.00
2	Cultivators (horse drawn)	40.00
1	Section spike tooth harrow	10.00
1	Heater (poor)	5.00
1	Tea kettle	.50
1	Wine jug	.25
1	Enamel Sink	3.00
1	Car steering wheel (old) (No value)	
1	Car windshield, complete with glass	5.00
1	Small iron chopper	2.00
20	Sake Bottles	.50
1	Wooden rice pounder (HM)	5.00
1 -	5 gal. oil can with funnel.	.50
1	Bicycle frame	1.00
1	Sprayer	3.00
Small	quantity mixed lumber	50.00
12'	1/4" hose	.50
2 -	8' 1½" pipes	5.00
1 -	4' crow bar	2.00
2 -	50# sacks fertilizer	3.00
1	pr. hand pruners	2.00
Small	quantity old clothes (No value)	
1	Hammer	.50
1 -	45 gal. oil drum	3.00
3 -	5 gal. paint pails	1.00
1	Fishing rod & reel (very poor)	2.50

(continued)

INVENTORY OF CHATTELS CONTINUED

	Estimated Value
In Sawdust Bunker (near house)	
50' ¼" cable) 50' ⅜" cable) 30' ½" cable (poor)) 25# Berry wire (used) 1 - 12' Ladder.)	75.00
In Sawdust Bunker (#2)	
50# Berry wire (used)	10.00
2 Large iron wheels, with axles	25.00
1 - 3½' x 8" casting	12.00
1 Truck pick-up box (steel)	10.00
Lge. quantity of greenhouse flower pots (under driveway)	200.00
Large quantiy of plant boxes, for greenhouse (HM)	50.00
In Boiler Room (#2)	
20' ¼" pipe (for cleaning flues)	10.00
20' 3" pipe (poor))	
1 - 7' Cross cut saw	8.00
Part of trailer, consists of 2 auto wheels & poor under frames	15.00
In Boiler Room (near house)	
12 Empty boxes (glass containers)	No value
In Greenhouses	
2 - 45 gal. oil drums	6.00
50' 1" hose - Heavy duty brand	10.00
In Chicken House (downstairs)	
Small quantity misc. lumber	25.00
1-1 cylinder motor, on wooden stand (old) International	25.00
3 Large milk cans (old)	1.00
15 lge. vegetable crates	.50
1 Drum heater (poor)	5.00
Small quantity knock-down boxes	50.00
1 Dandy Duster	3.00
12' ½" hose	3.00
In Chicken House (upstairs)	
Large quantity knock-down boxes	175.00
50# Berry wire (poor)	5.00
4 Large crates cont.tomato baskets (new)	20.00
Large quantity of misc. articles of no value	
In Barn	
1 - 8' ladder	3.00
4 Ton of hay (approx.)	80.00
1 - 45 gal. oil drum (upstairs)	3.00
3 Bales of paper excelsior (upstairs)	6.00

(continued)

November 17, 1942

INVENTORY OF CHATTELS CONTINED

	Estimated Value
In Yard	
1 DB axe	1.00
1 Shovel	1.50
Quantity of berry trays (poor)	15.00
1 Disk harrow	25.00
1 Cord mixed wood	5.00
1 - 2 wheel trailer (iron wheels, HM)	15.00
75 Empty boxes (glass containers)	No value
4 Boxes cont. misc. pipe ends & scrap metal	1.00
Large quantity of old pipe (scattered around)	50.00
1 Pipe vise (on bench)	5.00
18 Boxes cont. broken glass	(No value)
1 Car motor (on wooden platform)	75.00
50 HM plant boxes (for greenhouses)	15.00
5 bundles of bean poles	2.00
Small quantity of mixed lumber	15.00
3 - 45 gal. oil drums (boxed, by greenhouses)	10.00
1 - 14' ladder (HM)	1.50
1 - 10' " "	1.00
1 Carton, cont: 1 Emery wheel, 1 Generator, Misc. cultivator attachments	10.00
Large quantity of poles, 1½" x 2"	20.00
1 Truck pick-up box (steel)	10.00
In Packing House	
40' ½" hose (poor) 20' 1" " 50' 1" " 40' 1½" "	20.00
Large quantity knock-down boxes (new)	100.00
Large galv. wash tub	2.00
1 Watering can	1.00
1 Carpenters brace	2.00
2 Berry trays	.50
Paper for cucumbers & tomatoes	20.00
Sawdust 280 units	400.00
Pipe threader & cutters	40.00
Pipe wrenches	25.00

This represents all my chattels remaining in any protected area of British Columbia.

Confirmed

Date..... Signed.....

SUMMARY

	$1,800.00
	2,918.75
TOTAL -	$4,718.75

YAMASAKI, Noburo
(Claimant's Name)

PERSONAL CHATTELS

13844
Reg. No.

Description of Major Items (and particularly of goods lost, stolen or destroyed)	Approximate Date Purchase	New or Used When Purchased	Price Paid	Condition when Evacuated	Estimated value at Date of Evacuation
(1) Dining Set (Complete)	1937	New	135.00	Good	115.00
(2) Kitchen range with Sawdust Burner	1930	New	175.00	Fair	100.00
(3) 1 Dresser	1937	New	57.50	Good	35.00
(4) 1 Electric Pump & Motor	1935	New	225.00	(Good working)	150.00
(5) Boilers - (a) Small	1936	Used	200.00 plus transportation, setting & labour	Good	400.00
(b) Large	1938	Used	600.00	Good	600.00
(c) Large	1940	Used	700.00	Good	700.00
(6) Large Quantity Boxes	1941	New	200.00 (approx.)		175.00

Description of Storage of Goods:

General Statement as to Chattels not Described above:

EXHIBIT No. 1034-7
DATE 12 may 1948
FILED BY J. A. Brewin

Additional Comments, if any:

Signature

YAMASAKI, Noburo

150-8th Avenue, Haney, B. C.

File #8717 Reg. No. 13844

Taken March 5, 1943.

EXHIBIT No. 1034-8

DATE 12 may 1948

FILED BY

J. W. G. Hunter.

THIS SAWDUST BUNKER & BOILER ROOM BLDG
WAS DESTROYED BY FIRE Nov 6/43

EXHIBIT 1034 - 9

DATE 12 May 1948

FILED BY

J.W.G.Hunter

R.R. 1, Whonock, B. C.
April 14th 1944

Dept of Secretary of State.

Dear Sir.

Pleasefind below appraised value of the following property

No. 586	8 Greenhouse	value	$3500.00
	Equipment		500.00
	House		4000.00
	Land 10 acres		1000.00
		Total value	9000.00

Lot 10 & 11 W½ of Sec 20 T.P.12 No.586. Three of the greenhouse are good but sills show sign of Decay. The other 5 are in very poor condition being RACKED BADLY with snow. Boiler house and swadust shed are tempory as the original was destroyed by fire. The house looks very nice outside but only 2 rooms are realy finished out of 9 rooms and bath. There is no hot water connections of any kind and water supply is uncertain. The upstairs containing 5 rooms is not finished. There is no furnace and house must be heated by stoves. House is of wood and frame construction.

"Wm H. Ansell"

Appraiser

Appraisal charge $15.00

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

July 2nd 1948

_____

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131
PLEASE REFER TO
FILE NO. 8717

506 ROYAL BANK BLDG.,
HASTINGS AND GRANVILLE
VANCOUVER, B.C.

29th September, 1943.

EXHIBIT No. 1034-10
DATE 12 may 1948
FILED BY L. A. Brown.

Mr. Noboru YAMASAKI,
Registration No.13844,
Lemon Creek, Slocan, B.C.

Dear Sir:

Your letter of September 14th has been referred to this department for attention, and in reply to your request for funds we enclose herewith our cheque in the amount of $25.00 from funds held to your credit here. We regret this amount is all that is available at present after paying your taxes and liabilities.

Our original leasing arrangement on your property was $700.00 of which we have received $200.00 on account. Last spring during an extremely heavy snow and wind storm the old greenhouses on your property nearly caved in and leaned badly, causing heavy loss of plants, which when replanted only yielded a partial crop. The ramp into the northerly sawdust bunker broke from rotten timbers and had to be rebuilt.

Because of the above damage an adjustment in rent was allowed of $200.00, reducing it to $500.00, and we expect to receive the balance of $300.00 shortly.

We already have made arrangements for the coming season at the rate of $400.00, which partially covers the balance of repairing the sawdust bunker and straightening and reinforcing the old greenhouses. The writer personally inspected this property and the work being done a few days ago, and a good job was being done. However, it is running the tenant to much greater expense than was reckoned on, which is the reason why the balance of the rent has not been paid as yet.

Yours truly,

R D Richardson

R. D. Richardson,
Farm Department

OCT 6 - 1943

R.D. Richardson
Farm Supervisor

WEA:GF
Encl:

Apr19th 1948.

The Custodian,
Department of Secretary of State,
675 W. Hastings St.,
Vancouver, B.C.

Dear Sir,

We enclose herewith letter received from N, Yamasaki, Reg.No.13844, asking for statement re his property.

Yours truly,

Enc.

VW.

April 19th 1948.

Mr. N. Yamasaki,
247 Albany Ave.,
Toronto 4, Ont.

Dear Sir,

We acknowledge receipt of your letter of the 18th inst, asking for statement regarding your property. We have referred your request to the Office of the Custodian for attention. You will understand that we have not the necessary records in this office.

Trusting that you will receive the required information in due time,

Yours truly,

A. WATSON
Per.
SECRETARY

VW.

September 9th 1948.

F. G. Shears, Esq.,
Custodian,
675 W. Hastings St.,
Vancouver, B.C.

Dear Mr.Shears,

Re Case 1034 Toronto - Noboru YAMASAKI
Your file 8717, Reg.No.13844

Referring to your letter of the 8th inst.- We find on checking our records that the chattel feature of the above claim was not spoken to on the following Wednesday, and consequently there is no transcript dealing with the matter.
We do not know whether this was an oversight or not, but in any case no additional hearing of the above claim took place.

If any additional analysis of the chattel claim has been compiled, it would be advisable to have this filed, so that the Commissioner would get a better picture of the situation.

Yours truly,

A. WATSON
Secretary,

AW/W.

CANADA

DEPARTMENT OF THE SECRETARY OF STATE
OFFICE OF THE CUSTODIAN

JAPANESE EVACUATION SECTION

PHONE PACIFIC 6131
PLEASE REFER TO
FILE NO. 8717

506 ROYAL BANK BLDG.
HASTINGS AND GRANVILLE
VANCOUVER, B. C.

September 8, 1948.

Mr. A. Watson, Secretary,
Japanese Property Claims Commission,
Court House,
Vancouver, B.C.

Dear Mr. Watson:

Re: Case 1034 - Toronto - Noboru YAMASAKI
File 8717, Reg. No. 13844

With reference to the above case, we find on reading the transcript, that on page 27 Justice Bird suggested the chattel feature of the claim be held over until the following Wednesday, when some additional analysis could be filed. Mr. Hunter agreed to this.

We do not appear to have any transcript covering the proceedings of this chattel claim. Will you kindly check your records and advise us what took place.

Yours very truly,

F. G. Shears per G.N.

F.G. Shears,
Director.

FGS/GN