G/73

Name of Claimant Western Canada Hop Co-Op Case 483 ABANDONED

Custodian File

REAL PROPERTY											Total
Greater Vancouver		Rural (except V.L.A.)			V.L.A. (except Mission Village)			V.L.A. Mission Village			
Sale Price	5% thereof & 12.50	Sale Price	10% thereof	Charges 12.50 & Comm.	Sale Price	Total Award 80% of all Sale Prices		Sale Price	Total Award 125% of all Sale Prices:		
						% of Total	Amount		% of Total	Amount	

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	00

Western Canada Hop.

These lands were not sold - Hop warehouse constructed on lands at cost of $8716.12

No market xpt at $2000.

Sept 30-49. Writ he proposes that $4000 be paid

CASE NO: 483.

JAPANESE PROPERTY CLAIMS COMMISSION

Lethbridge, Alberta,
March 30th, 1948.

IN THE MATTER OF THE CLAIM OF
WESTERN CANADA HOP CO-OPERATIVE UNION.

PROCEEDINGS AT HEARING.

Original.

CASE NO: 483.

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).

Lethbridge, Alberta,
March 30th, 1948.

IN THE MATTER OF THE CLAIM OF
WESTERN CANADA HOP CO-OPERATIVE UNION.

PROCEEDINGS AT HEARING.

APPEARANCES:

J.W.G. HUNTER, Esq.,	appearing for the Dominion Government.
A.G. VIRTUE, Esq., K.C.,	appearing for the Claimant.

A. WATSON, Esq.,	Secretary.
G.N?R. UPTON, Esq.,	Official Interpreter.
T.P. HORROBIN, Esq.,	Official Reporter.

MR. VIRTUE: My lord, there was just one other matter which was on the list, if your Lordship will permit me to mention it, it is the Western Canada Hop Co-Operative Union. Now, this is a case where the property was not sold by the Custodian, so strictly speaking it does not come within the terms of the Commission.

THE COMMISSIONER: I think we will give this claim a number, Mr. Secretary. 483. Yes, proceed, Mr. Virtue.

MR. VIRTUE: I want to make a statement without calling evidence.

THE COMMISSIONER: May I interrupt you for just a moment, Mr. Virtue. Yes, proceed.

MR. VIRTUE: All I want to say about this case is this, that while it doesn't strictly come within the terms of the Commission, what happened was this, the Western Canada Hop Co-Operative Union constructed a hop warehouse solely for the purpose of drying hops at a cost of $8000.00 which is the present value for that purpose. Now, upon evacuation all of the hop growers were removed out of that area with the result that the building became what you might call a misplaced building, and the greatest offer we can get for the building now, after making very great efforts, is $2000.00.

Now I thought possibly your Lordship might feel that while it doesn't come within your official duty, you might feel like making some report on it.

THE COMMISSIONER: I am glad you called it to my

attention. I quite agree with you, it is a matter to be brought to the attention of the Executive Council.

(Concluded)

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

T. P. Horrobin

"T.P. HORROBIN"
Official Reporter.

VIRTUE, RUSSELL & MORGAN

BARRISTERS, SOLICITORS
AND NOTARIES PUBLIC

McFARLAND BUILDING, OPPOSITE COURT HOUSE LETHBRIDGE, ALBERTA

A. GLADSTONE VIRTUE, M.C., K.C.
WILLIAM STAFFORD RUSSELL, B.A., LL.B.
FREDERICK JOHN MORGAN, B.A., LL.B.

7th February, 1950

PLEASE REFER TO FILE NO. 3212 - 176A

THE SECRETARY,
JAPANESE PROPERTY CLAIMS COMMISSION,
Court House,
VANCOUVER, B.C.

Dear Sir: RE: WESTERN CANADA HOP CO-OPERATIVE UNION

You will recall that this was one of those cases which admitedly did not fall within the exact terms of the Commission.

However His Lordship Mr. Justice Bird, both at the original Hearing at Lethbridge on March 30th, 1948, and again on the 30th of September, 1949 when I was in Vancouver and mentioned the matter to him, seemed to feel that this was a case of special hardship, and he indicated that he would make a report outside the terms of reference to the Governor in Council.

I am merely drawing the matter to the attention of His Lordship at this stage so that it will not be overlooked when the report is being made up.

If the Commissioner cares to forward me a copy of the report in this connection it will be much appreciated.

The Commissioner will recall that the warehouse or hop-drying shed in question was constructed solely for the purpose of drying hops. It cost in the neighbourhood of $8,000.00. Upon evacuation all of the hop growers were removed from that area with the result that the building became a misplaced or obsolete building and all we can obtain now is salvage value which might reach about $2,000.00. This was a direct property loss resulting precisely from the evacuation, and I believe it was for that reason that the Commissioner felt he could

THE SECRETARY,
JAPANESE PROPERTY CLAIMS COMMISSION,
Court House,
VANCOUVER, B.C.

7th February, 1950.

RE: WESTERN CANADA HOP
CO-OPERATIVE UNION.

make a special recommendation outside the terms of reference.

Yours truly,

V/L

answered
Special report made

April 29th 1949.

A. G. Virtue, Esq., K.C.,
McFarland Building,
Lethbridge, Alberta.

Dear Mr.Virtue,

Re Case #483 - Western Canada Hop Co-Operative Union

We have received copy of your letter of the 14th inst. addressed to the Custodian. The Commissioner directs me to state that this case is receiving his attention and will be dealt with in due course.

Yours truly,

A. WATSON
Secretary

AW/W.

April 29th 1949.

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

Dear Sir,

Re Case #483 - Western Canada Hop Co-Operative Union

We are in receipt of copy of a letter dated April 14th 1949 from Messrs. Virtue Russell & Morgan of Lethbridge, addressed to you.

The Commissioner directs ge to state that this case is receiving his attention, and will be dealt with in due course.

Yours truly,

A. WATSON
Secretary.

AW/W.

VIRTUE, RUSSELL & MORGAN

BARRISTERS, SOLICITORS
AND NOTARIES PUBLIC

McFARLAND BUILDING, OPPOSITE COURT HOUSE LETHBRIDGE, ALBERTA

A. GLADSTONE VIRTUE, M.C., K.C.
WILLIAM STAFFORD RUSSELL, B.A., LL.B.
FREDERICK JOHN MORGAN, B.A., LL.B.

14th April, 1949

PLEASE REFER TO FILE NO. 3212-

Receiving the attention of the Commissioners & will be dealt with in due course. 30th May 1948

Case at 83. Lethbridge

Withdrawn

DEPARTMENT OF THE SECRETARY OF STATE,
Office of the Custodian,
Japanese Evacuation Section,
506 Royal Bank Building,
VANCOUVER, B.C.

Attention Mr. F.G.Shears, Director.

Dear Sirs: RE: WESTERN CANADA HOP CO-OPERATIVE UNION
Our File 3212-178
Your File G/73
Case No. 483

We thank you for your letter of April 8th and copy of letter sent to Western Canada Hop Co-operative Union.

We point out that while this case did not come strictly under the terms of reference, yet His Lordship Mr. Justice Bird indicated that he felt that it was a matter in which he could make a recommendation outside the terms of reference.

We suggest, therefore, that the matter be left until special cases are spoken to. The writer will then take this matter up with Mr. Justice Bird and endeavour to have a fair settlement arranged.

The situation, as you know, is that while the hop warehouse in question was not sold yet the evacuation of all hop growers from that district practically destroyed any sales value in the building with the result that our clients have suffered a very severe loss.

We are sending an additional copy of this letter to Mr. Watson, the Secretary to the Commission, in order that the matter may not escape the attention of Mr. Justice Bird.

Yours truly,

VIRTUE, RUSSELL & MORGAN,
Per

1483.

9/73

ACKNOWLEDGED

Lethbridge

Proof of Claim

IN THE MATTER OF Order-in-Council P.C. 1810, as amended by Order-in-Council P.C. 3737; and

IN THE MATTER OF "THE INQUIRIES ACT" being Chapter 99 of the Revised Statutes of Canada, 1927, and

IN THE MATTER OF a Commission appointed to inquire into and report upon the claims of persons of the Japanese Race under said Orders-in-Council.

27

1. Name of Claimant in full:
   Western Canada Hop Cooperative Union,
   President, Katsube Fukami Reg. no. 13927.
   Registration No.

2. Claimant's address at the time of his evacuation from the protected area:
   Mission City B. C. R. R. # 1

3. Claimant's present address:
   Nobleford Alberta. R. R. # 1

4. Claim relating to real property:

   (a) Street address of real property:

   (b) Legal description of property:
   North west section 20, township 17, block 3, lot nos. part, acreage 2.

Case 483

Claim withdrawn.

30th mar. 1948

VIRTUE & RUSSELL, Barristers, Lethbridge.

(c) Type of real property, i.e., farm, residence, commercial, etc., and short description of it:

Commercial cooperative venture in the drying of hops.

Dry kiln and equipment.

(d) Title or interest held by Claimant in the real property:

Clear title

(e) Fair market value of real property at date of sale:

(I)	Land—	$	2 acres	$322.67
(II)	Buildings—	$	dry kiln plant	6089.00
			machinery	562.17
			plant equipment	111.09
			spray equipment	35.91
			bunkhouse	95.28
			operating value	1000.00

(f) Amount of loss alleged to have been sustained by the Claimant under the terms of reference:

$ 8216.12

5. Claims relating to personal property, etc.

(a) Location at which property was left by Claimant at date of evacuation:

(b) Type of premises in which property was left by Claimant and manner in which that property was stored or packed at time of evacuation:

(c) In whose care was property left by the Claimant at date of evacuation?

(d) Itemized and detailed description of the property which is the subject of the claim, and itemized value thereof at the time of sale, loss or destruction:

(e) Amount of loss alleged to have been sustained by Claimant under the terms of reference:

6. I desire that my claim be heard at the City of Lethbridge in the Province of Alberta.

7. An Interpreter will ..... be required. Yes Yes

DATED this THIRTEENTH day of October, A.D. 1947.
xxxxxx
November

H. Miyagawa ..... K. Furukami

Witness to Signature of Claimant. *Signature of Claimant.*

VIRTUE & RUSSELL, Barristers, Lethbridge.

STATUTORY DECLARATION

I, Katsube Fukami
(Full Name of Claimant)

of Nobleford, Alberta. Beet labour
(Present Address) *(Occupation)*

DO SOLEMNLY DECLARE:

1. I am the above named Claimant.

2. I have a personal and full knowledge of the circumstances and facts relating to the Claim above referred to.

3. The above Claim is true and correct.

4. I have not received any payment upon the above Claim other than the following:

And I make this declaration conscientiously believing the same to be true, and knowing it is of the same force and effect as if made under oath, and by virtue of The Canada Evidence Act.

DECLARED at Picture Butte
in the Province of Alberta,
this 12th day of November
A.D. 1947.

Katsube Fukami

Rowena D. Irvine
A Commissioner for Oaths in and for the Province of Alberta.

VIRTUE & RUSSELL, Barristers, Lethbridge.

IN THE MATTER OF Order-in-Council P.C. 1810, as amended by Order-in-Council P.C. 3737; and

IN THE MATTER OF "THE INQUIRIES ACT" being Chapted 99 of the Revised Statutes of Canada, 1927, and

IN THE MATTER OF a Commission appointed to inquire into and report upon the claims of persons of the Japanese Race under said Orders-in-Council.

Proof of Claim

WESTERN CANADA HOP CO-OPERATIVE UNION.

VIRTUE & RUSSELL
Barristers & Solicitors,
Lethbridge, Alberta.

ANALYSIS OF REAL PROPERTY CLAIM

File No. G/73

CLAIMANT: WESTERN CANADA HOP CO-OPERATIVE UNION,
President, Katsube Fukami, Reg. No. 13927.

LEGAL DESCRIPTION: North West section 20, township 17, block 3, lot nos. part, acreage 2.

CLAIM:		
	Land - 2 acres	$322.67
	Buildings - dry kiln plant	6089.00
	machinery	562.17
	plant equipment	111.09
	spray equipment	35.91
	bunkhouse	95.28
	operating value	1000.00
	Total loss claimed	8716.12

REMARKS: No Real Property belonging to this association has been sold by the Custodian.

This also applies to the bunkhouse and operating value. No machinery or fixtures attached to the buildings have been sold by the Custodian.

On April 17, 1947, Messrs. Virtue & Russell, Barristers, Lethbridge, Alberta, advised the Custodian that they were acting for this Co-operative Union which, according to their letter, had been informed that its property had not yet been sold.

On May 22, 1947, the Custodian confirmed that the property had not been sold and in addition forwarded a Certified Copy of the Union's 1941 report to the Registrar of Companies. The Custodian stated in that letter that he would have no objection to voluntary sale by the Union.

On November 12, 1947, Messrs. Virtue & Russell advised the Custodian that it was not the intention of the Directors of the Union to sell their property at this time. The correspondence above referred to is on the claim file.

ANALYSIS OF PERSONAL PROPERTY CLAIM

FILE No G/73 EXHIBIT No.

NAME WESTERN CANADA HOP CO-OPERATIVE UNION (President Katsube FUKAMI Reg. No. 13927) REG. No.

DATE DECLARATION / EVACUATION	INVENTORY of goods referred to in Agreement and Lease between the claimants and ~~CLAIMED BY~~ John I.Haas Hop Co. (Canada) Ltd. DATE Apr. 28/42	DETAILS OF CLAIM		SALES: AUCTION	SALES: TENDER &c	SOLD WITH REAL PROP.	DECL. NOT FOUND
President S.L.Shin Evacuation Oct. 13/42	**Office Equipment:**						
	1 Baling Tongs	Machinery	562.17				
	1 Hop Trier	Plant Equipment	111.09				
	2 Sampling Knives	Spray Equipment	35.91				
	5 Bale Hooks						
	6 Sewing Needles						
	3 Thermometers						
No declaration made to the Custodian by Western Canada Hop Co-Operative other than copies of Agreement and Lease dated April 20/42 between this Asscciation and John I. Haas Hop Co.(Canada) Ltd. and general reference to chattels in the Lease and list of goods dated April 28/42 shown in next column.	4 Shannon Files						
	1 Filing Cabinet (old) 11"x24"x12"						
	1 Hole Punch						
	¼ Lb. Rubber Bands						
	2 Rolls Adding Machine Tape						
	1 Stamp Pad						
	3 Binders (#7718)						
	1 Wood heater (Herald 131)						
	1 Table (3'x6')						
	6 Chairs						
	3 Benches						
	Kiln Equipment at Office.						
	2 Beam Scales (Cap. 100 lbs.)						
	1 Hammer (claw)						
	1 Handsaw 25 inches						
	1 Stone						
	6 Baling Pins						
	2 Hop pole hooks						
	1 Wrench 12"						
	1 Screw driver						
	1 Pr. Hinges 8"						
	1 Scopp Shovel						
	1 Garden Rake						
	1 Double headed axe						
	4 Galv. buckets						
	1 Lantern						
	50 ft. Rubber hose ½"						
	1 Chrome Nozzle						
	1 Block 3 #						
	2 Cable fasteners ½",⅜"						
	1 Cold Chisel 10"						
	Equipment at Kiln:						
	1 Wheelbarrow (used)						
	1 Handtruck						
	1 Platform scale Cap.1000 lb. Double beam Fairbanks #1174						
	2 Barley Forks						
	4 Hop carts						
	42 Lbs. Misc.Nails 20# - 5" 20# - 3½" 2# - 4"						
	2 Dusters (out of order)						
	15 Drums Nicotine Dust (no good)						
	2 Thermometers (used)						

No. G/73 EXHIBIT No. CASE No.

No. VENUE LETHBRIDGE

SALES		SOLD WITH REAL PROP.	DECL. NOT FOUND	NO RECORD AT ANYTIME	ABANDONED	NO ACCOUNT, THEFT &c	UNSOLD	REMARKS
ON	TENDER &c							
								This claim is apparently based on figures found in the Union's 1941 report to Registrar of Companies. This was obtained with particulars of organization and forwarded by the Custodian to Messrs.Virtue & Russell in letter May 22/47.
			X					The Custodian has at no time received particulars of these goods unless identical to goods on list April 28/42.
			X					
			X					No personal property belonging to this Co-Operative Union has been sold by the Custodian.
			X					The chattels listed were leased by the Union to John I. Haas Hop Co.(Canada)Ltd. on April 20/42.
			X					
			X					In possession of John I.Haas Hop Co.
								One in possession of John I. Haas Letter August 10, 1944.
			X					
			X					Left on Premises
					X			Home Made - no value
			X					
			XX					
			X					
							X	
			X					
			X					
			X					Left on premises
			X					
								In possession of John I. Haas
								In possession of John I. Haas
								In possession of John I. Haas
			X					
			X					
			X					
			X					
					X			
			X					