Name of Claimant AOMOTO, Ichiji Case 183

Custodian File 7008

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	
					1779		1401.24				1401.24

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

TOTAL RECOMMENDATION	1401.24

CASE NO. 183

JAPANESE PROPERTY CLAIMS COMMISSION

Vernon, B.C.

April 21, 1948

IN THE MATTER OF THE CLAIM OF

ICHIJI AOMOTO

PROCEEDINGS AT HEARING.

Original

CASE NO. 183

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

(HIS HONOUR, JUDGE J.R. ARCHIBALD, SUB-COMMISSIONER)

Vernon, B.C.

April 21, 1948

IN THE MATTER OF THE CLAIM OF

ICHIJI AOMOTO

PROCEEDINGS AT HEARING.

APPEARANCES:

D.S. McTAVISH, Esq.,	Appearing for the Dominion Government.
R.J. McMASTER, Esq.,	appearing for the Claimant.

T.J. MARRION, Esq.,	Secretary to Vernon sub-Commission.
G.N.R. UPTON, Esq.,	Official Interpreter.
G. HAMBLETON, Esq.,	Official Reporter.

MR. McMASTER: I would like to call the first case on the list today, Mr. Aomoto.

ICHIJI AOMOTO, the Claimant herein, being first duly sworn, testified through the interpreter as follows:

MR. McMASTER: I would ask in this case, your honour, to amend the claim form by reversing the values shown on land and buildings, which will leave the total value the same, $4500.00 -- the land $2500.00 and the buildings $2000.00. In this case, as in most cases in British Columbia, your honour, the claimants drew these forms without the benefit of legal advice, and, as your honour will appreciate, it is extremely difficult to separate the values of lands and buildings.

THE COMMISSIONER: Well, I suppose there is no objection.

MR. McTAVISH: No, objection, none at all.

DIRECT EXAMINATION BY MR. McMASTER:

Q: Witness, I produce to you a statement with regard to the real estate with respect to which you are making a claim. Did you instruct me to draw this statement and is this your signature appearing on it? A: Yes.

Q: And are the statements contained therein true to the best of your knowledge and recollection?

A: Yes.

MR. McMASTER: I would ask to file that as Exhibit No. 1.

(STATEMENT MARKED EXHIBIT NO. 1)

MR. McMASTER: I would ask whether my learned friend wishes me to file on his behalf the appraisal --

I am sorry; he can't in this case, because I don't think he has the right appraisal. I would ask, in this case, your honour, that crown counsel be asked to produce a proper appraisal of the lands and premises; the appraisal that was delivered to me is the appraisal of the property adjacent to this man's property, although it bears his name. I think I pointed that out to crown counsel. I think he agrees that statement is correct.

MR. McTAVISH: Your honour, in regard to that, many years ago evidently there was a mistake at the Land Registry Office, and this man was registered as owner of the adjacent property. This was corrected by the Custodian. We are not at all certain as to whether this is on his actual property or on the property originally registered in his name. I suggest that my friend ask him if he can identify the property diagram shown on the appraisal form.

MR. McMASTER: If you would produce your appraisal form, I would be glad to do that.

Q: Witness, I produce to you what purports to be an appraisal of land registered in your name made by the Soldier Settlement Board. On page 4 of that appraisal there is a diagram outlining the land appraised. Is that your land?

A: Yes.

Q: I would ask you to note on that diagram that at the westerly side of the lot is 14th Avenue and on the southerly side is -- is it 54 road?

A: He doesn't know the number of the road.

Q: Now was the land with respect to which you are making a claim situated on the corner of this road and 14th Avenue? A: Yes.

Q: Who was your neighbour who had land immediately south of your land?

A: Osato and Furukawa.

Q: Osato is immediately south of your land. Was there a road separating your property from Osato's property?

A: No, there wasn't.

Q: And on the south side of Osato's property, was there a road? A: Yes.

Q: Yes. Well, then, if Osato's property was immediately south of yours and there was no road between you, taking that into consideration, do you agree that that is a proper diagram of your land?

THE INTERPRETER: Would you give me that again?

MR. McMASTER: If Osato's property was immediately south of here and there was no road separating them, would he agree that that is a proper diagram of his land?

A: There was a mistake between Osato's property and my property at the time of evacuation; the numbers of the titles were in error.

Q: Yes, but what I want to know, witness, is whether this is your land or whether this is Osato's land that is shown on that diagram here.

THE INTERPRETER: He can't understand the plan, Mr. McMaster, he can't read it.

MR. McMASTER: Well, I'll go at it another way, then. Your honour, I would ask to stand this witness down and call the son who, I think, speaks English.

MR. McTAVISH: Your honour, it seems to me there is quite a bit of doubt about this. I will undertake to either verify this appraisal or produce a correct appraisal and put that in for what it is worth in the meantime.

THE COMMISSIONER: Is that satisfactory to you, Mr. McMaster?

MR. McMASTER: I would like this to be clearly marked to show there is some question as to whether it is the proper appraisal or otherwise.

THE INTERPRETER: He says he cannot read this, and asks whether his son can come in.

THE COMMISSIONER: I think probably your suggestion that we stand this witness aside and call the son might clear it up.

MR. McMASTER: I think it might. Witness, would you stand aside for a minute and I will call your son.

(Witness aside.)

KIYOSHI AOMOTO, a witness called on behalf of the claimant, being first duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. McMASTER:

Q: Witness, how old are you? A: Twenty-four.

Q: You are the son of the claimant? A: Yes.

Q: Did you reside on the farm with respect to which your father is making a claim prior to your evacuation? A: Yes.

Q: I produce to you a farm appraisal report that my friend has produced showing a piece of property and on page 4 thereof is a sketch of the property.

Can you identify the property in that sketch?

A: Yes, I can.

Q: Whose property is it?

A: That is Mr. Osato's, and then next door was ours.

Q: It would be to the north of the property shown on that sketch? A: Yes.

Q: Was there any roadway between Mr. Osato's place and your father's place? A: No.

MR. McMASTER: Your witness, Mr. McTavish.

MR. McTAVISH: No questions.

MR. McMASTER: I wonder if we should have this marked as an exhibit, in view of all the discussion?

MR. McTAVISH: I don't see any point of putting that in if it is not the correct property, your honour; it is just crowding up the record.

MR. McMASTER: That is all.

(Witness aside)

ICHIJI AOMOTO, recalled:

DIRECT EXAMINATION BY MR. McMASTER RESUMED:

MR. McMASTER: You are still under oath, witness.

(Interpreted)

Q: Now this property, witness, is about two and a half miles from Haney, is that correct?

A: Yes.

MR. McMASTER: I just draw your attention, your honour, to the fact, as shown in the statement, that the property was purchased in 1919 with one acre only cleared and no improvements, at a cost price of

$1500.00. Since that time the claimant has cleared six and a half acres and has planted crops as shown on his statement. He put in wooden drainages and put in 80 plum trees and ten mixed fruit trees, which were all bearing at the time of his evacuation, and he dug two wells on the property. Then he erected a house, as shown on the statement, and various other buildings.

He states that he hasn't got the right appraisor's report so that he can't very well comment on what the appraisor had to say about his lands.

He also states that, being required to leave in May, 1942, he leased his farm to one A.L. Wice for $700.00 for the first nine months to include growing crops and at an annual rental of $350.00 thereafter. He does not consider this to be a fair rental, but made the arrangement as he had to leave and he did not expect to be away long.

He states that he has no expert knowledge of the value of land and he doesn't know on what basis it was appraised by the Soldier Settlement Board, but that he believes that his land and buildings were worth at least $4500.00, which is the amount of his claim.

Q: Now, witness, I produce to you a picture. Disregarding the persons who are in that picture, what is that a picture of?

A: That is my house.

Q: Yes, in the background of that picture is your house.

A: Yes.

Q: And approximately when was that picture taken?

A: He says it is written behind.

Q: You had made a note on the back as to the date?

A: He says it is written behind.

Q: Yes, that is April, 1942, just before you left.

A: Yes.

MR. McMASTER: I file that as the next exhibit.

(PHOTOGRAPH MARKED EXHIBIT 2.)

Q: Now, witness, you said in your statement that you had entered into a lease with A.L. Wice. I produce to you a copy of a lease; is that your signature on that document?

A: Yes.

Q: And did Mr. Wice sign that while you were present?

A: Yes.

MR. McMASTER: This, your honour, purports to be a farm lease dated the 15th day of May, 1942, between this claimant and A.L. Wice covering the sub-division 1, south-east quarter of Section 32, Township 12, Roll 2903, for nine months from the first of May, 1942, and paying $800.00 for that period. I would draw attention to the fact that at the end of the lease it states that "it is understood and agreed that the rental price of $800.00 includes payment in full of $100.00 for one horse," so that in his statement he said it was $700.00. On page 2 of the lease it sets forth that "it is understood and agreed that the annual rental for the year 1943 and subsequent years until the return of the lessor shall be $350.00 per annum." At the top of page 2 on the

lease it sets out the crop which was in cultivation at the time that the property was leased, being three acres of strawberries, two acres of raspberries three-quarter acres of asparagus, some rhubarb and some fruit trees.

I don't know whether my learned friend would like me to file that. We try to avoid cluttering up the record if we can.

THE COMMISSIONER: Have you seen it before?

MR. McTAVISH: No, I haven't seen it.

THE COMMISSIONER: If you wish to look at it, then, we will wait half a minute. Do you wish to put it in, Mr. McMaster?

MR. McMASTER: I don't think it is necessary to put it in; I have read the essential parts into the record. My friend may wish it filed.

MR. McTAVISH: I have no reason to have it filed.

THE COMMISSIONER: Very well.

MR. McMASTER: Q: Now, witness, I produce to you an insurance policy. Is that an insurance policy on your house and on some of your furniture?

A: Yes.

MR. McMASTER: This, your honour, is an insurance policy, No. 205706 with the Northwest Fire Insurance Company, Vancouver Branch, covering the claimant with respect to farm property described as sub-division 1, south-east quarter of Section 32, Township 12, Municipality of Maple Ridge, showing the insurance on the dwelling house and its additions communicating and in contact therewith, one-half storey, frame, shingle, for

$1400.00, the balance of the property covers household contents. I will show that to my learned friend, and then I don't think it will be necessary to file the policy unless he wishes it filed.

MR. McTAVISH: No, I don't.

MR. McMASTER: Would my friend agree it is not necessary to file it?

MR. McTAVISH: It is not necessary to file it.

MR. McMASTER: Your witness.

MR. McTAVISH: No questions, your honour.

THE COMMISSIONER: The witness may be excused.

(Witness aside.)

MR. McTAVISH: Your honour, it is submitted that the real property here was sold for its fair market value.

I would like to put in as exhibit 3 a tax statement for the year 1942 covering the correct property showing the assessed value of the improvements to the property as $1300.00 and the assessed value of the land at $600.00.

MR. McMASTER: If my friend wishes me to admit those were the assessed values, we might avoid cluttering up the record with the document.

MR. McTAVISH: You are willing to admit it?

MR. McMASTER: Yes, I am willing to admit those were the assessed values for that year.

MR. McTAVISH: That is all, your honour.

(PROCEEDINGS ADJOURNED SINE DIE)

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

Gordon Hambleton
"G. Hambleton"
Official Reporter.

I hereby certify that the foregoing Transcript purports to be an accurate record of the evidence adduced before me.

J. Archibald
(SUB-COMMISSIONER

Case No 183

NOTIFIED Nov 25 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

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

(1) NAME AOMOTO (Print) Surname ICHIJI Given Name (Mr.) (RCMP) Reg. No. 13724

(2) Pre-Evacuation Address 14th Avenue Haney B. C.

(3) Present Address R. R. 1, Oyama, B.C.

(4) REAL ESTATE

(a) Street Address (if any) Maple Ridge, City or Municipality, Haney, Province B. C.

(b) Legal description (lot number, block number, section number, etc.)
Lot 1 of the South Half of the South East Quarter of Section 32, Township 12, Map 3871 District of New Westminster, C. ofE. 52445

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

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

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

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

(i) Land - - - - - - - - - - - - - - - - $ 2000.00
(ii) Buildings - - - - - - - - - - - - - - - $ 2500.00
(iii) If business, put value on business as going concern (including land and buildings, tenancies, chattels, fixtures, stock-in-trade, goodwill and accounts receivable) - - - - - - - - - - - - - - - $
(iv) Total value (if you cannot give separate values for lands and buildings just fill in total value) - $ 4500.00
(v) Amount at which Custodian sold property and credited your account - - $ 1851.15
(f) Loss (This figure is arrived at by deducting item (v) from item (iv) - - - $ 2648.85

(5) PERSONAL PROPERTY

(a) Place or places at which property was left by the claimant at date of evacuation

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

(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") _____

_____

_____

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

1. _____ Estimated Value $_____
2. _____ Estimated Value $_____
3. _____ Estimated Value $_____
4. _____ Estimated Value $_____
5. _____ Estimated Value $_____
6. _____ Estimated Value $_____
7. _____ Estimated Value $_____
8. _____ Estimated Value $_____
9. _____ Estimated Value $_____
10. _____ Estimated Value $_____

TOTAL CLAIM FOR PROPERTY LOSS $_____

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) - $ 2648.85

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

Vernon preferred

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

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, Ichiji Aomoto of the
of R.R. 1, Oyama in the Province of British Columbia

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 Vernon)
in the Province of British Columbia)
this 15th day of November)
A.D. 1947. Sidney Sages)

I. Aomoto

A Commissioner &c.

A Notary Public and a Commissioner for Province of British Columbia

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.

_____

_____

_____

_____

ICHIJI AOMOTO
(Claimant's Name)

REAL ESTATE
(Farm Land)

13724
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	2½	1919	K. Uchiyama	$1500.00	1 acre only cleared	None	$2500.00
Cultivated not planted	1						
Cultivated and ~~not~~ in crop	6½						
List Crops							
3 acres Straws { 2½ bearing, ½ young plants							
2 acres Raspb { 1 third yr plants, 1 fourth yr "							
¾ Asparagus (bearing							
¾ Fruit Trees (bearing & Rhubarb. Total	10 ac.						

EXHIBIT No. 183-1
DATE 21 April 1948
FILED BY Claimant

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

Description	When Made	Cost
Cleared 6½ acres		
Put in wooden drainage		
Put in 80 plum trees & 10 mixed fruit trees (all bearing at time of evacuation)		
Dug two wells.		

BUILDINGS

Type	Size	Finish	Date Built	Cost Material	Paid for Labour	Estimated Value of Own Labour	Allowance for Depreciation	Estimated Value
House, Front addition, Back " Full basement 4 rooms main floor 2 rooms upstairs	24×30, 8×14, 6×14	Drop siding outside painted, Cedar flooring V-Joints	1934	1500.00	100.00	300.00		$2000.00
Barn & addition	28×38	Rough Lumber	1936	500.00		150.00		
Woodshed	14×20	"	1939	30.00		15.00		
Garage	10×18	"	1925	15.00		10.00		
Shed	14×16	"	1924	20.00		10.00		

Comments re Appraiser's report not covered by above information: The appraiser's report sent to me by the Custodian does not relate to my land. My land was Subd. 1 S.E. 1/4 Sec. 32. The said report refers to my neighbours land being Lot 2.

Being required to leave in may 1942 I leased my farm to one O.R. Wiese for $700.00 for the 1st 9 mos. to include growing crops and at an annual rental of $350.00 thereafter. I do not consider this to be a fair rental but made the agreement as I had to leave. I did not expect to be away long.

I have no expert knowledge of the value of land and I do not know on what basis it was appraised by the V.S.B. but I believe my lands & buildings were worth at least $4500.00.

I. Aomoto
SIGNATURE

april 1942

taken by

984

Jay Squire

EXHIBIT No. 183-2

DATE 21 Apl 1948

FILLED BY

Claimant.